

Title 180 WAC

EDUCATION, BOARD OF

Chapters	
180-08	Practice and procedure.
180-10	Access to public records.
180-16	State support of public schools.
180-20	School bus transportation.
180-22	Educational service districts.
180-23	Educational service districts--Election of board members.
180-24	School district organization.
180-25	State assistance in providing school plant facilities--Preliminary provisions.
180-26	State assistance in providing school plant facilities--Educational specifications and site selection.
180-27	State assistance in providing school plant facilities--Basic state support.
180-29	State assistance in providing school plant facilities--Procedural regulations.
180-30	State assistance in providing school plant facilities--Pre-November 1983 applications.
180-31	State assistance in providing school plant facilities--Interdistrict cooperation in financing school plant construction.
180-32	State assistance in providing school plant facilities--Interdistrict transportation cooperatives.
180-33	State assistance in providing school plant facilities--Modernization.
180-34	Real property sales contracts.
180-36	Central purchasing.
180-38	Pupils--Immunization requirement.
180-39	Pupils--Uniform entry qualifications.
180-40	Pupils.
180-41	Pupil safety.
180-43	Interscholastic activities.
180-44	Teachers' responsibilities.
180-46	Learning resources centers.
180-50	Courses of study and equivalencies.
180-51	High school graduation requirements.
180-52	Pupil personnel services.
180-53	Educational quality--Self-study by school districts.
180-55	School accreditation.
180-56	Secondary education.
180-57	Secondary education--Standardized high school transcript.
180-58	Vocational education.
180-72	Adult education.
180-75	Professional certification--General provisions.
180-77	Standards for vocational certification.

180-78	Professional preparation program development and approval.
180-79	Professional preparation certification requirements.
180-80	Teacher education and certification.
180-84	Specialized personnel standards.
180-85	Professional certification--Continuing education requirement.
180-90	Private schools.
180-95	Educational clinics.

DISPOSITION OF CHAPTERS FORMERLY CODIFIED IN THIS TITLE

Chapter 180-28 SCHOOL PLANT FACILITIES

BASIC STATE ASSISTANCE PROGRAM

180-28-005	Regulatory provisions relating to specific acts. [Order 2-68, § 180-28-005, filed 1/8/68; Emergency Order 1-68, filed 1/5/68; Order, filed 6/20/67, effective 7/21/67; SBE 28-4-0, filed 5/3/66, effective 6/3/66; filed 7/24/63 as Emergency Rule, effective 10/19/63 as Permanent Rule; Rules (part), filed 7/11/63.] Repealed by Order 9-77, filed 7/18/77.
180-28-010	Policies and principles--Basic policy. [SBE 28-4-100, filed 1/16/63; State Building Assistance (SBA) Rules (part), filed 3/24/60.] Repealed by Order 9-77, filed 7/18/77.
180-28-015	Policies and principles--Principles and policies relating to nonhigh school districts contemplating establishment of high schools and to districts operating small high schools. [SBE 28-4-101, filed 1/16/63; Rules (part), filed 3/24/60.] Repealed by Order 9-77, filed 7/18/77.
180-28-020	Policies and principles--Small high schools--Effectiveness and remoteness. [SBE 28-4-1010, filed 1/16/63; SBA Rules Introd., filed 3/24/60.] Repealed by Order 9-77, filed 7/18/77.
180-28-025	Policies and principles--Purposes and objectives. [SBE 28-4-1011, filed 1/16/63.] Repealed by Order 9-77, filed 7/18/77.
180-28-040	Eligibility for state assistance--Need for school facilities a basis for eligibility. [SBE 28-4-110, filed 1/16/63; SBA Rules, Section II A, filed 3/24/60.] Repealed by Order 9-77, filed 7/18/77.
180-28-045	Eligibility for state assistance--School district effort to provide capital funds a basis for eligibility. [SBE 28-4-111, filed 10/13/67, effective 11/13/67; SBE 28-4-111, filed 1/16/63; Rules, filed 6/8/61 (part); SBA Rules, Section II B, filed 3/24/60.] Repealed by Order 9-77, filed 7/18/77.
180-28-050	Eligibility for state assistance--Effect upon racial imbalance. [Order 4-68, § 180-28-050, filed 2/14/68; Order 1-67, § 180-28-050, filed 12/7/67.] Repealed by Order 9-77, filed 7/18/77.
180-28-055	General regulations--Architects. [SBE 28-4-1201, filed 6/20/67, effective 7/21/67; SBE 28-4-1200 [(1)] and SBE 28-4-1201 [(2)], filed 1/16/63; SBA Rules, Section III A, filed 3/24/60.] Repealed by Order 9-77, filed 7/18/77.
180-28-060	General regulations--Site approval and sizes. [SBE 28-4-1210 and 28-4-1211, filed 1/16/63; SBA

- Rules, Section III B 1 and B 2, filed 3/24/60.] Repealed by Order 9-77, filed 7/18/77.
- 180-28-065 General regulations—Fee simple title. [SBE 28-4-1212, filed 1/16/63; SBA Rules, Section III B 3, filed 3/24/60.] Repealed by Order 9-77, filed 7/18/77.
- 180-28-070 General regulations—Replacement of old buildings. [SBE 28-4-122, filed 1/16/63; SBA Rules, Section III C, filed 3/24/60.] Repealed by Order 9-77, filed 7/18/77.
- 180-28-075 General regulations—Federal funds. [SBE 28-4-123, filed 1/16/63; SBA Rules, filed 6/8/61 and 8/20/62.] Repealed by Order 9-77, filed 7/18/77.
- 180-28-080 General regulations—Time limit for advancement of projects. [SBE 28-4-124, filed 6/20/67, effective 7/21/67; filed as Emergency Rule 9/19/63, effective as Permanent Rule 10/19/63, SBE 28-4-124; Rules (part), filed 1/16/63 and 8/20/62.] Repealed by Order 9-77, filed 7/18/77.
- 180-28-085 General regulations—Change in project scope. [SBE 28-4-125, filed 12/12/66, effective 1/12/67; SBE 28-4-125, filed 1/16/63; Rule filed 8/20/62.] Repealed by Order 9-77, filed 7/18/77.
- 180-28-090 General regulations—Change orders. [SBE 28-4-126, filed 1/16/63; Rules filed 8/20/62; and SBA Rules, Section III E, filed 3/24/60.] Repealed by Order 9-77, filed 7/18/77.
- 180-28-100 Determination of amount of state assistance—Percentage of state assistance. [SBE 28-4-130, filed as Emergency Rule 7/24/63, effective as Permanent Rule 10/19/63; Emergency Rules (part) filed 7/11/63; Rules (part), filed 1/16/63; SBA Rules, Section IV A, filed 3/24/60.] Repealed by Order 9-77, filed 7/18/77.
- 180-28-101 Determination of amount of state assistance—Educational unit basis. [Order 2-68, § 180-28-101, filed 1/8/68; Emergency Order 1-68, filed 1/5/68; Order filed 6/20/67, effective 7/21/67; SBE 28-4-1300, filed 12/13/65; Rules (part), filed as Emergency 9/19/63, effective as Permanent Rule 10/19/63.] Repealed by Order 9-77, filed 7/18/77.
- 180-28-105 Determination of amount of state assistance—Insurance funds. [SBE 28-4-110, filed 1/16/63; SBE 28-4-131 until Order filed as Emergency Order 9/19/63, effective as Permanent Order 10/19/63; Rules (part), filed 8/20/62.] Repealed by Order 9-77, filed 7/18/77.
- 180-28-110 Determination of amount of state assistance—Loss of a building by fire. [SBE 28-4-132, filed 1/16/63; SBE 28-4-132 until order filed as Emergency Order 9/19/63, effective as Permanent Order 10/19/63; Rules (part), filed 6/8/61.] Repealed by Order 9-77, filed 7/18/77.
- 180-28-115 Determination of amount of state assistance—Condemnation of a building. [SBE 28-4-133, filed 1/16/63; SBE 28-4-133 until order filed as Emergency Order 9/19/63, effective as Permanent Order 10/19/63; Rules (part), filed 6/8/61.] Repealed by Order 9-77, filed 7/18/77.
- 180-28-120 Determination of amount of state assistance—Expenditures for items financed entirely with school district local funds. [SBE 28-4-134, filed 1/16/63; SBA Rules, Section IV C, filed 3/24/60.] Repealed by Order 9-77, filed 7/18/77.
- 180-28-125 Determination of amount of state assistance—Cost ceiling. [(1) and (2) Emergency Rule, filed 7/27/66; (1) and (2) Permanent Rule, filed 7/27/66, effective 8/26/66; SBE 28-4-135, filed 1/16/63; filed 4/2/62; SBA Rules, Section IV D, filed 3/24/60.] Repealed by Order 9-77, filed 7/18/77.
- 180-28-130 Determination of amount of state assistance—Community colleges. [SBE 28-4-136, filed 1/16/63; Rules, filed 4/2/62.] Decodified as amended, now codified in WAC 180-28-167.
- 180-28-135 Determination of amount of state assistance—Area designations—Grades K through 12. [Order 2-68, § 180-28-135, filed 1/8/68; Emergency Order 1-68, filed 1/5/68; SBE 28-4-1370, filed 12/12/66, effective 1/12/67; SBE 28-4-1370, filed 5/3/66, effective 6/3/66; Rules (part), filed 1/16/63; Rules (part), filed 4/2/62; SBA Rules, Section IV E, IV E(1), filed 3/24/60.] Repealed by Order 9-77, filed 7/18/77.
- 180-28-140 Determination of amount of state assistance—Junior high schools and high schools. [Rule, filed 5/26/65, SBE 28-4-1371; Rules (part), filed as Emergency Rules 7/24/63, effective as Permanent Rules 10/19/63; Emergency Rules (part), filed 7/11/63; Rules (part), filed 1/16/63.] Repealed by Rule, filed 12/12/66, effective 1/12/67.
- 180-28-145 Determination of amount of state assistance—Community colleges. [SBE 28-4-1372, filed as Emergency Rule 7/24/63, effective as Permanent Rule 10/19/63; Emergency Rules (part), filed 7/11/63; Rules (part), filed 1/16/63; 4/2/62; Emergency Rules (part), filed 2/12/62, effective 2/13/62.] Repealed by Order 9-77, filed 7/18/77.
- 180-28-150 Determination of amount of state assistance—Physical education facilities. [SBE 28-4-138, filed 12/12/66, effective 1/12/67; filed as Emergency Rule 7/24/63, effective as Permanent Rule 10/19/63; SBE 28-4-138; Emergency Rules (part), filed 7/11/63; Rules (part), filed 1/16/63; SBA Rules, Section IV F, filed 3/24/60.] Repealed by Order, filed 10/13/67, effective 11/13/67.
- 180-28-160 Areas, facilities and items to be financed entirely with school district local funds. [Order, filed 6/20/67, effective 7/21/67; SBE 28-4-14, filed 5/3/66, effective 6/3/66; Rules (part), filed 1/16/63; Rules (part), filed 8/20/62; SBA Rules, Section V, filed 3/24/60.] Repealed by Order 9-77, filed 7/18/77.

ADDITIONAL STATE ASSISTANCE—EMERGENCIES

- 180-28-165 Regulations pursuant to RCW 28.47.734(4). [SBE 28-4-131, filed as Emergency Rule 9/19/63, effective as Permanent Rule 10/19/63.] Repealed by Order 9-77, filed 7/18/77.
- 180-28-166 Regulations pursuant to RCW 28.47.734(4)—Sudden and excessive past increase in school population. [Order 2-68, § 180-28-166, filed 1/8/68; Emergency Order 1-68, filed 1/5/68; Order filed 6/20/67, effective 7/21/67; SBE 28-4-1310, filed as Emergency Rule 9/19/63, effective as Permanent Rule, filed 10/19/63.] Repealed by Order 9-77, filed 7/18/77.
- 180-28-167 Out-of-district, state-resident students. [SBE 28-4-1311(2), filed 12/12/66, effective 1/12/67; SBE 28-4-1311, filed as Emergency Rule 9/19/63, effective as Permanent Rule 10/19/63; Subsec. (3) formerly SBE 28-4-136, filed 1/16/63, 4/2/62; Emergency Rules (part), filed 2/12/62, effective 2/13/62.] Repealed by Order 9-77, filed 7/18/77.
- 180-28-168 Out-of-district, state-resident students—Additional allotment to meet school housing emergency—General provisions. [Order 2-68, § 180-28-168, filed 1/8/68; SBE 28-4-132, Emergency Order 1-68, filed 1/5/68; SBE 28-4-132, filed 4/25/67, effective 5/26/67; SBE 28-4-132, repealed and readopted as Emergency, filed 2/23/67; SBE 28-4-132, filed as Emergency Rule 9/19/63, effective as Permanent Rule 10/19/63. Prior history, see disposition of WAC 180-28-175 through 180-28-265.] Repealed by Order 9-77, filed 7/18/77.
- 180-28-169 Out-of-district, state-resident students—Eligibility requirements for additional allotment of state funds. [Order 2-68, § 180-28-169, filed 1/8/68; Emergency Order 1-68, filed 1/5/68; SBE 28-4-1321, filed 10/13/67, effective 11/13/67; SBE 28-4-1321, filed 4/25/67, effective 5/26/67; Emergency Order SBE 28-4-1321, filed 2/23/67; SBE 28-4-132 (part), filed as Emergency Rule 9/19/63, effective as Permanent Rule 10/19/63, SBE 28-4-132. Prior history,

- see disposition of WAC 180-28-175 through 180-28-265.] Repealed by Order 9-77, filed 7/18/77.
- 180-28-170 Out-of-district, state-resident students—Determination of amount of additional allotment. [Order 2-68, § 180-28-170, filed 1/8/68; Emergency Order 1-68, § 180-28-170, SBE 28-4-1322, filed 1/5/68; SBE 28-4-1322, filed 4/25/67, effective 5/26/67; Emergency Order, SBE 28-4-1322, filed 2/23/67.] Repealed by Order 9-77, filed 7/18/77.
- 180-28-171 Out-of-district, state-resident students—Effect of additional allotment on future allotments. [Order 2-68, § 180-28-171, filed 1/8/68; Emergency Order 1-68, § 180-28-171, filed 1/5/68; SBE 28-4-1323, filed 4/25/67, effective 5/26/67; Emergency Order, SBE 28-4-1323, filed 2/23/67.] Repealed by Order 9-77, filed 7/18/77.
- 180-28-175 Excess requirements. [SBE 28-4-2, filed 1/16/63.] Repealed by order effective as Emergency Order 9/19/63.
- 180-28-180 Excess requirements—Applicability of general regulations. [SBE 28-4-20, filed 1/16/63; SBA Rules, Section VI A, filed 3/24/60.] Repealed by order effective as Emergency Order 9/19/63.
- 180-28-185 Additional need and fiscal requirements—Additional requirements—General. [SBE 28-4-21, filed 1/16/63; SBA Rules, Section VI C (part), filed 3/24/60.] Repealed by order effective as Emergency Order 9/19/63.
- 180-28-190 Additional need and fiscal requirements—Emergency need for school facilities a basis for eligibility. [SBE 28-4-210, filed 1/16/63; SBA Rules, Section VI C 1, filed 3/24/60.] Repealed by order effective as Emergency Order 9/19/63.
- 180-28-195 Additional need and fiscal requirements—School district effort to provide capital funds a basis for eligibility. [SBE 28-4-211, filed 1/16/63; SBA Rules, Section VI C 2, filed 3/24/60.] Repealed by order effective as Emergency Order 9/19/63.
- 180-28-200 Additional need and fiscal requirements—Fiscal and enrollment requirements a qualification for continued eligibility. [SBE 28-4-212, filed 1/16/63; Rules, filed 6/8/61; SBA Rules, Section VI C 3, filed 3/24/60.] Repealed by order effective as Emergency Order 9/19/63.
- 180-28-210 Determination of amount of state assistance—Percentage of state assistance. [SBE 28-4-220, filed 1/16/63; SBA Rules, Section IV A, filed 3/24/60.] Repealed by order effective as Emergency Order 9/19/63.
- 180-28-215 Determination of amount of state assistance—Allowance for equipment and furnishings. [SBE 28-4-221, filed 1/16/63; Rules, filed 6/8/61; SBA Rules, Section VI D 2, filed 3/24/60.] Repealed by order effective as Emergency Order 9/19/63.
- 180-28-220 Determination of amount of state assistance—Design within square foot cost ceiling. [SBE 28-4-222, filed 1/16/63; Rules, filed 6/8/61.] Repealed by order effective as Emergency Order 9/19/63.
- 180-28-225 Determination of amount of state assistance—Area limitations. [SBE 28-4-223, filed 1/16/63; SBA Rules, Section V D 4, filed 3/24/60.] Repealed by order effective as Emergency Order 9/19/63.
- 180-28-230 Determination of amount of state assistance—Physical education facilities. [SBE 28-4-224, filed 1/16/63; SBA Rules, Section VI D 3, filed 3/24/60.] Repealed by order effective as Emergency Order 9/19/63.
- 180-28-235 Areas, facilities and items to be financed entirely with school district local funds. [SBE 28-4-23, filed 1/16/63; SBA Rules, Section VI B, filed 3/24/60.] Repealed by order effective as Emergency Order 9/19/63.
- 180-28-245 School district local fund expenditures—Architects fees. [SBE 28-4-240, filed 1/16/63; SBA Rules, Section VI D 5, filed 3/24/60.] Repealed by order effective as Emergency Order 9/19/63.
- 180-28-250 School district local fund expenditures—Prior commitments. [SBE 28-4-241, filed 1/16/63; SBA Rules, Section VI E 1, filed 3/24/60.] Repealed by order effective as Emergency Order 9/19/63.
- 180-28-255 School district local fund expenditures—Use of school district capital funds. [SBE 28-4-242, filed 1/16/63; SBA Rules, Section VI E 2, filed 3/24/60.] Repealed by order effective as Emergency Order 9/19/63.
- 180-28-260 School district local fund expenditures—Sites. [SBE 28-4-243, filed 1/16/63; Rules, filed 8/20/62; SBA Rules, Section VI E 3, filed 3/24/60.] Repealed by order effective as Emergency Order 9/19/63.
- 180-28-265 School district local fund expenditures—Additional and/or other costs. [SBE 28-4-244, filed 1/16/63; SBA Rules, Section VI E 4, filed 3/24/60.] Repealed by order effective as Emergency Order 9/19/63.

PROCEDURAL REGULATIONS GOVERNING THE
ADMINISTRATION OF STATE ASSISTANCE IN PROVIDING
SCHOOL PLANT FACILITIES

- 180-28-275 Advancement of projects pending availability of funds. [SBE 28-4-601, filed 6/20/67, effective 7/21/67; SBE 28-4-601, filed 2/1/66, effective 3/3/66; SBE 28-4-602, filed 7/11/63, effective 8/12/63, filed as Emergency Rule 5/6/63.] Repealed by Order 9-77, filed 7/18/77.
- 180-28-280 Under the \$46,611,550 appropriation provided by chapters 4 and 26, Laws of 1963 ex. sess. [Filed 7/11/63, effective 8/12/63.] Repealed by Order, filed 2/1/66, effective 3/3/66.
- 180-28-300 General regulations. [SBE 28-4-60, filed 1/16/63; SBA Rules, Section I A, filed 3/24/60.] Repealed by Order 9-77, filed 7/18/77.
- 180-28-305 Application regulations and procedures—Scope. [SBE 28-4-61 (part), filed 1/16/63.] Repealed by Order 9-77, filed 7/18/77.
- 180-28-310 Application regulations and procedures—Part one—Notification and study. [Order 4-68, § 180-28-310, filed 2/14/68; Order 1-67, § 180-28-310, filed 12/7/67; SBE 28-4-61 (part), filed 1/16/63; SBA Rules, Section I B 1, filed 3/24/60.] Repealed by Order 9-77, filed 7/18/77.
- 180-28-315 Application regulations and procedures—Part two—Filing of application and preliminary data. [SBE 28-4-61 (part), filed 1/16/63; SBA Rules, Section I B 2, filed 3/24/60.] Repealed by Order 9-77, filed 7/18/77.
- 180-28-320 Application regulations and procedures—Part three—Filing of preliminary plan and specifications. [Order 4-68, § 180-28-320, filed 2/14/68; SBE 28-4-61(2), filed 12/12/66, effective 1/12/67; SBE 28-4-61 (part), filed 1/16/63; Rules, filed 6/8/61; SBA Rules Section I B 3 and B 4, filed 3/24/60.] Repealed by Order 9-77, filed 7/18/77.
- 180-28-325 Approval of project, preliminary allotment of funds, final plan and specifications and construction bids—Project approval, allotment, authorization. [SBE 28-4-620, filed 1/16/63; Rules filed 6/8/61 (part); SBA Rules Section I B 5, filed 3/24/60.] Repealed by Order 9-77, filed 7/18/77.
- 180-28-330 Approval of project, preliminary allotment of funds, final plan and specifications and construction bids—Final plan and specifications, bid and contract provisions. [SBE 28-4-621, filed 1/16/63.] Repealed by Order 9-77, filed 7/18/77.
- 180-28-335 Approval of project, preliminary allotment of funds, final plan and specifications and construction bids—Separate bids on projects in excess of \$100,000. [SBE 28-4-6210, filed 12/12/66, effective 1/12/67; SBE 28-4-6210, filed 1/16/63; SBA Rules, Section III H, filed 3/24/60.] Repealed by Order 9-77, filed 7/18/77.
- 180-28-340 Approval of project, preliminary allotment of funds, final plan and specifications and construction bids—Alternate bids or cost breakdown on items to be financed from school district local funds. [SBE 28-4-

Title 180 WAC

Title 180 WAC: Education, Board of

- 180-28-345 6211, filed 1/16/63; SBA Rules, Section III I, filed 3/24/60.] Repealed by Order 9-77, filed 7/18/77.
Approval of project, preliminary allotment of funds, final plan and specifications and construction bids—Cash allowance. [SBE 28-4-6212, filed 1/16/63; Rules filed 6/8/61.] Repealed by Order 9-77, filed 7/18/77.
 - 180-28-350 Approval of project, preliminary allotment of funds, final plan and specifications and construction bids—Fire insurance coverage on structure under contract. [SBE 28-4-6213, filed 1/16/63.] Repealed by Order 9-77, filed 7/18/77.
 - 180-28-355 Approval of project, preliminary allotment of funds, final plan and specifications and construction bids—Bidders' guarantee requirements. [SBE 28-4-6214, filed 1/16/63; SBA Rules, Section III F, filed 3/24/60.] Repealed by Order 9-77, filed 7/18/77.
 - 180-28-360 Approval of project, preliminary allotment of funds, final plan and specifications and construction bids—State fire marshal and state director of health approval of final plan and specifications. [SBE 28-4-6215, filed 1/16/63; Typographical error corrected by filing of 2/2/63; Rules filed 6/8/61; SBA Rules, Section III D, filed 3/24/60.] Repealed by Order 9-77, filed 7/18/77.
 - 180-28-365 Approval of project, preliminary allotment of funds, final plan and specifications and construction bids—Approval of final plan and specifications. [SBE 28-4-6220, filed 12/12/66, effective 1/12/67; SBE 28-4-6220, filed 1/16/63; Rules filed 6/8/61; SBA Rules, Section I B 7, filed 3/24/60.] Repealed by Order 9-77, filed 7/18/77.
 - 180-28-370 Approval of project, preliminary allotment of funds, final plan and specifications and construction bids—Bid specifications. [SBE 28-4-6221, filed 1/16/63.] Repealed by Order 9-77, filed 7/18/77.
 - 180-28-375 Approval of project, preliminary allotment of funds, final plan and specifications and construction bids—Advertisement for bids. [SBE 28-4-6222, filed 12/12/66, effective 1/12/67; SBE 28-4-6222, filed 1/16/63.] Repealed by Order 9-77, filed 7/18/77.
 - 180-28-380 Approval of project, preliminary allotment of funds, final plan and specifications and construction bids—Bid data and document requirements following bid opening. [SBE 28-4-623, filed 1/16/63; SBA Rules, Section I B 9, filed 3/24/60.] Repealed by Order 9-77, filed 7/18/77.
 - 180-28-390 Approval of project, preliminary allotment of funds, final plan and specifications and construction bids—Authorization required for contract award. [SBE 28-4-630, filed 1/16/63; SBA Rules, Sections I B 10 and 11, filed 3/24/60.] Repealed by Order 9-77, filed 7/18/77.
 - 180-28-395 Approval of project, preliminary allotment of funds, final plan and specifications and construction bids—Negotiation of school building contracts. [SBE 28-4-631, filed 1/16/63.] Repealed by Order 9-77, filed 7/18/77.
 - 180-28-400 Approval of project, preliminary allotment of funds, final plan and specifications and construction bids—Award of contract or contracts. [SBE 28-4-632, filed 1/16/63; SBA Rules, Section I B 11, filed 3/24/60.] Repealed by Order 9-77, filed 7/18/77.
 - 180-28-405 Approval of project, preliminary allotment of funds, final plan and specifications and construction bids—Final allotment of state funds. [SBE 28-4-633, filed 1/16/63; SBA Rules, Section I B 10, filed 3/24/60.] Repealed by Order 9-77, filed 7/18/77.
- PROCEDURAL REGULATIONS GOVERNING THE DISBURSEMENT OF FUNDS FOR CONSTRUCTION OF SCHOOL PLANT FACILITIES**
- 180-28-450 General regulations—State superintendent to administer funds. [SBE 28-4-700, filed 1/16/63.] Repealed by Order 9-77, filed 7/18/77.
 - 180-28-455 General regulations—Payments on basis of work progress. [SBE 28-4-701, filed 1/16/63; Payment of Funds Rules, Section III (part), filed 3/24/60.] Repealed by Order 9-77, filed 7/18/77.
 - 180-28-460 General regulations—State warrants—Payable to and delivery. [SBE 28-4-702, filed 1/16/63; Payment of Funds Rules, Section V, filed 3/24/60.] Repealed by Order 9-77, filed 7/18/77.
 - 180-28-465 General regulations—Retainage on contract payments. [SBE 28-4-703, filed as Emergency Rule 7/24/63, effective as Permanent Rule 10/19/63; Emergency Rules (part), filed 7/11/63; Rules (part), filed 1/16/63; Payment of Funds Rules, Section III 2, filed 3/24/60.] Repealed by Order 9-77, filed 7/18/77.
 - 180-28-470 General regulations—Payments from school district local funds. [SBE 28-4-704, filed 1/16/63; Payment of Funds Rules, Section I (part), filed 3/24/60.] Repealed by Order 9-77, filed 7/18/77.
 - 180-28-475 General regulations—Payments from state funds. [SBE 28-4-705, filed 1/16/63; Payment of Funds Rules, Section I (part), filed 3/24/60.] Repealed by Order 9-77, filed 7/18/77.
 - 180-28-490 Payments from school district local funds—Disbursement regulations and procedures. [SBE 28-4-7100, filed 1/16/63; Payment of Funds Rules, Section II 1(a), filed 3/24/60.] Repealed by Order 9-77, filed 7/18/77.
 - 180-28-495 Payments from school district local funds—Notification to state superintendent of school district payments. [SBE 28-4-7101, filed 1/16/63; Payment of Funds Rules, Section II (part), filed 3/24/60.] Repealed by Order 9-77, filed 7/18/77.
 - 180-28-500 Payments from school district local funds—Certification of total disbursements. [SBE 28-4-7102, filed 1/16/63; Payment of Funds Rules, Section II 3, filed 3/24/60.] Repealed by Order 9-77, filed 7/18/77.
 - 180-28-505 Payments from school district local funds—Progress payments from state funds. [SBE 28-4-711, filed 1/16/63.] Repealed by Order 9-77, filed 7/18/77.
 - 180-28-510 Payments from school district local funds—School district responsibility to submit vouchers. [SBE 28-4-7110, filed 1/16/63; Payment of Funds Rules, Section III (part), filed 3/24/60.] Repealed by Order 9-77, filed 7/18/77.
 - 180-28-515 Payments from school district local funds—Payments to contractors—Supporting data. [SBE 28-4-7111, filed 1/16/63; Payment of Funds Rules, Section III (part), filed 3/24/60.] Repealed by Order 9-77, filed 7/18/77.
 - 180-28-520 Payments from school district local funds—Payments to architects. [SBE 28-4-7112, filed 1/16/63; Payment of Funds Rules, Section III (part), filed 3/24/60.] Repealed by Order 9-77, filed 7/18/77.
 - 180-28-525 Payments from school district local funds—Final payments on contracts. [SBE 28-4-712, filed 1/16/63; Payment of Funds Rules, Section IV (part), filed 3/24/60.] Repealed by Order 9-77, filed 7/18/77.
 - 180-28-530 Payments from school district local funds—Acceptance of building, improvement or work as completed. [SBE 28-4-7120, filed 1/16/63; Payment of Funds Rules, Section IV (part), filed 3/24/60.] Repealed by Order 9-77, filed 7/18/77.
 - 180-28-535 Payments from school district local funds—Documents required for final payment. [SBE 28-4-7121, filed 1/16/63; Payment of Funds Rules, Section IV (part), filed 3/24/60.] Repealed by Order 9-77, filed 7/18/77.
 - 180-28-550 Certification by state tax commission and state department of labor and industries of payment of taxes. [SBE 28-4-72, filed 1/16/63; Payment of Funds Rules, Section IV (part), filed 3/24/60.] Repealed by Order 9-77, filed 7/18/77.
 - 180-28-600 Nonhigh school district participation in financing cost of high school facilities—Basic policy. [SBE 28-8-

- 100, filed 1/16/63; Rules, filed 3/24/60.] Repealed by Order 9-77, filed 7/18/77.
- 180-28-650 Federal grants to school districts for school building construction under provisions of Public Law 815—Policies and principles—Certification by state educational agency respecting allotment of federal funds for school building construction. [SBE 28-12-100, filed 1/16/63; Rules (part), filed 6/27/61.] Repealed by Order 9-77, filed 7/18/77.
- 180-28-700 Area designations for elementary school buildings—Table. [Chart, filed 3/24/60.] Repealed by Order, filed 5/3/66.
- 180-28-800 Portable buildings and portable classrooms—Statutory authority. [SBE 28-4-3, 28-4-30, filed 10/13/67, effective 11/13/67.] Repealed by Order 9-77, filed 7/18/77.
- 180-28-805 Portable buildings and portable classrooms—Definitions. [SBE 28-4-31, filed 10/13/67, effective 11/13/67.] Repealed by Order 9-77, filed 7/18/77.
- 180-28-810 Portable buildings and portable classrooms—Basic policy. [SBE 28-4-32, filed 10/13/67, effective 11/13/67.] Repealed by Order 9-77, filed 7/18/77.
- 180-28-815 Portable buildings and portable classrooms—Construction regulations—Building code requirements. [SBE 28-4-34, 28-4-341, filed 10/13/67, effective 11/13/67.] Repealed by Order 9-77, filed 7/18/77.
- 180-28-820 Portable buildings and portable classrooms—Provisions for the aging and physically handicapped persons. [SBE 28-4-342, filed 10/13/67, effective 11/13/67.] Repealed by Order 9-77, filed 7/18/77.
- 180-28-825 Portable buildings and portable classrooms—Requirements established by state director of health. [SBE 28-4-343, filed 10/13/67, effective 11/13/67.] Repealed by Order 9-77, filed 7/18/77.
- 180-28-830 Area designations—Portable buildings. [SBE 28-4-35, 28-4-351, filed 10/13/67, effective 11/13/67.] Repealed by Order 9-77, filed 7/18/77.
- 180-28-835 Area designations—Portable classrooms. [SBE 28-4-352, filed 10/13/67, effective 11/13/67.] Repealed by Order 9-77, filed 7/18/77.
- 180-28-840 Final plan and specifications for portable building or portable classroom. [SBE 28-4-36, filed 10/13/67, effective 11/13/67.] Repealed by Order 9-77, filed 7/18/77.
- 180-28-845 Basic state assistance program regulations governing. [SBE 28-4-37, filed 10/13/67, effective 11/13/67.] Repealed by Order 9-77, filed 7/18/77.
- 180-28-850 Procedural requirements. [SBE 28-4-38, filed 10/13/67, effective 11/13/67.] Repealed by Order 9-77, filed 7/18/77.
- 180-28-855 Modernization of school plant facilities—Statutory authority. [SBE 28-4-4, 28-4-40, filed 10/13/67, effective 11/13/67.] Repealed by Order 9-77, filed 7/18/77.
- 180-28-860 Modernization of school plant facilities—Basic policies. [SBE 28-4-41, filed 10/13/67, effective 11/13/67.] Repealed by Order 9-77, filed 7/18/77.
- 180-28-865 Modernization of school plant facilities—State assistance limitations—Minimum projects—Twenty-five percent of replacement cost. [SBE 28-4-42, 28-4-421, filed 10/13/67, effective 11/13/67.] Repealed by Order 9-77, filed 7/18/77.
- 180-28-870 Modernization of school plant facilities—Maximum costs eligible for state matching—Fifty percent of replacement cost. [SBE 28-4-422, filed 10/13/67, effective 11/13/67.] Repealed by Order 9-77, filed 7/18/77.
- 180-28-875 Modernization of school plant facilities—Architectural and engineering service fees. [SBE 28-4-423, filed 10/13/67, effective 11/13/67.] Repealed by Order 9-77, filed 7/18/77.
- 180-28-880 Modernization of school plant facilities—Survey of existing facilities a prerequisite. [SBE 28-4-44, filed 10/13/67, effective 11/13/67.] Repealed by Order 9-77, filed 7/18/77.
- 180-28-885 Modernization of school plant facilities—Basic state assistance program regulations governing. [SBE 28-4-46, filed 10/13/67, effective 11/13/67.] Repealed by Order 9-77, filed 7/18/77.
- 180-28-900 Modernization of school plant facilities—Procedural requirements. [SBE 28-4-47, filed 10/13/67, effective 11/13/67.] Repealed by Order 9-77, filed 7/18/77.
- 180-28-950 Pilot or exemplary projects. [Order 4-69, § 180-28-950, filed 6/27/69.] Repealed by Order 9-77, filed 7/18/77.

Chapter 180-42

STUDENT TRANSFERS WITHIN THE COMMON SCHOOLS

- 180-42-005 Purpose. [Order 1-76, § 180-42-005, filed 2/3/76; Order 12-75, § 180-42-005, filed 10/28/75.] Repealed by Order 10-77, filed 7/18/77.
- 180-42-010 Definitions. [Order 12-75, § 180-42-010, filed 10/28/75.] Repealed by Order 10-77, filed 7/18/77.
- 180-42-015 Right of appeal. [Order 12-75, § 180-42-015, filed 10/28/75.] Repealed by Order 10-77, filed 7/18/77.
- 180-42-020 Appeal notice. [Order 12-75, § 180-42-020, filed 10/28/75.] Repealed by Order 10-77, filed 7/18/77.
- 180-42-025 Hearing. [Order 12-75, § 180-42-025, filed 10/28/75.] Repealed by Order 10-77, filed 7/18/77.
- 180-42-030 Grounds for an order of release. [Order 12-75, § 180-42-030, filed 10/28/75.] Repealed by Order 10-77, filed 7/18/77.

Chapter 180-48

INSTRUCTIONAL MATERIALS

- 180-48-010 Selection of instructional materials—School district policy in writing. [Order 8-69, § 180-48-010, filed 12/5/69.] Repealed by 81-19-104 (Order 9-81), filed 9/21/81. Statutory Authority: RCW 28A.04.120.

Chapter 180-54

JUNIOR HIGH SCHOOL EDUCATION

- 180-54-005 through 180-54-008. [SBE 56-4-40 through SBE 56-4-43, filed 3/29/65, effective 4/29/65.] Repealed by Order, filed 10/16/67, effective 7/1/68. Now codified in chapter 180-56 WAC.
- 180-54-010 through 180-54-040. [SBE 56-4-44 through 56-4-448, filed 3/29/65, effective 4/29/65; Rules (part), filed 3/24/60.] Repealed by Order, filed 10/16/67, effective 7/1/68. Now codified in chapter 180-56 WAC.
- 180-54-045 and 180-54-050. [Rules (part), filed 3/24/60.] Repealed by Order, filed 3/29/65, effective 4/29/65.
- 180-54-047 through 180-54-095. [SBE 56-4-447 through 56-4-51, filed 3/29/65, effective 4/29/65.] Repealed by Order, filed 10/16/67, effective 7/1/68. Now codified in chapter 180-56 WAC.
- 180-54-100 and 180-54-105. [SBE 56-4-520 through 56-4-527, filed 3/29/65, effective 4/29/65; Rules (part), filed 6/12/61, effective 7/13/61.] Repealed by Order, filed 10/16/67, effective 7/1/68. Now codified in chapter 180-56 WAC.

Chapter 180-60

EXTENDED SECONDARY EDUCATION

- 180-60-005 Regulatory provisions relate to RCW 28.84.120 through 28.84.150. [SBE 68-4-1, filed 3/25/64, effective 4/25/64.] Repealed by Order 11-71, filed 12/13/71.
- 180-60-010 General statement of purpose. [SBE 68-4-10, filed 3/25/64, effective 4/25/64; Rules (part), filed 12/21/60; Adopted 6/21/60; Rules (part), filed 3/24/60.] Repealed by Order 11-71, filed 12/13/71.
- 180-60-011 Basic policy relating to post-high school programs. [SBE 68-4-21, filed 3/25/64, effective 4/25/64; Rules (part), filed 12/21/60; Adopted 6/21/60;

- Rules (part), filed 3/24/60.] Repealed by Order 11-71, filed 12/13/71.
- 180-60-015 Types of programs. [Rules (part), filed 12/21/60; Adopted 6/21/60; Rules (part), filed 3/24/60.] Repealed by Order, filed 3/25/64, effective 4/25/64.
- 180-60-020 Type I—Approved pattern of special courses. [Rules (part), filed 12/21/60; Adopted 6/21/60; Rules (part), filed 3/24/60.] Repealed by Order, filed 3/25/64, effective 4/25/64.
- 180-60-021 Area or city vocational-technical schools—Purpose—Objectives. [SBE 68-8-10, filed 3/25/64, effective 4/25/64; Rules (part), filed 12/21/60; Adopted 6/21/60; Rules (part), filed 3/24/60.] Repealed by Order 11-71, filed 12/13/71.
- 180-60-022 Area or city vocational-technical schools—Purpose—Operational requisites. [SBE 68-8-20, 68-8-21, 68-8-22, 68-8-23, 68-8-24, 68-8-25, 68-8-26 and 68-8-27, filed 3/25/64, effective 4/25/64; Rules (part), filed 12/21/60; Adopted 12/6/60; Rules (part), filed 3/24/60.] Repealed by Order 11-71, filed 12/13/71.
- 180-60-023 Area or city vocational-technical schools—Purpose—Establishment, application for—Processing. [SBE 68-8-3 and 68-8-43, filed 3/25/64, effective 4/25/64; Rules (part), filed 12/21/60; Adopted 6/21/60; Rules (part), filed 3/24/60.] Repealed by Order 11-71, filed 12/13/71.
- 180-60-024 Area or city vocational-technical schools—Purpose—Establishment, approval of—Conditions—Termination. [SBE 68-8-41 and 68-8-42, filed 3/25/64, effective 4/25/64; Rules (part), filed 12/21/60; Adopted 6/21/60; Rules (part), filed 3/24/60.] Repealed by Order 11-71, filed 12/13/71.
- 180-60-025 Type II—Approved area or city vocational schools. [Rules (part), filed 12/21/60; Adopted 6/21/60; Rules (part), filed 3/24/60.] Repealed by Order, filed 3/25/64, effective 4/25/64. See WAC 180-60-021 through 180-60-026 above.
- 180-60-026 Type II—Approval of additional courses. [SBE 68-8-5, filed 5/3/66, effective 6/3/66; filed 3/25/64, effective 4/25/64; Rules (part), filed 12/21/60; Adopted 6/21/60; Rules (part), filed 3/24/60.] Repealed by Order 11-71, filed 12/13/71.

Chapter 180-62

COLLEGE EDUCATION--MISCELLANEOUS

- 180-62-010 Assistance to blind students attending institutions of higher education—Regulatory provisions pursuant to RCW 28.76.129, 28.76.130 and 28.76.140. [SBE 96-4-1, filed 3/29/65, effective 4/29/65.] Repealed by Order 4-74, filed 9/23/74.
- 180-62-015 Assistance to blind students attending institutions of higher education—Evidence of eligibility. [SBE 96-4-2, 96-4-20, 96-4-21, 96-4-22 and 96-4-23, filed 3/29/65, effective 4/29/65.] Repealed by Order 4-74, filed 9/23/74.
- 180-62-020 Assistance to blind students attending institutions of higher education—Benefits. [SBE 96-4-30 and 96-4-31, filed 3/29/65, effective 4/29/65.] Repealed by Order 4-74, filed 9/23/74.
- 180-62-025 Assistance to blind students attending institutions of higher education—Allocations. [SBE 96-4-40, 96-4-41 and 96-4-410, filed 3/29/65, effective 4/29/65.] Repealed by Order 4-74, filed 9/23/74.
- 180-62-030 Assistance to blind students attending institutions of higher education—Notification of and acceptance of counseling by institutions of higher learning as prerequisites to assistance approval. [SBE 96-4-5, filed 3/29/65, effective 4/29/65.] Repealed by Order 4-74, filed 9/23/74.
- 180-62-035 Assistance to blind students attending institutions of higher education—Administration—State superintendent. [SBE 96-4-60 and 96-4-61, filed 3/29/65, effective 4/29/65.] Repealed by Order 4-74, filed 9/23/74.
- 180-62-100 Assistance to children of veterans attending institutions of higher education—Regulatory

provisions pursuant to RCW 28.76.160. [SBE 98-4-1, filed 12/17/64, effective 1/18/65.] Repealed by Order 4-74, filed 9/23/74.

- 180-62-105 Assistance to children of veterans attending institutions of higher education—Eligibility requirements—Generally. [SBE 98-4-2, filed 12/17/64, effective 1/18/65.] Repealed by Order 4-74, filed 9/23/74.
- 180-62-110 Assistance to children of veterans attending institutions of higher education—Eligibility requirements—Domicile. [SBE 98-4-20, filed 12/17/64, effective 1/18/65.] Repealed by Order 4-74, filed 9/23/74.
- 180-62-115 Assistance to children of veterans attending institutions of higher education—Benefits. [SBE 98-4-3, filed 12/17/64, effective 1/18/65.] Repealed by Order 4-74, filed 9/23/74.
- 180-62-120 Assistance to children of veterans attending institutions of higher education—Administration. [SBE 98-4-4, filed 12/17/64, effective 1/18/65.] Repealed by Order 4-74, filed 9/23/74.
- 180-62-125 Assistance to children of veterans attending institutions of higher education—Application—Substantiating evidence. [SBE 98-4-40, filed 12/17/64, effective 1/18/65.] Repealed by Order 4-74, filed 9/23/74.
- 180-62-130 Assistance to children of veterans attending institutions of higher education—Application—Approval of and certification. [SBE 98-4-41, filed 12/17/64, effective 1/18/65.] Repealed by Order 4-74, filed 9/23/74.
- 180-62-135 Assistance to children of veterans attending institutions of higher education—Payments from appropriated funds. [SBE 98-4-42, filed 12/17/64, effective 1/18/65.] Repealed by Order 4-74, filed 9/23/74.

Chapter 180-63

STATE PLANS ADOPTED PURSUANT TO FEDERAL LAW

Veterans' Readjustment Benefits Act—Standards and regulations governing approval of academic institutions for the education and training of veterans under Public Law 89-358, filed 7/27/66. Prior: Public Law 550, the standards and regulations for the approval of institutions desiring to offer education and training to veterans; adopted by the state board of education in September, 1952. Repealed by 81-19-105 (Order 11-81), filed 9/21/81.

Chapter 180-64

COMMUNITY COLLEGE EDUCATION

- 180-64-010 Approval and establishment of community colleges—Promulgation. [Rules (part), effective 7/28/61.] Repealed by Order, filed 3/25/64, effective 4/25/64.
- 180-64-011 Establishment generally. [(i) SBE 64-4-15, filed 5/3/66, effective 6/3/66; Filed 3/25/64, effective 4/25/64; Rules (part), filed 6/21/61. (ii) SBE 64-4-10, 64-4-100, 64-4-13, 64-4-14 and 64-4-150, filed 3/25/64, effective 4/25/64; Rules (part), filed 6/21/61.] Repealed by Order 3-70, filed 3/10/70.
- 180-64-012 Advisory committees—Establishment—Organization—Purpose. [SBE 64-4-11, 64-4-120, 64-4-121, 64-4-122 and 64-4-123, filed 3/25/64, effective 4/25/64; Rules (part), filed 6/27/61.] Repealed by Order 3-70, filed 3/10/70.
- 180-64-015 Relating to duties of the state board of education. [Rules (part), effective 7/28/61.] Repealed by Order, filed 3/25/64, effective 4/25/64.
- 180-64-020 Application procedure. [SBE 64-4-20, filed 3/25/64, effective 4/25/64; Rules (part), filed 6/27/62, effective 7/28/62; Rules (part), filed 6/27/61.] Repealed by Order 3-70, filed 3/10/70.
- 180-64-021 Application procedure—Criteria standards—Community service area. [SBE 64-4-2101, 64-4-2110, 64-4-2111, 64-4-2112, 64-4-2120, 64-4-2121, 64-4-213, 64-4-214 and 64-4-215, filed 3/25/64, effective 4/25/64; Rules (part), filed

- 6/27/61; Rules (part), filed 12/20/60.] Repealed by Order 3-70, filed 3/10/70.
- 180-64-022 Community college—School district relationship. [SBE 64-8-11, filed 3/25/64, effective 4/25/64.] Repealed by Order 3-70, filed 3/10/70.
- 180-64-023 Variation in operation—Typical facilities, location and size. [SBE 64-8-12 and 64-8-13, filed 3/25/64, effective 4/25/64.] Repealed by Order 3-70, filed 3/10/70.
- 180-64-025 Duties of applicant school district(s). [Rules (part), effective 7/28/61.] Repealed by Order, filed 3/25/64, effective 4/25/64.
- 180-64-050 Policies, recommendations and regulations relating to the operation of community colleges under provisions of chapter 198, Laws of 1961—Promulgation. [Rules (part), effective 7/28/62.] Repealed by Order, filed 3/25/64, effective 4/25/64.
- 180-64-055 Basic policies and principles. [Rules (part), effective 7/28/62.] Repealed by Order, filed 3/25/64, effective 4/25/64.
- 180-64-060 General administration. [SBE 64-8-140, filed 3/25/64, effective 4/25/64; Rules (part), filed 6/27/62, effective 7/28/62.] Repealed by Order 3-70, filed 3/10/70.
- 180-64-065 The college president—Position in administrative structure. [SBE 64-8-141, filed 3/25/64, effective 4/25/64; Rules (part), filed 6/27/62, effective 7/28/62.] Repealed by Order 3-70, filed 3/10/70.
- 180-64-070 The college president—Recommendations as to duties and responsibilities. [SBE 64-8-1410, filed 3/25/64, effective 4/25/64; Rules (part), filed 6/27/62, effective 7/28/62.] Repealed by Order 3-70, filed 3/10/70.
- 180-64-075 The college president—Other requirements. [Rules (part), effective 7/28/62.] Repealed by Order, filed 3/25/64, effective 4/25/64.
- 180-64-080 Operation of community colleges, generally. [SBE 64-8-20, filed 3/25/64, effective 4/25/64.] Repealed by Order 3-70, filed 3/10/70.
- 180-64-081 Operation of community colleges, generally—Admission and enrollment. [SBE 64-8-210, 64-8-211 and 64-8-212, filed 3/25/64, effective 4/25/64; Rules (part), filed 7/11/63, effective 8/11/64.] Repealed by Order 3-70, filed 3/10/70.
- 180-64-100 Finance and statistics—State support, reimbursement pattern. [SBE 64-8-2200, filed 3/25/64, effective 4/25/64; Rules (part), filed 7/11/63, effective 8/12/63; Rules (part), filed 6/27/62, effective 7/28/62.] Repealed by Order 3-70, filed 3/10/70.
- 180-64-101 Schedule of distribution of state funds. [SBE 64-8-2201, filed 5/3/66, effective 6/3/66; Filed 3/25/64, effective 4/25/64; Emergency Rule, filed 1/29/64; Rules (part), filed 7/11/63, effective 8/12/63.] Repealed by Order 3-70, filed 3/10/70.
- 180-64-102 Schedule of distribution of state funds—Community college reimbursement units. [SBE 64-8-2202, filed 3/25/64, effective 4/25/64; Rules (part), filed 7/11/63, effective 8/12/63.] Repealed by Order 3-70, filed 3/10/70.
- 180-64-103 Schedule of distribution of state funds—Nonresident tuition (out-of-state students). [SBE 64-8-2203, filed 3/25/64, effective 4/25/64; Rules (part), filed 7/11/63, effective 8/12/63.] Repealed by Order 3-70, filed 3/10/70.
- 180-64-104 Schedule of distribution of state funds—Nonreimbursable community service. [SBE 64-8-2204, filed 3/25/64, effective 4/25/64; Rules (part), filed 7/11/63, effective 8/12/63.] Repealed by Order 3-70, filed 3/10/70.
- 180-64-105 Schedule of distribution of state funds—Summer school. [SBE 64-8-2205, filed 3/25/64, effective 4/25/64; Rules (part), filed 7/11/63, effective 8/12/63.] Repealed by Order 3-70, filed 3/10/70.
- 180-64-106 Schedule of distribution of state funds—Tuition. [SBE 64-8-221, filed 5/3/66, effective 6/3/66; Filed 3/25/64, effective 4/25/64; Rules (part), filed 7/11/63, effective 8/12/63.] Repealed by Order 3-70, filed 3/10/70.
- 180-64-107 Schedule of distribution of state funds—Deposit and disbursement of tuition payments. [SBE 64-8-2210, filed 8/26/64, effective 9/25/64.] Repealed by Order 3-70, filed 3/10/70.
- 180-64-108 Schedule of distribution of state funds—Fees. [SBE 64-8-222, filed 5/3/66, effective 6/3/66; Filed 3/25/64, effective 4/25/64; Rules (part), filed 6/27/61.] Repealed by Order 3-70, filed 3/10/70.
- 180-64-109 Schedule of distribution of state funds—Deposit and disbursement of fees. [SBE 64-8-2220, filed 8/26/64, effective 9/25/64.] Repealed by Order 3-70, filed 3/10/70.
- 180-64-110 Budget. [SBE 64-8-223, filed 3/25/64, effective 4/25/64; Rules (part), filed 6/27/61.] Repealed by Order 3-70, filed 3/10/70.
- 180-64-120 Reports. [SBE 64-8-23, filed 3/25/64, effective 4/25/64; Rules (part), filed 6/27/61.] Repealed by Order 3-70, filed 3/10/70.
- 180-64-130 Accreditation. [SBE 64-12-21, 64-12-22, 64-12-23 and 64-12-24, filed 3/25/64, effective 4/25/64; Rules (part), filed 3/23/60; adopted 6/13/50.] Repealed by Order 3-70, filed 3/10/70.
- 180-64-140 Program. [SBE 64-16-10, 64-16-11, 64-16-12 and 64-16-13, filed 3/25/64, effective 4/25/64.] Repealed by Order 3-70, filed 3/10/70.
- 180-64-141 Program—College transfer curricula. [SBE 64-16-20, filed 3/25/64, effective 4/25/64.] Repealed by Order 3-70, filed 3/10/70.
- 180-64-142 Program—Teacher preparation. [SBE 64-16-200, filed 3/25/64, effective 4/25/64.] Repealed by Order 3-70, filed 3/10/70.
- 180-64-143 Program—Vocational—technical curricula. [SBE 64-16-21, filed 3/25/64, effective 4/25/64.] Repealed by Order 3-70, filed 3/10/70.
- 180-64-144 Adult education curricula. [SBE 64-16-22, filed 5/3/66, effective 6/3/66; filed 3/25/64, effective 4/25/64.] Repealed by Order 3-70, filed 3/10/70.
- 180-64-145 Adult education curricula—Cultural activities. [SBE 64-16-23, filed 5/3/66, effective 6/3/66; filed 3/25/64, effective 4/25/64.] Repealed by Order 3-70, filed 3/10/70.
- 180-64-150 State assistance in construction of community college facilities. [Rules (part), effective 7/28/62.] Repealed by Order, filed 3/25/64, effective 4/25/64.
- 180-64-160 Granting of degrees—Associate's title. [SBE 64-20-20, filed 3/25/64, effective 4/25/64.] Repealed by Order 3-70, filed 3/10/70.

Chapter 180-68

SPECIAL EDUCATION

- 180-68-010 Criteria of educability of pupils in state institutions. [SBE 60-8-40 and 60-8-41, filed 3/29/65, effective 4/29/65; Rules (part), filed 6/12/61, effective 7/13/61.] Repealed by 81-19-106 (Order 12-81), filed 9/21/81. Statutory Authority: RCW 72.20.080 and 1961 Appropriations Act.
- 180-68-045 Educational program for Maple Lane School. [SBE 100-4-1, filed 3/29/65, effective 4/29/65.] Repealed by 81-19-106 (Order 12-81), filed 9/21/81. Statutory Authority: RCW 72.20.080 and 1961 Appropriations Act.
- 180-68-050 Graduation diplomas for inmates of penal institutions. [SBE 100-4-2, filed 3/29/65, effective 4/29/65; Rules (part), filed 3/24/60, adopted 10/9/42.] Repealed by 81-19-106 (Order 12-81), filed 9/21/81. Statutory Authority: RCW 72.20.080 and 1961 Appropriations Act.
- 180-68-100 Superior student program—Authority—Program approval—Excess costs defined. [Order 2-70, § 180-68-100, filed 3/10/70; SBE 60-4-40, 60-4-41 and 60-4-42, filed 3/29/65, effective 4/29/65.] Repealed by 81-19-106 (Order 12-81), filed 9/21/81. Statutory Authority: RCW 72.20.080 and 1961 Appropriations Act.

Chapter 180-76**RECOMMENDED LIBRARY SERVICES AND STANDARDS**

- 180-76-005 Regulatory provisions pursuant to RCW 28.04.120 (7), (11). [SBE 48-8-1, filed 3/29/65, effective 4/29/65.] Repealed by Order 6-68, filed 12/23/68.
- 180-76-010 Introduction—General policies and principles. [SBE 48-8-2, filed 3/29/65, effective 4/29/65; Rules (part), filed 3/24/60.] Repealed by Order 6-68, filed 12/23/68.
- 180-76-025 Elementary school library. [SBE 48-8-40, 48-8-41 and 48-8-42, filed 3/29/65, effective 4/29/65; Rules (part), filed 3/24/60; WAC 180-76-075.] Repealed by Order 6-68, filed 12/23/68.
- 180-76-035 Junior and senior high school library. [SBE 48-8-60, 48-8-61 and 48-8-62, filed 3/29/65, effective 4/29/65; Rules (part), filed 3/24/60; WAC 180-76-045 and 180-76-085.] Repealed by Order 6-68, filed 12/23/68.
- 180-76-045 Senior high school library. [Rules (part), filed 3/24/60.] Repealed and decodified on order filed 3/29/65, effective 4/29/65.
- 180-76-055 General recommendations. [SBE 48-8-8, filed 3/29/65, effective 4/29/65; Rules (part), filed 3/24/60.] Repealed by Order 6-68, filed 12/23/68.
- 180-76-075 Library standards for elementary schools. [Rules (part), filed 3/24/60.] Repealed and decodified on order filed 3/29/65, effective 4/29/65.
- 180-76-085 Library standards for junior and senior high schools. [Rules (part), filed 3/24/60.] Repealed and decodified on order filed 3/29/65, effective 4/29/65.

Chapter 180-100**MISCELLANEOUS PROVISIONS**

- 180-100-010 Civil defense program activities. [SBE 100-5-1, filed 3/29/65, effective 4/29/65.] Repealed by 82-20-055 (Order 6-82), filed 10/1/82.
- 180-100-020 Washington state teachers' retirement system—Appointment of members to. [Statutory Authority: RCW 41.32.040 and 41.32.050. 79-11-023 (Order 13-79), § 180-100-020, filed 10/10/79; Order 7-76, § 180-100-202 (codified as WAC 180-100-020), filed 6/1/76; SBE 100-6-1, 100-6-2 and 100-6-3, filed 3/29/65, effective 4/29/65.] Repealed by 83-13-003 (Order 4-83), filed 6/2/83. Statutory Authority: 1982 c 163 §7.

Chapter 180-08 WAC**PRACTICE AND PROCEDURE****WAC**

- 180-08-003 Authority.
- 180-08-005 Administrative practices regarding hearings and rule proceedings.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

- 180-08-010 Appearance and practice before the state board of education—Who may appear. [SBE .08.010, filed 12/21/60.] Repealed by 81-16-026 (Order 8-81), filed 7/28/81. Statutory Authority: Chapter 34.04 RCW.
- 180-08-020 Appearance and practice before the state board of education—Appearance in certain proceedings may be limited to attorneys. [SBE .08.020, filed 12/21/60.] Repealed by 81-16-026 (Order 8-81), filed 7/28/81. Statutory Authority: Chapter 34.04 RCW.
- 180-08-030 Appearance and practice before the state board of education—Solicitation of business unethical. [SBE .08.030, filed 12/21/60.] Repealed by 81-16-026 (Order 8-81), filed 7/28/81. Statutory Authority: Chapter 34.04 RCW.

- 180-08-040 Appearance and practice before the state board of education—Standards of ethical conduct. [SBE .08.040, filed 12/21/60.] Repealed by 81-16-026 (Order 8-81), filed 7/28/81. Statutory Authority: Chapter 34.04 RCW.
- 180-08-050 Appearance and practice before the state board of education—Appearance by former employee of board or former member of attorney general's staff. [SBE .08.050, filed 12/21/60.] Repealed by 81-16-026 (Order 8-81), filed 7/28/81. Statutory Authority: Chapter 34.04 RCW.
- 180-08-060 Appearance and practice before the state board of education—Appearance of former employee as expert witness. [SBE .08.060, filed 12/21/60.] Repealed by 81-16-026 (Order 8-81), filed 7/28/81. Statutory Authority: Chapter 34.04 RCW.
- 180-08-070 Computation of time. [SBE .08.070, filed 12/21/60.] Repealed by 81-16-026 (Order 8-81), filed 7/28/81. Statutory Authority: Chapter 34.04 RCW.
- 180-08-080 Notice and opportunity for hearing in contested cases. [SBE .08.080, filed 12/21/60.] Repealed by 81-16-026 (Order 8-81), filed 7/28/81. Statutory Authority: Chapter 34.04 RCW.
- 180-08-090 Service of process—By whom served. [SBE .08.090, filed 12/21/60.] Repealed by 81-16-026 (Order 8-81), filed 7/28/81. Statutory Authority: Chapter 34.04 RCW.
- 180-08-100 Service of process—Upon whom served. [SBE .08.100, filed 12/21/60.] Repealed by 81-16-026 (Order 8-81), filed 7/28/81. Statutory Authority: Chapter 34.04 RCW.
- 180-08-110 Service of process—Service upon parties. [SBE .08.110, filed 12/21/60.] Repealed by 81-16-026 (Order 8-81), filed 7/28/81. Statutory Authority: Chapter 34.04 RCW.
- 180-08-120 Service of process—Method of service. [SBE .08.120, filed 12/21/60.] Repealed by 81-16-026 (Order 8-81), filed 7/28/81. Statutory Authority: Chapter 34.04 RCW.
- 180-08-130 Service of process—When service complete. [SBE .08.130, filed 12/21/60.] Repealed by 81-16-026 (Order 8-81), filed 7/28/81. Statutory Authority: Chapter 34.04 RCW.
- 180-08-140 Service of process—Filing with agency. [SBE .08.140, filed 12/21/60.] Repealed by 81-16-026 (Order 8-81), filed 7/28/81. Statutory Authority: Chapter 34.04 RCW.
- 180-08-230 Depositions and interrogatories in contested cases—Right to take. [SBE .08.230, filed 12/21/60.] Repealed by 81-16-026 (Order 8-81), filed 7/28/81. Statutory Authority: Chapter 34.04 RCW.
- 180-08-240 Depositions and interrogatories in contested cases—Scope. [SBE .08.240, filed 12/21/60.] Repealed by 81-16-026 (Order 8-81), filed 7/28/81. Statutory Authority: Chapter 34.04 RCW.
- 180-08-250 Depositions and interrogatories in contested cases—Officer before whom taken. [SBE .08.250, filed 12/21/60.] Repealed by 81-16-026 (Order 8-81), filed 7/28/81. Statutory Authority: Chapter 34.04 RCW.
- 180-08-260 Depositions and interrogatories in contested cases—Authorization. [SBE .08.260, filed 12/21/60.] Repealed by 81-16-026 (Order 8-81), filed 7/28/81. Statutory Authority: Chapter 34.04 RCW.
- 180-08-270 Depositions and interrogatories in contested cases—Protection of parties and deponents. [SBE .08.270, filed 12/21/60.] Repealed by 81-16-026 (Order 8-81), filed 7/28/81. Statutory Authority: Chapter 34.04 RCW.
- 180-08-280 Depositions and interrogatories in contested cases—Oral examination and cross-examination. [SBE .08.280, filed 12/21/60.] Repealed by 81-16-026 (Order 8-81), filed 7/28/81. Statutory Authority: Chapter 34.04 RCW.

- 180-08-290 Depositions and interrogatories in contested cases—Recordation. [SBE .08.290, filed 12/21/60.] Repealed by 81-16-026 (Order 8-81), filed 7/28/81. Statutory Authority: Chapter 34.04 RCW.
- 180-08-300 Depositions and interrogatories in contested cases—Signing attestation and return. [SBE .08.300, filed 12/21/60.] Repealed by 81-16-026 (Order 8-81), filed 7/28/81. Statutory Authority: Chapter 34.04 RCW.
- 180-08-310 Depositions and interrogatories in contested cases—Use and effect. [SBE .08.310, filed 12/21/60.] Repealed by 81-16-026 (Order 8-81), filed 7/28/81. Statutory Authority: Chapter 34.04 RCW.
- 180-08-320 Depositions and interrogatories on contested cases—Fees of officers and deponents. [SBE .08.320, filed 12/21/60.] Repealed by 81-16-026 (Order 8-81), filed 7/28/81. Statutory Authority: Chapter 34.04 RCW.
- 180-08-330 Depositions upon interrogatories—Submission of interrogatories. [SBE .08.330, filed 12/21/60.] Repealed by 81-16-026 (Order 8-81), filed 7/28/81. Statutory Authority: Chapter 34.04 RCW.
- 180-08-340 Depositions upon interrogatories—Interrogation. [SBE .08.340, filed 12/21/60.] Repealed by 81-16-026 (Order 8-81), filed 7/28/81. Statutory Authority: Chapter 34.04 RCW.
- 180-08-350 Depositions upon interrogatories—Attestation and return. [SBE .08.350, filed 12/21/60.] Repealed by 81-16-026 (Order 8-81), filed 7/28/81. Statutory Authority: Chapter 34.04 RCW.
- 180-08-360 Depositions upon interrogatories—Provisions of deposition rule. [SBE .08.360, filed 12/21/60.] Repealed by 81-16-026 (Order 8-81), filed 7/28/81. Statutory Authority: Chapter 34.04 RCW.
- 180-08-370 Official notice—Matters of law. [SBE .08.370, filed 12/21/60.] Repealed by 81-16-026 (Order 8-81), filed 7/28/81. Statutory Authority: Chapter 34.04 RCW.
- 180-08-380 Official notice—Material facts. [SBE .08.380, filed 12/21/60.] Repealed by 81-16-026 (Order 8-81), filed 7/28/81. Statutory Authority: Chapter 34.04 RCW.
- 180-08-390 Presumptions. [SBE .08.390, filed 12/21/60.] Repealed by 81-16-026 (Order 8-81), filed 7/28/81. Statutory Authority: Chapter 34.04 RCW.
- 180-08-400 Stipulations and admissions of record. [SBE .08.400, filed 12/21/60.] Repealed by 81-16-026 (Order 8-81), filed 7/28/81. Statutory Authority: Chapter 34.04 RCW.
- 180-08-410 Form and content of decisions in contested cases. [SBE .08.410, filed 12/21/60.] Repealed by 81-16-026 (Order 8-81), filed 7/28/81. Statutory Authority: Chapter 34.04 RCW.
- 180-08-420 Definition of issues before hearing. [SBE .08.420, filed 12/21/60.] Repealed by 81-16-026 (Order 8-81), filed 7/28/81. Statutory Authority: Chapter 34.04 RCW.
- 180-08-430 Prehearing conference rule. [SBE .08.430, filed 12/21/60.] Repealed by 81-16-026 (Order 8-81), filed 7/28/81. Statutory Authority: Chapter 34.04 RCW.
- 180-08-440 Prehearing conference rule—Record of conference action. [SBE .08.440, filed 12/21/60.] Repealed by 81-16-026 (Order 8-81), filed 7/28/81. Statutory Authority: Chapter 34.04 RCW.
- 180-08-450 Submission of documentary evidence in advance. [SBE .08.450, filed 12/21/60.] Repealed by 81-16-026 (Order 8-81), filed 7/28/81. Statutory Authority: Chapter 34.04 RCW.
- 180-08-460 Excerpts from documentary evidence. [SBE .08.460, filed 12/21/60.] Repealed by 81-16-026 (Order 8-81), filed 7/28/81. Statutory Authority: Chapter 34.04 RCW.
- 180-08-470 Expert or opinion testimony and testimony based on economic and statistical data—Number and qualifications of witnesses. [SBE .08.470, filed 12/21/60.] Repealed by 81-16-026 (Order 8-81), filed 7/28/81. Statutory Authority: Chapter 34.04 RCW.
- 180-08-480 Expert or opinion testimony and testimony based on economic and statistical data—Written sworn statements. [SBE .08.480, filed 12/21/60.] Repealed by 81-16-026 (Order 8-81), filed 7/28/81. Statutory Authority: Chapter 34.04 RCW.
- 180-08-490 Expert or opinion testimony and testimony based on economic and statistical data—Supporting data. [SBE .08.490, filed 12/21/60.] Repealed by 81-16-026 (Order 8-81), filed 7/28/81. Statutory Authority: Chapter 34.04 RCW.
- 180-08-500 Expert or opinion testimony and testimony based on economic and statistical data—Effect of noncompliance with WAC 180-08-470 or 180-08-480. [SBE .08.500, filed 12/21/60.] Repealed by 81-16-026 (Order 8-81), filed 7/28/81. Statutory Authority: Chapter 34.04 RCW.
- 180-08-510 Continuances. [SBE .08.510, filed 12/21/60.] Repealed by 81-16-026 (Order 8-81), filed 7/28/81. Statutory Authority: Chapter 34.04 RCW.
- 180-08-520 Rules of evidence—Admissibility criteria. [SBE .08.520, filed 12/21/60.] Repealed by 81-16-026 (Order 8-81), filed 7/28/81. Statutory Authority: Chapter 34.04 RCW.
- 180-08-530 Rules of evidence—Tentative admission—Exclusion—Discontinuance—Objections. [SBE .08.530, filed 12/21/60.] Repealed by 81-16-026 (Order 8-81), filed 7/28/81. Statutory Authority: Chapter 34.04 RCW.
- 180-08-540 Petitions for rule making, amendment or repeal—Who may petition. [SBE .08.540, filed 12/21/60.] Repealed by 81-16-026 (Order 8-81), filed 7/28/81. Statutory Authority: Chapter 34.04 RCW.
- 180-08-550 Petitions for rule making, amendment or repeal—Requisites. [SBE .08.550, filed 12/21/60.] Repealed by 81-16-026 (Order 8-81), filed 7/28/81. Statutory Authority: Chapter 34.04 RCW.
- 180-08-560 Petitions for rule making, amendment or repeal—Agency must consider. [SBE .08.560, filed 12/21/60.] Repealed by 81-16-026 (Order 8-81), filed 7/28/81. Statutory Authority: Chapter 34.04 RCW.
- 180-08-570 Petitions for rule making, amendment or repeal—Notice of disposition. [SBE .08.570, filed 12/21/60.] Repealed by 81-16-026 (Order 8-81), filed 7/28/81. Statutory Authority: Chapter 34.04 RCW.
- 180-08-580 Declaratory rulings. [SBE .08.580, filed 12/21/60.] Repealed by 81-16-026 (Order 8-81), filed 7/28/81. Statutory Authority: Chapter 34.04 RCW.
- 180-08-590 Forms. [SBE .08.590, filed 12/21/60.] Repealed by 81-16-026 (Order 8-81), filed 7/28/81. Statutory Authority: Chapter 34.04 RCW.

WAC 180-08-003 Authority. The authority for this chapter is RCW 34.04.020 which authorizes the state board of education to adopt rules governing the formal and informal procedures prescribed or authorized by chapter 34.04 RCW.

[Statutory Authority: RCW 34.04.020. 83-21-063 (Order 8-83), § 180-08-003, filed 10/17/83.]

WAC 180-08-005 Administrative practices regarding hearings and rule proceedings. The state board of education is governed by the state Administrative Procedure Act, chapter 34.04 RCW, the Washington State Register Act, chapter 34.08 RCW, and the state office of Administrative Hearings Act, chapter 34.12 RCW. These acts govern the conduct of "rule" making proceedings and the conduct of "contested case" hearings as these terms are defined in RCW 34.04.010 (2) and (3). Appearances in representative capacities before

the state board of education; the procedures and conditions governing petitions for declaratory rulings or the adoption, amendment, or repeal of a rule; and, the standards, procedures and conditions governing the conduct of contested case hearings and proceedings by or before the state board of education shall be as set forth in rules of the state code reviser and the office of administrative hearings as now or hereafter amended. The rules of the code reviser are currently set forth in chapters 1-08 and 1-12 WAC. The rules of the office of administrative hearings are currently set forth in chapter 10-08 WAC.

All other regulatory actions and hearings conducted by the state board of education may be conducted informally at the discretion of the state board of education.

[Statutory Authority: RCW 34.04.020, 83-21-063 (Order 8-83), § 180-08-005, filed 10/17/83. Statutory Authority: Chapter 34.04 RCW, 81-16-026 (Order 8-81), § 180-08-005, filed 7/28/81.]

Chapter 180-10 WAC ACCESS TO PUBLIC RECORDS

WAC

180-10-001	Purpose.
180-10-003	Description of organization.
180-10-005	Operations and procedures.
180-10-010	Administrative practice regarding access to public records.

WAC 180-10-001 Purpose. Rules and regulations set forth herein are established pursuant to RCW 42.17-.250 through 42.17.320 for the purposes of protecting public records and making them readily accessible to the public.

[Statutory Authority: RCW 28A.04.120, 42.17.010, 42.17.020, 47.17-.250 [42.17.250] through 42.17.340, 80-06-092 (Order 6-80), § 180-10-001, filed 5/29/80.]

WAC 180-10-003 Description of organization. The state board of education is created by law in chapter 28A.04 RCW. The board consists of two voting members from each congressional district in the state who are elected by the members of school district boards of directors and serve staggered six-year terms; the superintendent of public instruction, who serves as an ex officio member and chief executive officer of the board and votes only to break ties; and, a nonvoting member elected at large by members of the boards of directors of approved private schools who serves a six-year term. A secretary (executive director) to the state board is appointed by the board and maintains the record of board proceedings. General powers of the board affect teacher training and certification programs, school accreditation, school building assistance, school district organization and classification, general government of the schools, approval of basic education programs, approval of private schools, and other matters which include the discipline of pupils and instructional program improvement.

[Statutory Authority: RCW 42.17.250, 83-08-016 (Order 1-83), § 180-10-003, filed 3/29/83. Statutory Authority: RCW 28A.04.120, 42.17.010, 42.17.020, 42.17.250 through 42.17.340, 80-06-092 (Order 6-80), § 180-10-003, filed 5/29/80.]

WAC 180-10-005 Operations and procedures. The state board is required by law to hold an annual meeting and other meetings as it deems necessary to conduct its business. Pursuant to the Washington State Register Act of 1977, the state board publishes a schedule of its meetings and proposed permanent rule actions in the Washington State Register. Places for the meetings are scheduled in various locations across the state. The secretary to the state board of education maintains a complete record of all board proceedings and supporting materials developed by staff of the superintendent of public instruction.

[Statutory Authority: RCW 28A.04.120, 42.17.010, 42.17.020, 47.17-.250 [42.17.250] through 42.17.340, 80-06-092 (Order 6-80), § 180-10-005, filed 5/29/80.]

WAC 180-10-010 Administrative practice regarding access to public records. It is recognized by the state board of education that the superintendent of public instruction and his or her staff maintain and administer the public records of the board. Accordingly, the records of the state board of education shall be subject to public access in accordance with the applicable rules in chapter 392-105 WAC as now or hereafter adopted and codified: *Provided*, That prior to the amendment or repeal of such rules the superintendent or his or her designee shall review such changes as pertain to records of the board with the board.

[Statutory Authority: RCW 28A.04.120, 42.17.010, 42.17.020, 47.17-.250 [42.17.250] through 42.17.340, 80-06-092 (Order 6-80), § 180-10-010, filed 5/29/80.]

Chapter 180-16 WAC STATE SUPPORT OF PUBLIC SCHOOLS

WAC

180-16-002	Authority.
180-16-006	Purpose.
180-16-162	Presumption of approved program operation— Strikes—Exception—Approval/disapproval of program during strike period.
180-16-163	Strike defined.
180-16-164	Work stoppages and maintenance of approved programs for less than 180 days not condoned.
180-16-180	Vocational-technical institutes, state support of.
180-16-191	Programs subject to basic education allocation entitlement requirements.
180-16-195	Annual reporting and review process.
180-16-200	Total program hour offering—Basic skills and work skills requirements—Waiver.
180-16-205	Classroom teacher contact hours requirement— Waiver.
180-16-210	Kindergarten through grade three students to classroom teacher ratio requirement.
180-16-215	Minimum one hundred eighty school day year.
180-16-220	Supplemental program and basic education allocation entitlement requirements.
180-16-221	Assignment of classroom teachers within districts.
180-16-222	Exceptions to classroom teacher assignment policy.
180-16-223	Temporary out-of-endorsement assignment criteria.
180-16-224	Second and third year temporary out-of-endorsement criteria.
180-16-225	Waiver—Substantial lack of classroom space— Grounds and procedure.
180-16-226	Superintendent of public instruction annual report to state board of education.

- 180-16-231 Assignment of principals and vice principals within districts.
- 180-16-236 Assignment of educational staff associates.
- 180-16-240 Compliance with other program requirements.
- DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER**
- 180-16-003 Authority for rules. [Order 6-71, § 180-16-003, filed 10/13/71; Order, filed 5/3/66, effective 6/3/66; No. SBE, filed 12/17/64, effective 7/1/65.] Repealed by 84-11-043 (Order 2-84), filed 5/17/84. Statutory Authority: RCW 28A.58.754(6).
- 180-16-005 Regulations pursuant to RCW 28.41.060(4) and 28.41.110. [Rules, WAC 180-16-010 (SBE section 16-4), filed 12/17/64, effective 7/1/65 (repealed before publication in WAC).] Repealed by order filed 5/3/66, effective 6/3/66.
- 180-16-010 Apportionment of current state school funds to school districts—Educational unit basis. [Rules, WAC 180-16-010 (SBE section 16-4), filed 12/17/64, effective 7/1/65 (repealed before publication in WAC); Finance Regulations (part), adopted 2/21/55, filed 3/24/60.] Repealed by order filed 5/3/66, effective 6/3/66.
- 180-16-015 Apportionment of current state school funds to school districts—Administrative interpretations. [Rules, WAC 180-16-015 (SBE section 16-4), filed 12/17/64, effective 7/1/65 (repealed before publication in WAC); Finance Regulations (part), adopted 2/21/55, filed 3/24/60.] Repealed by order filed 5/3/66, effective 6/3/66.
- 180-16-019 Special service unit basis—Regulations pursuant to RCW 28.41.010(3). [Rules, WAC 180-16-019 (SBE section 16-4), filed 12/17/64, effective 7/1/65 (repealed before publication in WAC); Finance Regulations (part), adopted 2/21/55, filed 3/24/60.] Repealed by order filed 5/3/66, effective 6/3/66.
- 180-16-020 Special service unit basis—Allotment of funds for special service units. [Rules, WAC 180-16-020 (SBE section 16-4), filed 12/17/64, effective 7/1/65 (repealed before publication in WAC); Finance Regulations (part), filed 3/24/60.] Repealed by order filed 5/3/66, effective 6/3/66.
- 180-16-025 Special service unit basis—Typical duties of personnel in each field. [Rules, WAC 180-16-025 (SBE section 16-4), filed 12/17/64, effective 7/1/65 (repealed before publication in WAC); Finance Regulations (part), filed 3/24/60.] Repealed by order filed 5/3/66, effective 6/3/66.
- 180-16-029 Special service unit basis—Minimum standards and schedule of minimum funds—Regulations pursuant to RCW 28.41.090. [Filed 12/17/64, effective 7/1/65; SBE 16-4-6 (repealed before publication in WAC).] Repealed by order filed 5/3/66, effective 6/3/66.
- 180-16-030 Minimum standards—Teachers salaries. [Rules, WAC 180-16-030 (SBE section 16-4), filed 12/17/64, effective 7/1/65 (repealed before publication in WAC); Finance Regulations (part), adopted 4/9/45, filed 3/24/60.] Repealed by order filed 5/3/66, effective 6/3/66.
- 180-16-035 Minimum standards—Schedule of minimum funds. [Rules, WAC 180-16-035, (SBE section 16-4), filed 12/17/64, effective 7/1/65 (repealed before publication in WAC); Finance Regulations (part), adopted April 21, 1947 with modifications automatically resulting because of subsequent legislative enactments; Amended March 31–April 1, 1958, filed 3/24/60.] Repealed by order filed 5/3/66, effective 6/3/66.
- 180-16-040 Minimum standards—Junior high support. [Rules, WAC 180-16-040 (SBE section 16-4), filed 12/17/64, effective 7/1/65 (repealed before publication in WAC); Finance Regulations (part), adopted 6/24-25/47, filed 3/24/60.] Repealed by order filed 5/3/66, effective 6/3/66.
- 180-16-044 Minimum standards—High school support. [Filed 12/17/64, effective 7/1/65; SBE 16-4-70; Finance Regulations (part), adopted 6/24-25/47, filed 3/24/60.] Repealed by order filed 5/3/66, effective 6/3/66.
- 180-16-045 Minimum standards—Equalization level of a school district that establishes a high school. [Rules, WAC 180-16-045 (SBE section 16-4), filed 12/17/64, effective 7/1/65 (repealed before publication in WAC).] Repealed by order filed 5/3/66, effective 6/3/66.
- 180-16-050 Minimum standards—Attendance credit for apportionment purposes in case of nonattendance. [Rules, WAC 180-16-050 (SBE section 16-4), filed 12/17/64, effective 7/1/65 (repealed before publication in WAC); Finance Regulations (part), adopted 2/24/60, filed 3/24/60.] Repealed by order filed 5/3/66, effective 6/3/66.
- 180-16-055 Minimum standards—More than 180 days school operation during any one school year—Summer school programs. [Rules, WAC 180-16-055 (SBE section 16-4), filed 12/17/64, effective 7/1/65 (repealed before publication in WAC); Finance Regulations (part), subsection 1, adopted 4/9/45; subsection 2, adopted 6/10-11/46; subsections 3-6, adopted 4/3-4/59; subsections 1-6, filed 3/24/60.] Repealed by order filed 5/3/66, effective 6/3/66.
- 180-16-057 Approval or nonapproval of summer school programs for apportionment credit. [Rules, WAC 180-16-057 (SBE section 16-8), filed 12/17/64, effective 7/1/65 (repealed before publication in WAC); filed 7/11/63, effective 8/12/63.] Repealed by order filed 5/3/66, effective 6/3/66.
- 180-16-060 Approval or nonapproval of summer school programs for apportionment credit—Allotments to school districts with an excessive annual increase in enrollment. [SBE 16-4-63, 16-4-630 and 16-4-631, filed 12/17/64, effective 7/1/65.] Repealed by order filed 5/3/66, effective 6/3/66.
- 180-16-065 Junior college apportionment units. [Adopted 11/3/41, filed 3/24/60.] Repealed by order filed 12/17/64, effective 7/1/65.
- 180-16-100 Intermediate school districts—Regulations and formula for the allocation of state funds. [Order 2-69, § 180-16-100, filed 6/27/69; SBE 16-20-2, filed 6/20/67, effective 7/21/67; SBE 16-20-1 and 16-20-2, filed 5/3/66, effective 6/3/66; subsection 1, filed 12/17/64, effective 7/1/65; subsection 2, filed 7/20/65; filed 12/17/64, effective 7/1/65; Adopted 6/9/59, filed 3/24/60.] Repealed by Order 6-71, filed 10/13/71.
- 180-16-101 Intermediate school districts—Budgets—Request for allocation. [Order 2-69, § 180-16-101, filed 6/27/69; SBE 16-20-3, filed 6/20/67, effective 7/21/67; SBE 16-20-3, filed 5/3/66, effective 6/3/66; filed 12/17/64, effective 7/1/65.] Repealed by Order 6-71, filed 10/13/71.
- 180-16-102 Intermediate school districts—Allocation of funds—By superintendent. [Order 2-69, § 180-16-102, filed 6/27/69; SBE 16-20-4, filed 5/3/66, effective 6/3/66; filed 12/17/64, effective 7/1/65.] Repealed by Order 6-71, filed 10/13/71.
- 180-16-150 Federal funds, channeling of for education—Policy statement. [SBE 16-24-1, filed 12/17/64, effective 7/1/65; Rules (part), filed 3/24/60, adopted 5/13-14/57.] Repealed by 82-20-054 (Order 5-82), filed 10/1/82.
- 180-16-160 Nursery school operation. [Order 3-77, § 180-16-160, filed 6/1/77; SBE 16-6-1, filed 12/17/64, effective 7/1/65.] Repealed by 82-20-053 (Order 7-82), filed 10/1/82. Statutory Authority: RCW 28A.34.010.
- 180-16-165 Minimum approval requirements for purposes of apportionment. [Order 3-77, § 180-16-165, filed 6/1/77; Order 2-76, § 180-16-165, filed 3/23/76; Order 5-73, § 180-16-165, filed 9/6/73; Order 4-72, § 180-16-165, filed 8/29/72; Order 7-70, § 180-16-165, filed 6/9/70; Order, filed 4/26/67; Order, filed

- 7/27/66.] Repealed by 78-06-097 (Order 3-78), filed 6/5/78. Statutory Authority: RCW 28A.41.130 and 28A.58.754.
- 180-16-166 Entry age. [Statutory Authority: RCW 28A.58.190, 79-06-047 (Order 2-79), § 180-16-166, filed 5/22/79.] Repealed by 83-13-004 (Order 5-83), § 180-16-166, filed 6/2/83.
- 180-16-167 Kindergarten operation on ninety full-day school year basis—Approval provisions. [Statutory Authority: RCW 28A.41.130 and 28A.58.754, 78-06-097 (Order 3-78), § 180-16-167, filed 6/5/78; Order 4-72, § 180-16-167, filed 8/29/72.] Repealed by 79-02-048 (Order 1-79), filed 1/30/79. Statutory Authority: RCW 28A.58.750.
- 180-16-170 Adult education. [SBE 16-12-4, filed 5/3/66, effective 6/3/66; filed 12/17/64, effective 7/1/65.] Repealed by Order 6-71, filed 10/13/71.
- 180-16-190 Community colleges, state support of. [Reference 16-16-8, filed 5/3/66, effective 6/3/66.] Repealed by Order 7-70, filed 6/9/70.
- 180-16-230 Definitions—Basic skills areas. [Statutory Authority: RCW 28A.41.130 and 28A.58.754, 78-06-097 (Order 3-78), § 180-16-230, filed 6/5/78.] Repealed by 79-10-033 (Order 10-79), filed 9/12/79. Statutory Authority: RCW 28A.01.010, 28A.04.120, 28A.41.130, 28A.41.140, 28A.58.754, 28A.58.758, and 1979 ex.s. c 250.
- 180-16-235 Definitions—Work skills. [Statutory Authority: RCW 28A.41.130 and 28A.58.754, 78-06-097 (Order 3-78), § 180-16-235, filed 6/5/78.] Repealed by 79-10-033 (Order 10-79), filed 9/12/79. Statutory Authority: RCW 28A.01.010, 28A.04.120, 28A.41.130, 28A.41.140, 28A.58.754, 28A.58.758, and 1979 ex.s. c 250.

WAC 180-16-002 Authority. The authority for this chapter is RCW 28A.58.754(6) which authorizes the state board of education to adopt rules that implement and ensure compliance with the basic program of education requirements of RCW 28A.41.130, 28A.41.140, and 28A.58.754 and such related basic program of education requirements as may be established by the state board of education.

[Statutory Authority: RCW 28A.58.754(6), 84-11-043 (Order 2-84), § 180-16-002, filed 5/17/84.]

WAC 180-16-006 Purpose. The purpose of this chapter is to set forth rules to:

- (1) Establish procedures and policies for state board of education approval of school district programs for the purpose of entitlement to state basic program of education support, including the provisions of RCW 28A.41.130, 28A.41.140, and 28A.58.754; and
- (2) Establish related program requirements for which compliance is required as part of state board of education approval.

[Statutory Authority: RCW 28A.58.754(6), 84-11-043 (Order 2-84), § 180-16-006, filed 5/17/84.]

WAC 180-16-162 Presumption of approved program operation--Strikes--Exception--Approval/disapproval of program during strike period. It shall be presumed that all school days conducted during a school year for which the state board of education has granted annual program approval are conducted in an approved manner, except for school days conducted during the period of a strike. The following shall govern the approval

or disapproval of a program conducted during the period of a strike:

(1) Upon the submission of a complaint of substandard program operation by a credible observer, the state superintendent of public instruction may investigate the complaint and program being operated during the strike.

(2) The district's program shall be deemed disapproved if the investigation of the state superintendent establishes a violation of any one or more of the following standards or, as the case may be, such deviations as have been approved by the state board:

- (a) All administrators must have proper credentials;
- (b) WAC 180-16-220(2) which requires that all teachers have proper credentials;
- (c) The school district shall provide adequate instruction for all pupils in attendance;
- (d) WAC 180-16-240 (2)(g) which requires that adequate provisions must be made for the health and safety of all pupils;

(e) The local district shall have a written plan for continuing the school program during this period; and

(f) The required ratio of enrolled pupils to certificated personnel for the first five days shall not exceed 60 to 1, for the next five days shall not exceed 45 to 1 and thereafter shall not exceed 30 to 1.

(3) Program disapproval shall be effective as of the day following transmittal of a notice of disapproval by the state superintendent and shall apply to those particular school days encompassed in whole or in part by the remainder of the strike period.

(4) The decision of the state superintendent shall be final except as it may be reviewed by and at the option of the state board.

(5) The program shall be deemed approved during those days of operation for which a trial court order is in effect ordering striking employees to work.

[Statutory Authority: RCW 28A.01.010, 28A.04.120, 28A.41.130, 28A.41.140, 28A.58.754, 28A.58.758, and 1979 ex.s. c 250, 79-10-033 (Order 10-79), § 180-16-162, filed 9/12/79; Order 5-73, § 180-16-162, filed 9/6/73.]

WAC 180-16-163 Strike defined. For the purpose of WAC 180-16-162, the term "strike" shall mean: A concerted work stoppage by employees of a school district of which there has been a formal declaration by their recognized representative and notice thereof provided to the district by such representative at least two calendar school days in advance of the actual stoppage.

[Order 5-73, § 180-16-163, filed 9/6/73.]

WAC 180-16-164 Work stoppages and maintenance of approved programs for less than 180 days not condoned. Nothing in WAC 180-16-162, 180-16-163 or 180-16-191 through 180-16-240 shall be construed as condoning or authorizing any form of work stoppage which disrupts the planned educational program of a district, or any portion thereof, or the maintenance of an approved program for less than the minimum number of school days required by law except as excused for apportionment purposes by the superintendent of public instruction pursuant to RCW 28A.41.170.

[Statutory Authority: RCW 28A.01.010, 28A.04.120, 28A.41.130, 28A.41.140, 28A.58.754, 28A.58.758, and 1979 ex.s. c 250. 79-10-033 (Order 10-79), § 180-16-164, filed 9/12/79; Order 5-73, § 180-16-164, filed 9/6/73.]

WAC 180-16-180 Vocational-technical institutes, state support of. Pursuant to provisions of RCW 28A.41.130, 28A.09.100 and 28B.50.240 and the provisos in the currently effective state budget and appropriations act appropriating to the superintendent of public instruction an amount for vocational-technical institutes and an amount for adult education in such institutes, the rules and regulations hereinafter set forth shall govern determination of eligibility of vocational-technical institutes for apportionment from state funds.

(1) Approved vocational-technical institute. A vocational-technical institute established and maintained in accordance with requirements of chapter 180-58 WAC shall be deemed to be in compliance with eligibility requirements for apportionment from state funds.

(2) Certification to state superintendent. The state board of education shall furnish to the superintendent of public instruction certification of approval of any and all vocational-technical institutes approved by the state board under authority of RCW 28A.41.130, 28A.09.100 and 28B.50.240 and provisions of chapter 180-58 WAC.

(3) Approval of additional courses—State superintendent. Subsequent to certification by the state board of education to the superintendent of public instruction of approval of a vocational-technical institute as provided in subsection (2) above, additional courses and apportionment related thereto shall be subject to the approval of and authorization by the state superintendent as provided in WAC 180-58-090.

[Order 3-77, § 180-16-180, filed 6/1/77; Order 6-71, § 180-16-180, filed 10/13/71; Filed 5/3/66, effective 6/3/66; SBE 16-16-4, 16-16-40, 16-16-401 and 16-16-402, filed 12/17/64, effective 7/1/65.]

Reviser's note: RCW 28A.09.100 and RCW 28B.50.240 were recodified as RCW 28C.04.230 pursuant to section 17, chapter 174, Laws of 1975 1st ex. sess.

WAC 180-16-191 Programs subject to basic education allocation entitlement requirements. The requirements, procedures and other provisions set forth in this chapter shall apply to kindergarten programs, and to such portion of the grade one through twelve program including related vocational instruction, as a school district provides for students enrolled in kindergarten through grade twelve.

[Statutory Authority: RCW 28A.58.754(6), 84-11-043 (Order 2-84), § 180-16-191, filed 5/17/84. Statutory Authority: RCW 28A.01.010, 28A.04.120, 28A.41.130, 28A.41.140, 28A.58.754, 28A.58.758, and 1979 ex.s. c 250. 79-10-033 (Order 10-79), § 180-16-191, filed 9/12/79. Statutory Authority: RCW 28A.41.130 and 28A.58.754. 78-06-097 (Order 3-78), § 180-16-191, filed 6/5/78.]

WAC 180-16-195 Annual reporting and review process. (1) **Annual district reports.** A review of each school district's kindergarten through twelfth grade program shall be conducted annually for the purpose of determining compliance or noncompliance with these basic education allocation entitlement requirements. On or before the third Monday in October of each school year,

each school district superintendent shall complete and return the program data report form(s) prepared and distributed by the superintendent of public instruction. Such forms shall be designed to elicit data necessary to a determination of a school district's compliance or non-compliance with these entitlement requirements. Data reported on any such form(s) by a school district shall accurately represent the actual status of the school district's program as of the first school day in October and as thus far provided and scheduled for the entire current school year. Such forms shall be signed by:

- (a) The school board president or chairperson, and
- (b) The superintendent of the school district.

(2) **State staff review.** The superintendent of public instruction shall review each school district's program data report and such supplemental state reports as staff deemed necessary, conduct on-site monitoring visits of randomly selected school districts and prepare recommendations and supporting reports for presentation to the state board of education: *Provided*, That, if a school district's initial program data report and any other state reports considered do not establish compliance with these basic education allocation entitlement requirements, the district shall be provided the opportunity to explain the deficiency and provide supplemental data. School districts which foresee that they will not be able to comply with these entitlement requirements or that are deemed by the superintendent of public instruction to be in noncompliance may petition for a waiver on the basis of the limited ground of substantial lack of classroom space as set forth in WAC 180-16-225.

(3) **Annual certification of compliance or noncompliance—Withholding of funds for noncompliance.**

(a) At the annual March meeting of the state board of education, or at such other meeting as the board shall designate, the board shall certify each school district as being in compliance or noncompliance with these basic education allocation entitlement requirements.

(b) A certification of compliance shall be effective for the then current school year subject to any subsequent ad hoc review and determination of noncompliance as may be deemed necessary or advisable by the state board of education or the superintendent of public instruction. In addition, a certification of compliance shall be effective tentatively for the succeeding school year until such time as the state board takes its annual action certifying compliance or noncompliance with these entitlement requirements.

(c) A certification of noncompliance shall be effective until program compliance is assured by the school district to the satisfaction of the superintendent of public instruction, subject to review by the state board. Basic education allocation funds shall be deducted from the basic education allocation of a school district that has been certified as being in noncompliance unless such district has received a waiver, pursuant to WAC 180-16-225, from the state board for such noncompliance, or assurance of program compliance is subsequently provided for the school year previously certified as in non-compliance and is accepted by the state board.

(d) The withholding of basic education allocation funding from a school district shall occur for a noncompliance provided that the school district has been given a reasonable amount of time to remediate the noncompliance situation, not to exceed forty school business days from the time the district receives notice of the noncompliance from the superintendent of public instruction. It is presumed that forty school business days is a reasonable time for school districts to correct an existing noncompliance. The superintendent of public instruction may extend such timeline only if the district demonstrates, by clear and convincing evidence, that such timeline is not reasonable to make the necessary corrections. For the purposes of this section, a school business day shall mean any calendar day, exclusive of Saturdays, Sundays, and any federal and school holidays upon which the office of the superintendent of the school district is open to the public for the conduct of business. A school business day shall be concluded or terminated upon the closure of said office for the calendar day.

(e) The superintendent of public instruction, or his/her designee, after notification to a school district regarding an existing noncompliance, shall enter into a compliance agreement with the school district that shall include, but not be limited to, the following criteria:

(i) A deadline for school district remediation of the noncompliance(s), not to exceed forty school business days per noncompliance as specified in (d) of this subsection.

(ii) A listing of all the noncompliance areas and the necessary terms that must be satisfied in each area in order for the school district to gain compliance status. This listing also shall specify additional deadlines for the accomplishment of the stated terms if different from the final deadline as specified in subsection (1) of this section.

(iii) A closing statement specifying that a school district's failure to remediate a noncompliance by the determined deadline shall result in the immediate withholding of the district's basic education allocation funding by the superintendent of public instruction.

(iv) The date and the signatures of the superintendent of the school district, or his/her designee, and the superintendent of public instruction, or his/her designee, to the agreement. A copy of the completed compliance agreement shall be sent to the chairperson of the school district's board of directors.

(f) In the event a school district fails to sign the compliance agreement within five school business days from the date of issuance or does not satisfy the terms of the signed compliance agreement within the designated amount of time, the superintendent of public instruction shall withhold state funds for the basic education allocation until program compliance is assured.

(g) The superintendent of public instruction shall withhold state funds for the basic education allocation to a school district based on the following procedure:

(i) For the first month that a noncompliance exists following the conditions as specified in (f) of this subsection, the superintendent of public instruction shall

withhold twenty-five percent of the state funds for the basic education allocation to a school district.

(ii) For the second month that a noncompliance exists following the conditions as specified in (f) of this subsection, the superintendent of public instruction shall withhold fifty percent of the state funds for the basic education allocation to a school district.

(iii) For the third month that a noncompliance exists following the conditions as specified in (f) of this subsection, the superintendent of public instruction shall withhold seventy-five percent of the state funds for the basic education allocation to a school district.

(iv) For the fourth month, and every month thereafter, that a noncompliance exists following the conditions as specified in (f) of this subsection, the superintendent of public instruction shall withhold one hundred percent of the state funds for the basic education allocation to a school district until compliance is assured.

(h) Any school district may appeal to the state board of education the decision of noncompliance by the superintendent of public instruction. Such appeal shall be limited to the interpretation and application of these rules and regulations by such superintendent of public instruction. Such appeal shall not stay the withholding of any state funds pursuant to this section. The state board of education may not waive any of the basic education entitlement requirements as set forth in this chapter, except as provided in WAC 180-16-225.

[Statutory Authority: RCW 28A.58.754(6), 84-11-043 (Order 2-84), § 180-16-195, filed 5/17/84. Statutory Authority: RCW 28A.04.120, 83-13-002 (Order 3-83), § 180-16-195, filed 6/2/83. Statutory Authority: RCW 28A.01.010, 28A.04.120, 28A.41.130, 28A.41.140, 28A.58.754, 28A.58.758, and 1979 ex.s. c 250, 79-10-033 (Order 10-79), § 180-16-195, filed 9/12/79. Statutory Authority: RCW 28A.41.130 and 28A.58.754, 78-06-097 (Order 3-78), § 180-16-195, filed 6/5/78.]

WAC 180-16-200 Total program hour offering—Basic skills and work skills requirements—Waiver. (1) Total program hour offering—Definition.

(a) Each school district shall make available to students enrolled at least a total program hour offering as set forth in subsections (2) through (6) of this section. For the purpose of this section, "total program hour offering" shall mean those hours of sixty minutes each, inclusive of intermissions for class changes, recess and teacher/parent-guardian conferences which are planned and scheduled by the district for purposes of discussing students' educational needs or progress—exclusive of time actually spent for eating lunchtime meals—when students are provided the opportunity to engage in educational activity planned by and under the direction of school district staff, as directed by the administration and board of directors of the district.

For special education/handicapped programs operating in separate facilities in a school district, do not exclude the time actually spent for eating lunchtime meals if that time is specifically identified and utilized as instructional meal training for each student in the program.

(b) Adjustments of program hour offerings between grade level groupings. Any school district may petition

the state board of education for a reduction in the total program hour offering requirements for one or more of the grade level groupings specified in subsections (2) through (6) of this section. The state board of education shall grant all such petitions that are accompanied by an assurance that the minimum total program hour offering requirements in one or more other grade level groupings will be exceeded concurrently by no less than the number of hours of the reduction.

(c) Each school district shall make available to students enrolled at least an instructional hour offering as set forth in subsections (3) through (6) of this section. For the purpose of this section, "instructional hour offering" shall mean those hours of sixty minutes each—exclusive of recess time, passing time, total lunch intermission time, and noncountable release time on early dismissal days—when students are provided the opportunity to engage in the basic skills and/or work skills offered by and under the direction of school district staff, as directed by the administration and board of directors of the district.

(d) A school district has "provided the opportunity to engage in" the basic skills and work skills activities required by this section when the district actually conducts basic skills and work skills instruction for students. If a district is not actually conducting the percentage(s) of basic skills and/or work skills required by this section, such district nevertheless shall be deemed to be in compliance with such requirements if such district's instructional time offered to students in basic skills and work skills instruction equals or exceeds the minimum instructional hour requirements in each grade level grouping as specified in subsections (3) through (6) of this section. A school district that makes a reasonable and good faith effort through the first day of the school term to provide students the opportunity to take the section(s) or course(s) necessary to comply with the basic skills and work skills percentages, as specified in subsections (3) through (6) of this section and no student enrolled in such section(s) or course(s), may count that section(s) or course(s) toward the total basic skills and work skills percentages offered to students that term. Each of the basic skills areas specified in subsections (2) through (6) of this section for a particular grade level grouping must be offered each school year to students at one or more of the grade levels within the particular grade level grouping. Instruction in at least one of the following work skills must be offered each school year to students at one or more of the grade levels within each of the grade level groupings specified in subsections (5) and (6) of this section: Industrial arts, home and family life education, business and office education, distributive education, agricultural education, health occupations education, vocational education, trade and industrial education, technical education and career education.

(e) Five percent variation—Basic skills and work skills requirements. A school district may establish minimum course mix percentages that deviate within any grade level grouping by up to five percentage points above or below the minimums established by subsections (3)

through (6) of this section, provided the total program hour offering requirement for the grade level grouping is met.

(2) **Kindergarten.** Each school district shall make available to students in kindergarten at least a total program offering of four hundred fifty hours each school year. The program shall include reading, arithmetic, language skills and such other subjects and activities as the school district shall determine to be appropriate for the education of the school district's students enrolled in such program.

(3) **Grades 1 through 3.** Each school district shall make available to students in grades one through three at least a total program hour offering of two thousand seven hundred hours each school year. A minimum of ninety-five percent (ninety percent with the five percent variation included, or 2,430 instructional hours) of such total program hour offerings shall be in the instruction of the basic skills areas of reading/language arts (which may include foreign languages), mathematics, social studies, science, music, art, health and physical education. The remaining five percent of the total program hour offerings may include such subjects and activities as the school district shall determine to be appropriate for the education of the school district's students in such grades.

(4) **Grades 4 through 6.** Each school district shall make available to students in grades four through six at least a total program offering of two thousand nine hundred seventy hours each school year. A minimum of ninety percent (eighty-five percent with the five percent variation included, or 2,524.5 instructional hours) of such total program hour offerings shall be in the instruction of the basic skills areas of reading/language arts (which may include foreign languages), mathematics, social studies, science, music, art, health and physical education. The remaining ten percent of the total program hour offerings may include such subjects and activities as the school district shall determine to be appropriate for the education of the school district's students in such grades.

(5) **Grades 7 through 8.** Each school district shall make available to students in grades seven through eight at least a total program hour offering of one thousand nine hundred eighty hours each school year. A minimum of eighty-five percent (eighty percent with the five percent variation included, or 1,584 instructional hours) of such total program hour offerings shall be in the instruction of the basic skills areas of reading/language arts (which may include foreign languages), mathematics, social studies, science, music, art, health and physical education. A minimum of ten percent (five percent with the five percent variation included, or 99 instructional hours) of the total program offerings shall be in the instruction of work skills. The remaining five percent of the total program hour offerings may include such subjects and activities as the school district shall determine to be appropriate for the education of the school district's students in such grades.

(6) **Grades 9 through 12.**

(a) Each school district shall make available to students in grades nine through twelve at least a total program hour offering of four thousand three hundred twenty hours each school year. A minimum of sixty percent (fifty-five percent with the five percent variation included, or 2,376 instructional hours[]) of such total program hour offerings shall be in the instruction of the basic skills areas of language arts, foreign language, mathematics, social studies, science, music, art, health and physical education. A minimum of twenty percent (fifteen percent with the five percent variation included, or 648 instructional hours) of the total program hour offerings shall be in the instruction of work skills. The remainder of the total program hour offerings may include traffic safety or such subjects and activities as the school district shall determine to be appropriate for the education of the school district's students in such grades: *Provided*, That, whether or not the five percent deviations in course mix percentages allowed by subsection (2)(d) of this section are applied, not less than four hundred and thirty-two instructional hours(*i.e.*, ten percent of the total program hour requirement) of such remaining instructional hours shall consist of basic skills and/or work skills: *Provided*, That any program hours and/or instructional hours not achieved due to the implementation of WAC 180-16-215(4) relating to students graduating from high school, shall not be deducted from the total program hours calculated.

(b) Grade nine option. Each school district shall have the option of including grade nine within the program hour offering requirements of grades seven and eight so long as such requirements for grades seven through nine are increased to two thousand nine hundred seventy hours and such requirements for grades ten through twelve are decreased to three thousand two hundred forty hours. Each school district shall state which option is in use when providing compliance documentation to the superintendent of public instruction.

(7) Basis and means for determining compliance with basic skills and work skills percentage requirements.

(a) Each school district shall adopt a written policy and procedure for establishing the basis and means for determining and monitoring compliance with the basic skills and work skills percentages, the course requirements and instructional hour minimums as established by this section. Written documentation of such annual determinations and monitoring activities shall be maintained on file by each school district.

(b) Handicapped education programs, vocational-technical institute programs, state institution, state residential school programs and alternative education programs where students are provided access to the basic skills/work skills offered in the regular program, all of which programs are conducted for the common school age, kindergarten through secondary school program students encompassed by this section, shall be exempt from the basic skills and work skills percentage and course requirements of this section in order that the unique needs, abilities or limitations of such students may be met.

(8) WAIVER OPTION.

(a) A district, desiring to implement a local plan to provide an effective educational system to enhance the educational program for all students, may apply for a waiver from the provisions of subsections (2) through (6) of this section, pertaining to the total program hour offerings requirement and the basic skills/work skills percentages/instructional hours requirement. The state board of education shall grant said waiver if the district demonstrates the need for the waiver by meeting the procedural criteria as specified in (b) and (c) of this subsection. Approval of district waivers shall occur at the March state board of education meeting prior to the school year when implementation is to commence. Each approval shall be valid for three school years and may be renewed for additional three-year periods based on the criteria as specified in (d) of this subsection.

(b) ESTABLISHMENT OF NEED. When a district wishes a deviation from subsections (2) through (6) of this section, it shall create an ad hoc committee to review the proposed deviation(s) as a basis for its inclusion in the local plan. The ad hoc committee shall be comprised of at least one district classroom teacher, one district administrator, one district school board member, one district secondary student and two parents who are not employees of the district. Districts may use an existing committee for this purpose if it includes the same make-up of participating members.

(i) The ad hoc committee shall meet to develop the local plan to provide an effective educational system to enhance the educational program for all students. The plan cannot benefit only a particular group or grade level in the district, but must apply to all students in the district.

(ii) The local plan shall identify:

(A) The basic education program requirements that need to be waived;

(B) A rationale that addresses the need for waiving the identified basic education program requirements;

(C) The goals and objectives of the effective educational system; and

(D) The anticipated results and outcomes of the effective educational system.

(iii) The ad hoc committee shall give sufficient opportunity to the community, through public notice and open public meetings, to give input into the development of the local plan.

(iv) The appointed representative of the ad hoc committee shall present the plan to the board of directors, the board shall provide an opportunity for testimony and review, and the board shall then take action on the plan.

(c) APPLICATION PROCEDURE.

(i) A district, upon the adoption of a local plan to provide an effective educational system, shall make application to the superintendent of public instruction. Accompanying the application form shall be the local plan documentation that identifies the basic education program requirements to be waived and the rationale; the goals and objectives of the effective educational system; and, the anticipated results and outcomes that the plan

will achieve. In addition, evidence of the ad hoc committee meetings and verification of the board of director's adoption of the local plan shall be included in the application process.

(ii) The application for a waiver and all supporting documentation must be received by the superintendent of public instruction at least thirty days prior to the March state board of education meeting, when consideration of all waivers shall occur. The superintendent of public instruction shall review all applications and supporting documentation to insure the accuracy of the information and shall recommend approval to the state board of education. In the event that deficiencies are noted in the application or documentation, districts will have the opportunity to make corrections and to seek state board approval at a subsequent meeting.

(d) RENEWAL PROCEDURE.

(i) A school district may renew the state board of education's approval of a local plan waiver for periods of three school years provided that an application for renewal is submitted to the superintendent of public instruction and that said application is accompanied by documentation which establishes a continuing need for the waiver. To establish the continuing need, a school district shall verify that:

(A) The ad hoc committee, as defined in (b) of this subsection, reconvened to evaluate the success of the previous plan, and that the evaluation involved a thorough analysis of whether the plan's goals and objectives were achieved;

(B) The ad hoc committee gave sufficient opportunity to the community, through public notice and open public meetings, to provide input into the evaluation process and make recommendations for its continuation;

(C) The ad hoc committee, based on its evaluation findings and community input, developed a continuing local plan that identifies the basic education program requirements that will need to be waived, the goals/objectives of the plan, and the anticipated results that the plan will have on enhancing the educational program for all students in the district;

(D) The ad hoc committee presented the evaluation findings from the previous local plan, as well as the continuing plan recommendations to the board of directors;

(E) The board of directors adopted the recommendations to continue the plan and to apply for a subsequent waiver.

(ii) The application for renewal and all supporting documentation must be received by the superintendent of public instruction at least thirty days prior to the March state board of education meeting when consideration of waivers and renewals shall occur. A district, desiring to continue a local plan waiver, must submit the application for renewal and all supporting documentation during the last school year of the previously approved three-year period. The superintendent of public instruction shall review all applications for renewal and supporting documentation; shall notify districts of any deficiency in the application or documentation; and shall recommend approval of the continuation to the state board of education. In the event that deficiencies are

found in the application or documentation, districts will have the opportunity to make corrections and to seek state board approval at a subsequent meeting.

[Statutory Authority: RCW 28A.04.127 and 28A.41.140. 86-21-020 (Order 15-86), § 180-16-200, filed 10/7/86. Statutory Authority: RCW 28A.58.754(6). 84-11-043 (Order 2-84), § 180-16-200, filed 5/17/84. Statutory Authority: RCW 28A.01.010, 28A.04.120, 28A.41.130, 28A.41.140, 28A.58.754, 28A.58.758, and 1979 ex.s. c 250. 79-10-033 (Order 10-79), § 180-16-200, filed 9/12/79. Statutory Authority: RCW 28A.41.130 and 28A.58.754. 78-06-097 (Order 3-78), § 180-16-200, filed 6/5/78.]

WAC 180-16-205 Classroom teacher contact hours requirement--Waiver. (1) Contact hours requirement--

Definition. The average annual classroom contact hours for each average annual full-time equivalent certificated classroom teacher employed by a school district shall be no less than twenty-five hours per week. For the purpose of this section "classroom contact hours" shall mean those hours a certificated classroom teacher is instructing students in a classroom, exclusive of such time as the teacher spends for preparation, conferences, administrative duties, and any other nonclassroom instruction duties.

(2) **Classroom--Definition.** For the purpose of this section, "classroom" shall mean those areas or spaces within or without a building, on or off a school campus, that are utilized by a certificated classroom teacher and his/her students for the conduct of planned instructional activities.

(3) **Computation of FTE teachers.** For the purpose of this section the "average annual full-time equivalent classroom teachers" of a school district shall be the sum of full-time and part-time teachers computed as follows:

(a) **Full-time teachers.** Each employee who is employed full time for the regular instructional year exclusive of summer school, and who is assigned solely classroom instructional and related duties (e.g., planning periods, parent/teacher conferences, before and after school supervision of students, etc.) pursuant to his/her basic contract shall be counted as one full-time equivalent classroom teacher regardless of his/her actual teaching load. No such employee shall be counted as more than one full-time equivalent classroom teacher: *Provided*, That in the case of full-time employees of a school district that conducts a year round regular school program who are employed for a term in excess of the equivalent of the regular instructional year for individual students, such excess term of employment shall be counted as a portion of an additional full-time equivalent classroom teacher.

(b) **Part-time teachers.** Each part-time employee who is assigned classroom instructional duties solely or in part, and each full-time employee who is assigned both classroom instructional duties and nonclassroom related duties (e.g., administrative duties, extracurricular instructional or supervisory duties, etc.) pursuant to his/her basic contract, shall be counted as a fractional full-time equivalent classroom teacher based upon the percentage of time he or she performs duties equivalent to the duties performed by a full-time employee who is assigned solely classroom instructional duties and related

duties (e.g., planning periods, parent/teacher conferences, before and after school supervision of students, etc.) pursuant to his/her basic contract.

(4) Computation of annual average classroom contact hour requirement. A school district's compliance with the average annual contact requirement shall be based upon teachers' normally assigned weekly instructional schedules, as assigned by the district administration. Additional recordkeeping by classroom teachers as a means of accounting for contact hours shall not be required.

(a) For each teacher, count the actual number of minutes during the school week when the teacher has regularly scheduled responsibilities for the instruction of students. Teacher instructional contact time for the purposes of this requirement shall be that time between the start of the first regularly scheduled class and the end of the last regularly scheduled class including actual minutes scheduled in all regular classes, laboratories, study halls and the supervision of extended classrooms, work experience, outdoor education and other such programs.

(b) Time spent for lunch intermissions, class changes, recesses, planning/preparation, staff meetings, home visits, conferences, supervision of students in noninstructional activities (lunch duty, playground duty, hall duty, sports programs, student clubs and other activities not requiring student attendance or required for credit), and for specialist teachers (librarian, subject-matter specialist) when the teacher is free from instructional purposes (i.e., released from classroom responsibilities) shall not be countable time for the purpose of computing the teacher's instructional contact. This time is considered valuable and is covered under (e) of this subsection.

(c) The number of average annual full-time equivalent classroom teachers employed by a school district and computed pursuant to subsection (3) of this section shall be divided into the total number of actual contact minutes within a normally scheduled instructional week, pursuant to (a) and (b) of this subsection, that such average annual full-time equivalent classroom teachers are scheduled to be in contact with and instructing students in a classroom (including those hours which would have been accrued but for the implementation of WAC 180-16-215(4) relating to students graduating from high school.

(d) The quotient received by dividing the total number of actual contact minutes per week, for all average annual full-time equivalent classroom teachers in the school district by the number of average annual full-time equivalent classroom teachers shall be called the net average contact minutes per week for the average annual full-time equivalent certificated classroom teacher in the school district.

(e) At the discretion of each school district board of directors, up to two hundred minutes per average annual full-time equivalent classroom teachers for every five school days scheduled for the regular instructional year may be added to the net average contact minutes per week to accommodate for time spent in authorized parent-guardian/teacher conferences, recess, passing time between classes and informal instructional activity.

(f) The quotient received by dividing the net average contact minutes, per week, including up to two hundred minutes to accommodate for time spent in authorized parent-guardian/teacher conferences, recess, passing time between classes and informal instructional activity, by sixty shall be the school district's *average annual direct classroom contact hours* per week for the average annual full-time equivalent certificated classroom teacher in the school district.

(g) The average annual classroom contact hours per week shall not be less than twenty-five hours per week.

(5) WAIVER OPTION.

(a) In the event that a district develops an educational excellence component(s) which consists of less than the twenty-five hours of average teacher contact and the district determines, but for the inclusion of this component(s), that it would meet the twenty-five hour average teacher contact requirement, the district may apply for a waiver of the inclusion of this component(s) within the calculations. The state board of education shall grant said waiver if the district demonstrates the need for the waiver by meeting the procedural criteria, as specified in (b) and (c) of this subsection. Approval of district waivers shall occur at the March state board of education meeting prior to the school year when implementation is to commence. Each approval shall be valid for three school years and may be renewed for additional three-year periods based on the criteria as specified in (d) of this subsection.

(b) ESTABLISHMENT OF NEED. When a district wishes a deviation from the twenty-five hour average teacher contact requirement, it shall create an ad hoc committee to review the proposed deviation as a basis for its inclusion in the local plan. The ad hoc committee shall be comprised of at least one teacher, one district administrator, one district school board member, one district secondary student, and two district parents who are not employees of the district. Districts may use an existing committee for this purpose if it includes the same make-up of participating members.

(i) The ad hoc committee shall meet to develop the local plan for educational excellence.

(ii) The local plan shall include:

(A) A rationale that addresses the need for waiving the twenty-five hour average teacher contact time; that verifies the students' instructional time will not be reduced; and, that explains how the use of the district's teachers is critical to the success of the local plan;

(B) The goals/objectives of the educational excellence program; and

(C) The anticipated results/outcomes of the educational excellence program.

(iii) The ad hoc committee shall give sufficient opportunity to the community, through public notice and open public meetings, to give input into the development of the local plan.

(iv) The appointed representative of the ad hoc committee shall present the plan to the board of directors, the board shall provide an opportunity for testimony and review, and the board shall then take action on the plan.

(c) APPLICATION PROCEDURE.

(i) A district, upon the adoption of a local plan of educational excellence, shall make application to the superintendent of public instruction. Accompanying the application form shall be the local plan documentation that includes the rationale, the goals/objectives of the educational excellence program, and the anticipated results and outcomes that the plan will achieve. In addition, evidence of the ad hoc committee meetings and verification of the board of director's adoption of the local plan shall be included in the application process.

(ii) The application for a waiver and all supporting documentation must be received by the superintendent of public instruction at least thirty days prior to the March state board of education meeting, when consideration of all waivers shall occur. The superintendent of public instruction shall review all applications and supporting documentation to insure the accuracy of the information and shall recommend approval to the state board of education. In the event that deficiencies are noted in the application or documentation, districts will have the opportunity to make corrections and to seek state board approval at a subsequent meeting.

(d) RENEWAL PROCEDURES.

(i) A school district may renew the state board of education's approval of a local plan waiver for periods of three school years provided that an application for renewal is submitted to the superintendent of public instruction and that said application is accompanied by documentation which establishes a continuing need for a waiver. To establish the continuing need, a school district shall verify that:

(A) The ad hoc committee, as defined in (b) of this subsection, reconvened to evaluate the success of the previous plan, and that the evaluation involved a thorough analysis of whether the plan's goals and objectives were achieved;

(B) The ad hoc committee gave sufficient opportunity to the community, through public notice and open public meetings, to provide input into the evaluation process and make recommendations for its continuation;

(C) The ad hoc committee, based on its evaluation findings and community input, developed a continuing plan that identifies the need to waive the teacher contact requirement, the goals/objectives for the plan, and the anticipated results that the plan will have on educational excellence in the district;

(D) The ad hoc committee presented the evaluation findings from the previous local plan, as well as the continuing plan recommendations to the board of directors; and

(E) The local school board adopted the recommendations to continue the local plan and to apply for a subsequent waiver.

(ii) The application for renewal and all supporting documentation must be received by the superintendent of public instruction at least thirty days prior to the March state board of education meeting, when consideration of waivers and renewals shall occur. A district, desiring to continue a local plan waiver, must submit the

application for renewal and all supporting documentation during the last school year in the previously approved three-year period. The superintendent of public instruction shall review all applications for renewal and supporting documentation; shall notify districts of any deficiency in the application or documentation; and, shall recommend the approval of the continuation to the state board of education. In the event that deficiencies are noted in the application or documentation, districts will have the opportunity to make corrections and to seek state board approval at a subsequent meeting.

[Statutory Authority: RCW 28A.04.127 and 28A.41.140. 86-21-020 (Order 15-86), § 180-16-205, filed 10/7/86. Statutory Authority: RCW 28A.58.754(6), 84-11-043 (Order 2-84), § 180-16-205, filed 5/17/84. Statutory Authority: RCW 28A.01.010, 28A.04.120, 28A-.41.130, 28A.41.140, 28A.58.754, 28A.58.758, and 1979 ex.s. c 250. 79-10-033 (Order 10-79), § 180-16-205, filed 9/12/79. Statutory Authority: RCW 28A.41.130 and 28A.58.754. 78-06-097 (Order 3-78), § 180-16-205, filed 6/5/78.]

WAC 180-16-210 Kindergarten through grade three students to classroom teacher ratio requirement. The ratio of the FTE students enrolled in a school district in kindergarten through grade three to kindergarten through grade three FTE classroom teachers shall not be greater than the ratio of the FTE students to FTE classroom teachers in grades four through twelve. For the purpose of this section "classroom teacher" shall mean any instructional employee who possesses a valid teaching certificate or permit issued by the superintendent of public instruction, but not necessarily employed as a certificated employee, and whose "primary" duty is the daily educational instruction of students.

(1) **Computation of ratios.** The FTE student to FTE classroom teacher ratios shall be computed as follows:

(a) For the purpose of this section exclude that portion of the time teachers and students participate in vocationally approved programs, traffic safety and special education programs from the above computations (i.e., programs hereby deemed to be "special programs").

(b) Exclude preparation and planning times from the computations for all FTE classroom teachers.

(c) Include in the above computations only the time certificated employees are actually instructing students on a regularly scheduled basis.

(d) Calculations:

(i) The kindergarten FTE October enrollment plus the October FTE enrollment in grades 1-3 divided by the FTE classroom teachers whose "primary" duty is the daily instruction of pupils in grades K through 3.

(ii) The October FTE enrollment in grades 4 and above divided by the FTE classroom teachers whose "primary" duty is the daily instruction of pupils in grades 4 and above.

(2) **Exemptions.** School districts that have a ratio of kindergarten through grade three FTE students to FTE classroom teachers of twenty-five to one or less, nonhigh school districts, and school districts that have a student enrollment of two hundred fifty or less in grades nine through twelve are exempt from the FTE students to FTE classroom teachers ratio requirement of this subsection.

[Statutory Authority: RCW 28A.58.754(6), 84-11-043 (Order 2-84), § 180-16-210, filed 5/17/84. Statutory Authority: RCW 28A.01.010, 28A.04.120, 28A.41.130, 28A.41.140, 28A.58.754, 28A.58.758, and 1979 ex.s. c 250. 79-10-033 (Order 10-79), § 180-16-210, filed 9/12/79. Statutory Authority: RCW 28A.41.130 and 28A.58.754. 78-06-097 (Order 3-78), § 180-16-210, filed 6/5/78.]

WAC 180-16-215 Minimum one hundred eighty school day year. (1) **One hundred eighty school day requirement.** Each school district shall conduct no less than a one hundred eighty school day program each school year in such grades as are conducted by such school district, and one hundred eighty half-days of instruction, or the equivalent, in kindergarten. If a school district schedules a kindergarten program other than one hundred eighty half-days, the district shall attach an explanation of its kindergarten schedule when providing compliance documentation to the superintendent of public instruction.

(2) **School day defined.** A school day shall mean each day of the school year on which pupils enrolled in the common schools of a school district are engaged in educational activity planned by and under the direction of the school district staff, as directed by the administration and board of directors of the district.

(3) **Accessibility of program.** Each school district's program shall be accessible to all legally eligible students, including handicapped students, who are five years of age and under twenty-one years of age who have not completed high school graduation requirements.

(4) **Five-day flexibility - Students graduating from high school.** A school district may schedule the last five school days of the one hundred eighty day school year for noninstructional purposes in the case of students who are graduating from high school, including, but not limited to, the observance of graduation and early release from school upon the request of a student.

[Statutory Authority: RCW 28A.01.010, 28A.04.120, 28A.41.130, 28A.41.140, 28A.58.754, 28A.58.758, and 1979 ex.s. c 250. 79-10-033 (Order 10-79), § 180-16-215, filed 9/12/79. Statutory Authority: RCW 28A.41.130 and 28A.58.754. 78-06-097 (Order 3-78), § 180-16-215, filed 6/5/78.]

WAC 180-16-220 Supplemental program and basic education allocation entitlement requirements. The following requirements, while not imposed by the "Basic Education Act of 1977," are hereby established by the state board of education as related supplemental conditions to a school district's entitlement to state basic education allocation funds.

(1) **Student to certificated staff ratio requirement.** The ratio of students enrolled in a school district to full-time equivalent certificated employees shall not exceed twenty-three to one: *Provided*, That nonhigh school districts or school districts that have a student enrollment of two hundred fifty or less in grades nine through twelve may, as an alternative to the foregoing requirement, have a ratio of students to full-time equivalent certificated classroom teachers of twenty-six to one or less. For the purpose of this subsection, "certificated employees" shall mean those employees who are required by state statute or by rule of the state board of

education, or by written policy of the school district to possess a professional education permit, certificate or credential issued by the superintendent of public instruction, as a condition to employment and "classroom teacher" shall be defined as in WAC 180-16-210 and the students to classroom teachers ratio shall be computed in accordance with WAC 180-16-210(1).

(2) **Current and valid certificates.** Every school district employee required by WAC 180-75-055 to possess a professional education permit, certificate, or credential issued by the superintendent of public instruction for his/her position of employment, shall have a current and valid permit, certificate or credential. In addition, effective August 31, 1987, classroom teachers, principals, vice principals, and educational staff associates shall be required to possess endorsements as required by WAC 180-16-221, 180-16-231, and 180-16-236, respectively.

(3) **Student learning objectives.** Each school district shall have implemented a program of student learning objectives in the areas of language arts, reading, mathematics, social studies, and physical education for grades kindergarten through twelve. On or before September 1, 1988, school districts shall have initiated implementation of the student learning objectives in all other course(s)/subject(s) taught in the K-12 common schools.

(a) Each school district must evidence community participation in defining the objectives of such a program.

(b) The student learning objectives of such program shall be measurable as to the actual student attainment. Student attainment shall be locally assessed annually.

(c) The student learning objectives program shall be reviewed by the district according to one of the following options:

Option A: The district shall review all student learning objectives in all required course/subject areas at least every two years.

Option B: If the district board of directors determines that its curriculum review, textbook review, or self-study process includes a review of the district's student learning objectives program, such school district may provide for the periodic review of all or a part of its student learning objectives program in accordance with the time schedule the district has established for one or more of the aforementioned processes. Periodic review under option B shall take place at least every seven years.

In developing and reviewing the learning objectives, districts shall give specific attention to improving the depth of course content within courses and in coordinating the sequence in which subject matter is presented.

(4) **Other program requirements self evaluation.** Each school district shall adopt a procedure to ensure awareness of and compliance with other program requirements, including provisions set forth in WAC 180-16-240.

[Statutory Authority: RCW 28A.58.090. 86-20-056 (Order 14-86), § 180-16-220, filed 9/29/86. Statutory Authority: RCW 28A.58.754(6), 86-13-015 (Order 5-86), § 180-16-220, filed 6/10/86; 84-11-043 (Order 2-84), § 180-16-220, filed 5/17/84. Statutory Authority: 28A.04.120(4), 81-08-026 (Order 1-81), § 180-16-220, filed 3/26/81. Statutory Authority: RCW 28A.04.120. 80-

06-093 (Order 7-80), § 180-16-220, filed 5/29/80. Statutory Authority: RCW 28A.01.010, 28A.04.120, 28A.41.130, 28A.41.140, 28A.58.754, 28A.58.758, and 1979 ex.s. c 250. 79-10-033 (Order 10-79), § 180-16-220, filed 9/12/79. Statutory Authority: RCW 28A.41.130 and 28A.58.754. 78-06-097 (Order 3-78), § 180-16-220, filed 6/5/78.]

WAC 180-16-221 Assignment of classroom teachers within districts. In addition to holding teaching permits or certificates as required by WAC 180-16-220(2), the assignment of classroom teachers in the basic program of education, effective August 31, 1987, shall comply with the following:

(1) Classroom teachers specified below may be assigned to any grade or subject areas for which certification is required.

(a) Classroom teachers with continuing certificates issued pursuant to WAC 180-79-060 if such teachers were eligible for such certificates prior to August 31, 1987, and such certificates were applied for prior to July 1, 1988;

(b) Classroom teachers with standard certificates issued or reinstated pursuant to WAC 180-80-215;

(c) Classroom teachers with provisional certificates issued, reissued, or reinstated pursuant to WAC 180-80-210 and who have completed a ninety school day assignment as a classroom teacher;

(d) Classroom teachers whose standard certificate has been converted pursuant to WAC 180-79-045 to a continuing certificate;

(e) Classroom teachers with initial certificates issued, reissued, or reinstated pursuant to WAC 180-80-705 and who have completed a ninety school day assignment as a classroom teacher;

(f) Classroom teachers with continuing certificates issued or reinstated pursuant to WAC 180-80-705.

(2) Classroom teachers specified below may be assigned only to the specified grades and specified subject areas stated as endorsements upon their respective certificates or permits.

(a) Classroom teachers with continuing certificates issued pursuant to WAC 180-79-060 after August 31, 1987, unless such teachers were eligible for such certificates prior to August 31, 1987, and applied for such certificates prior to July 1, 1988;

(b) Classroom teachers with initial certificates issued pursuant to WAC 180-79-060 and immigrant alien and temporary permits;

(c) Classroom teachers with provisional certificates issued pursuant to WAC 180-80-210 and who have not completed a ninety school day assignment as a classroom teacher;

(d) Classroom teachers with initial certificates issued pursuant to WAC 180-80-705 and who have not completed a ninety school day assignment as a classroom teacher.

(3) For the purpose of this section, the term "specified grades" shall mean any grade preschool through twelve specified by the classroom teacher's endorsement. In the event the teacher is assigned to an ungraded classroom, the chronological age of such students shall be converted for the purpose of compliance with this section to the

grade level such students would have been assigned but for the ungraded classroom assignment.

(4) For the purpose of this section, the term "specified subject areas" shall mean courses or classes with the same subject area title as specified by the classroom teachers endorsement and courses or classes which the board of directors of the district determines to substantially include the same subject area as the endorsement—e.g., a classroom teacher with a health endorsement may be assigned to any course, regardless of course title, which substantially includes health as the subject area.

(5) Exceptions to the assignment requirements of subsection (2) of this section must comply with WAC 180-16-222.

(6) School district compliance with this section shall be subject to the state staff review process specified in WAC 180-16-195(2).

[Statutory Authority: RCW 28A.58.754(6), 86-13-015 (Order 5-86), § 180-16-221, filed 6/10/86.]

WAC 180-16-222 Exceptions to classroom teacher assignment policy. Exceptions to the classroom teacher assignment specified in WAC 180-16-221 shall be limited to the following:

(1) Any certificated teacher may be assigned to serve as a substitute classroom teacher at any grade level or in any subject area for a period not to exceed thirty consecutive school days in any one assignment.

(2) Any certificated person holding a limited certificate as specified in WAC 180-79-230 or a vocational education certificate as specified in chapter 180-77 WAC or any person holding a nonimmigrant alien permit issued pursuant to WAC 392-193-055, may be assigned as per the provisions of such section or chapter.

(3) Any certificated teacher may be assigned to courses offered in basic education subject areas not included within the list of endorsements specified in WAC 180-79-080.

(4) Any certificated teacher may be assigned temporarily to an out-of-endorsement grade level or subject area if such assignment complies with WAC 180-16-223.

[Statutory Authority: RCW 28A.58.754(6), 86-13-015 (Order 5-86), § 180-16-222, filed 6/10/86.]

WAC 180-16-223 Temporary out-of-endorsement assignment criteria. In order for a temporary out-of-endorsement assignment for a classroom teacher to comply with the basic education approval standards, the board of directors of the district must comply with the following:

(1) The board of directors of the district must make one or more of the following factual determinations:

(a) The district was unable to recruit a teacher with the proper endorsement.

(b) The need for a teacher with such an endorsement could not have been reasonably anticipated and the recruitment of such a classroom teacher at the time of assignment was not reasonably practicable.

(c) The reassignment of another teacher within the district with the appropriate endorsement to such assignment would be unreasonably disruptive to the current assignments of other classroom teachers or would have an adverse effect on the educational program of the students assigned such other classroom teachers.

(d) The district has a surplus of teachers with endorsements in specified grade levels or subject areas and it is necessary to reassign such teachers in whole or part in order to avoid adversely affecting such teachers' contract status.

(2) The teacher assigned to the out-of-endorsement grade level or subject area must meet the following requirements:

(a) The teacher so assigned must have at least two full school years of classroom teaching experience and must not have been placed on probation pursuant to RCW 28A.67.065 during the last two school years.

(b) The teacher so assigned must have completed six semester hours or nine quarter hours of course work which are applicable to an endorsement in the out-of-endorsement grade level or subject area.

(3) The board of directors of the district shall comply with the following conditions:

(a) Prior to the assignment of the out-of-endorsement grade level or subject area, or as soon as reasonably practicable thereafter, but in no event beyond twenty school days after the commencement of the assignment, if the assignment was not reasonably foreseeable, a designated representative of the district and the classroom teacher so assigned shall mutually develop a written plan which provides necessary assistance to the teacher so assigned and which provides for a reasonable amount of planning and study time associated specifically with the out-of-endorsement classroom assignment.

(b) No classroom teacher shall be assigned in any one semester or trimester to more than one preparation in one out-of-endorsement grade level or subject area and for no more than two periods of not more than sixty minutes each per day unless the school building in which such teacher is assigned has a preexisting policy of assigning classroom teachers to "block programs," which for the purpose of this section shall be defined as the same teacher assigned to teach two or more subject areas to the same group of students. However, in order to be eligible for assignment to block programs, the teacher so assigned must be endorsed in one of the subject areas within the block program and must meet the criterion in subsection (2)(b) of this section in each of the additional subject areas within the block program.

(c) Any observation conducted in the out-of-endorsement grade level or subject area will not be utilized by the district as evidence to support probation of the teacher so assigned pursuant to RCW 28A.67.065 or nonrenewal of such teacher pursuant to RCW 28A.67.070.

(d) A second or third year assignment to an out-of-endorsement grade level or subject area will be made only pursuant to WAC 180-16-224 and in no case will the teacher be assigned to the same out-of-endorsement grade level or subject area during more than three

school years at any time in which the teacher serves within the same school district; hence, this provision applies to assignments in consecutive or nonconsecutive school years.

(4) The board of directors shall submit to the office of superintendent of public instruction as part of its annual report required by WAC 180-16-195, a list which indicates all assignments for the previous school year in out-of-endorsement grade levels or subject areas. Such list shall include:

(a) The name and certification number of each teacher so assigned, the out-of-endorsement grade levels or subject areas and the number of such periods taught by such teacher, and the dates upon which such assignment(s) commenced and concluded.

(b) The reason for each such assignment.

(c) The reason why the particular teacher was selected for the out-of-endorsement grade level or subject area.

(d) A dated copy of each plan of assistance required pursuant to WAC 180-16-223 (3)(a). Such copy shall not contain any personal information the disclosure of which would violate the named teacher's right to privacy pursuant to RCW 42.17.310(b).

(e) An assurance that each such assignment was made in compliance with WAC 180-16-221 through 180-16-224.

(5) *Provided*, That the provisions of subsections (2)(a) and (b) and (3)(b) of this section shall be waived for a period of three consecutive school years for each proposed out-of-endorsement assignment by the state board of education if:

(a) The board of directors of the school district adopts a resolution for each proposed out-of-endorsement assignment which states that the district has made a good faith effort to comply with the provision(s) for which it is requesting a waiver. Such resolution must recite the actions that the school district has taken to comply. Upon adoption and transmission of such resolution to the superintendent of public instruction, the district shall be authorized to assign each such classroom teacher affected to the proposed out-of-endorsement assignment until the state board of education makes its determination under (c) of this subsection.

(b) The district presents the resolution at a meeting of the state board of education and documents to the board the stated efforts of the district.

(c) The state board of education determines, based on the evidence received, that a good faith effort to comply has been made.

[Statutory Authority: RCW 28A.58.754(6), 86-13-015 (Order 5-86), § 180-16-223, filed 6/10/86.]

WAC 180-16-224 Second and third year temporary out-of-endorsement criteria. Notwithstanding the provisions of WAC 180-16-223(1), a classroom teacher who was assigned an out-of-endorsement grade level or subject area for the previous school year may be assigned to the same assignment for a second or third school year if the board of directors of the district offers to reimburse the teacher so assigned any tuition costs, equal to at

least the rate of tuition at the nearest regional or state university, whichever is closer, that is necessary, up to a maximum of fifteen quarter or ten semester hours, to secure the needed endorsements for service as a classroom teacher in each of the out-of-endorsement grade level or subject areas.

[Statutory Authority: RCW 28A.58.754(6). 86-13-015 (Order 5-86), § 180-16-224, filed 6/10/86.]

WAC 180-16-225 Waiver--Substantial lack of classroom space--Grounds and procedure. (1) **Grounds.** The state board of education may waive one or more of the basic education allocation entitlement requirements set forth in WAC 180-16-200 through 180-16-220(1) only if a school district's failure to comply with such requirement(s) is found by the state board to be caused by substantial lack of classroom space.

As a condition to a waiver based on substantial lack of classroom space the state board will consider and a school district must demonstrate at least that the facilities of the school district do not contain enough classroom space or other space that can reasonably be converted into classroom space, and that necessary classroom space may not reasonably be acquired by lease or rental, to enable the district to comply with the referenced entitlement requirements.

(2) **Waiver procedure.** In order to secure a waiver pursuant to subsection (1) of this section a school district must submit a petition together with a detailed explanation and documentation in support of its request not later than thirty days prior to either:

(a) The state board of education meeting immediately preceding commencement of the school year; or

(b) The March (or such other meeting as the state board shall have established) meeting of the board at which the board will consider certifications of compliance and noncompliance with these entitlement requirements.

A school district that can reasonably foresee an inability to comply with entitlement requirements by reason of substantial lack of classroom space should petition for a waiver as early as the state board meeting immediately preceding commencement of the school year in order to allow for the possibility that the request may be denied.

(3) **Nonwaiverable requirements.** The certification, including endorsement, and the student learning objectives requirements set forth in WAC 180-16-220 (2) and (3) may not be waived for any reason.

[Statutory Authority: RCW 28A.58.754(6). 86-13-015 (Order 5-86), § 180-16-225, filed 6/10/86; 84-11-043 (Order 2-84), § 180-16-225, filed 5/17/84. Statutory Authority: RCW 28A.04.120. 83-13-002 (Order 3-83), § 180-16-225, filed 6/2/83; 80-06-093 (Order 7-80), § 180-16-225, filed 5/29/80. Statutory Authority: RCW 28A.41.130 and 28A.58.754. 78-06-097 (Order 3-78), § 180-16-225, filed 6/5/78.]

WAC 180-16-226 Superintendent of public instruction annual report to state board of education. The superintendent of public instruction annually shall submit to the state board of education a comprehensive report on the status of compliance by school districts with

WAC 180-16-221. Such report, among other matters deemed important by the superintendent of public instruction, shall contain summary data regarding out-of-endorsement assignments pursuant to WAC 180-16-223 (4) and (5).

[Statutory Authority: RCW 28A.58.754(6). 86-13-015 (Order 5-86), § 180-16-226, filed 6/10/86.]

WAC 180-16-231 Assignment of principals and vice principals within districts. In addition to holding principal permits or certificates as required by WAC 180-16-220(2), the assignment of principals and vice principals in the basic program of education, effective August 31, 1987, shall comply with the following:

(1) Building administrators holding initial or provisional principals' certificates may serve only as principals or vice principals for the grade levels stated in their endorsements with the following exceptions:

(a) Building administrators with grades K through 8 or preschool through 8 endorsements may serve as principals or vice principals for grade levels preschool through 9.

(b) Building administrators with grades 7 through 12 endorsements may serve as principals or vice principals for grade levels 4 through 12.

(c) Building administrators with initial or provisional certificates may be assigned to serve as substitute principals or vice principals at any grade level for a period not to exceed thirty consecutive school days in any one assignment.

(2) Building administrators holding continuing or standard principals certificates may be assigned to serve as a principal or vice principal at any grade level.

[Statutory Authority: RCW 28A.58.754(6). 86-13-015 (Order 5-86), § 180-16-231, filed 6/10/86.]

WAC 180-16-236 Assignment of educational staff associates. No person shall be assigned within the basic program of education to serve in a specific educational staff associate role, as defined in WAC 180-79-175 through 180-79-210, unless such person holds a certificate or permit endorsed for such specific role.

[Statutory Authority: RCW 28A.58.754(6). 86-13-015 (Order 5-86), § 180-16-236, filed 6/10/86.]

WAC 180-16-240 Compliance with other program requirements. (1) Each school district superintendent shall file each year a statement that, pursuant to WAC 180-16-220(4), the school district has adopted a procedure ensuring awareness of and compliance with other statutory requirements as specified in subsection (2) of this section. Such statement shall be included as Part II of the annual basic education allocation entitlement program data report(s) required by WAC 180-16-195 and shall be submitted at the same time this annual report is submitted. Deviation from these requirements shall not result in the withholding of any of a district's basic education allocation funds. The deviations shall be made available to the public separately or as a portion of the annual district guide published pursuant to RCW 28A.58.758(3) and this section.

(2) Other program requirements are as follows:

(a) Appropriate measures are taken to safeguard all student and school district permanent records against loss or damage. See, e.g., RCW 40.14.070 regarding the preservation and destruction of local government agency records.

(b) Provision is made for the supervision of instructional practices and procedures.

(c) Current basic instructional materials are available for required courses of study.

(d) A program of guidance, counseling and testing services is maintained for students in all grades offered by that school district.

(e) A learning resources program is maintained pursuant to chapter 180-46 WAC and WAC 392-190-055, each as now or hereafter amended.

(f) The physical facilities of each district are adequate and appropriate for the educational program offered.

(g) There is adequate provision for the health and safety of all pupils within the custody of the school district. See, e.g., RCW 28A.04.120(11) regarding emergency exit instruction and drills and the rules or guidelines implementing the statute; the building code requirements of chapter 19.27 RCW and local building and fire code requirements; chapter 70.100 RCW regarding eye protection and the rules or guidelines implementing the chapter; RCW 28A.31.010 regarding contagious diseases and the rules, chapters 248-100 and 248-101 WAC, implementing the statute; RCW 43.20-.050 regarding environmental conditions in schools and the rules, chapter 248-64 WAC, implementing the statute; and local health codes.

(h) A current policy statement pertaining to the administration and operation of the school district is available in each district's administrative office including, but not limited to, policies governing the school building and classroom visitation rights of nonstudents.

(i) Chapters 49.60 and 28A.85 RCW are complied with. These statutes prohibit unequal treatment of students on the basis of race, sex, creed, color, and national origin in activities supported by common schools.

(j) A descriptive guide to the district's common schools is published annually by the school district's board of directors, pursuant to RCW 28A.58.758(3), and is made available at each school in the district for examination by the public.

(k) Within each school, the school principal has determined that appropriate student discipline is established and enforced. The school principal has conferred with the certificated employees in the school building in order to develop and/or review building disciplinary standards and the uniform enforcement of those standards, pursuant to RCW 28A.58.201.

(l) Written high school graduation requirements and rules have been adopted by the school district board of directors in accordance with chapter 180-56 WAC.

[Statutory Authority: RCW 28A.58.754(6), 84-11-043 (Order 2-84), § 180-16-240, filed 5/17/84. Statutory Authority: RCW 28A.01.010, 28A.04.120, 28A.41.130, 28A.41.140, 28A.58.754, 28A.58.758, and 1979 ex.s. c 250, 79-10-033 (Order 10-79), § 180-16-240, filed 9/12/79. Statutory Authority: RCW 28A.58.750, 79-02-048 (Order

1-79), § 180-16-240, filed 1/30/79. Statutory Authority: RCW 28A-.41.130 and 28A.58.754, 78-06-097 (Order 3-78), § 180-16-240, filed 6/5/78.]

Chapter 180-20 WAC SCHOOL BUS TRANSPORTATION

WAC

180-20-100	Use of school buses—Promulgation.
180-20-105	Use of school buses—Definition of curricular and extracurricular use.
180-20-106	School bus operation for extracurricular use.
180-20-200	Training and qualifications of school bus drivers—Promulgation.
180-20-205	Training and qualifications of school bus drivers—Definitions.
180-20-210	Training and qualifications of school bus drivers—Driver's license and school bus driver's certificate or temporary permit required.
180-20-215	Training and qualifications of school bus drivers—Temporary school bus driver's permit.
180-20-220	Training and qualifications of school bus drivers—Continuing school bus driver's certificate.
180-20-225	Training and qualifications of school bus drivers—Annual physical examination required.
180-20-230	Training and qualifications of school bus drivers—Administration.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

180-20-010	Bus drivers—Certification and temporary certificates. [Bus regulations (part), adopted 10/19/46, filed 3/24/60.] Repealed by Order filed 12/17/64, effective 1/18/65.
180-20-015	Bus drivers—Requirements for certification. [Bus regulations (part), adopted 10/19/46, filed 3/24/60.] Repealed by Order filed 12/17/64, effective 1/18/65.
180-20-020	Bus drivers—Physical examination. [Bus regulations (part), adopted 10/8/54, filed 3/24/60.] Repealed by Order filed 12/17/64, effective 1/18/65.
180-20-025	Bus drivers—Physical examination form. [Bus regulations (part), adopted 9/9/57, filed 3/24/60.] Repealed by Order filed 12/17/64, effective 1/18/65.
180-20-110	Schedule of required transportation charges for . . . School year. [School bus rules (part), filed 11/8/61.] Repealed and decodified upon order filed 12/17/64, effective 1/18/. See WAC 180-20-106.

WAC 180-20-100 Use of school buses—Promulgation. Consistent with its responsibilities as defined in RCW 28A.24.055, the state board of education hereby adopts and promulgates the regulations in WAC 180-20-105 pertaining to state board of education authorization of the use of school buses for officially designated school activities.

[Order 8-75, § 180-20-100, filed 7/22/75; SBE 20-4-1, filed 12/17/64, effective 1/18/65; School bus rules (part), filed 11/8/61; School bus rules (part), filed 7/31/61.]

WAC 180-20-105 Use of school buses—Definition of curricular and extracurricular use. (1) Curricular use. The term "to and from school" is interpreted to mean the transportation of students from home to an assigned school building and return and/or to and from that building to other places of learning for the purpose of engaging in regular curricular activity. Although regular curricular activity may include the transportation of team participants in school athletics, music, dramatics,

class field trips and similar projects, when these activities are judged integral to the curricular program by directors of the school district, state transportation reimbursement will be limited to those costs stipulated in chapter 392-141 WAC.

(2) **Extracurricular use.** All legal use of school buses other than as defined in subsection (1) above shall be considered "extracurricular" and shall be subject to the conditions as stated in chapter 28A.24 RCW.

[Order 8-75, § 180-20-105, filed 7/22/75; SBE 20-4-20 and 20-4-21, filed 12/17/64, effective 1/18/65; School bus rules (part), filed 11/8/61; School bus rules (part), filed 7/31/61. Formerly WAC 180-20-106 (part).]

WAC 180-20-106 School bus operation for extracurricular use. (1) **Limitations.** Under provisions of RCW 28A.24.055, school buses may be used for extracurricular activities only when commercial service is "not reasonably available," and when school buses are used, districts must charge users an amount sufficient to reimburse the district for its complete cost incurred by reason of such use. Users of such school bus service shall be limited to those directly involved in extracurricular activities sponsored by the school district.

(2) **Approval conditions.** For practical administration of the law, approval of the state board of education is hereby granted for the use of school buses for extracurricular activities when such use is determined by the board of directors of the school district to meet the following conditions:

(a) Commercial service is not physically available at the required time; or

(b) The quoted cost for commercial service exceeds the actual costs of the school district operated buses.

(3) **School district computation procedure.** For the purpose of determining whether the quoted charge for the use of a commercial charter bus is "reasonable" within the intent of RCW 28A.24.055, the school district shall calculate estimated trip costs using all direct and indirect costs associated with the use of the district buses.

When the cost so computed is less than the commercial charter bus quoted cost, the school district may use its school district bus for the district-sponsored extracurricular activity. The charge to the users of such service shall be as provided in subsection (1) above.

[Statutory Authority: RCW 28A.24.055. 81-19-103 (Order 10-81), § 180-20-106, filed 9/21/81; Order 8-75, § 180-20-106, filed 7/22/75; SBE 20-4-30, 20-4-31 and 20-4-310, filed 12/17/64, effective 1/18/65; WAC 180-20-105 (part), School bus rules, filed 11/8/61; School bus rules (part), filed 7/31/61.]

WAC 180-20-200 Training and qualifications of school bus drivers--Promulgation. Consistent with its responsibilities defined in RCW 28A.04.131, the state board of education hereby adopts and promulgates the regulations pertaining to the training and qualifications of school bus drivers hereinafter in WAC 180-20-205 through 180-20-230 set forth.

[Order 8-75, § 180-20-200, filed 7/22/75; Order 5-69, § 180-20-200, filed 7/31/69.]

(1986 Ed.)

WAC 180-20-205 Training and qualifications of school bus drivers--Definitions. For the purposes of WAC 180-20-205 through 180-20-230:

(1) "School bus driver" means the person employed by the board of directors of a school district to operate a motor vehicle for the transportation of school children.

(2) "School bus driver's certificate" means an authorization issued by the superintendent of public instruction certifying that the holder has met state board of education requirements to operate a school bus.

[Order 8-75, § 180-20-205, filed 7/22/75; Order 5-69, § 180-20-205, filed 7/31/69.]

WAC 180-20-210 Training and qualifications of school bus drivers--Driver's license and school bus driver's certificate or temporary permit required. Every school bus driver in addition to holding a valid driver's license with the appropriate special endorsement issued by the state department of motor vehicles pursuant to chapter 46.20 RCW or an equivalent endorsement issued by another lawful issuing authority approved by the Washington state department of motor vehicles, shall hold a valid continuing certificate or temporary school bus driver's permit issued in accordance with the provisions of this chapter.

[Order 8-77, § 180-20-210, filed 7/18/77; Order 8-75, § 180-20-210, filed 7/22/75; Order 5-69, § 180-20-210, filed 7/31/69.]

WAC 180-20-215 Training and qualifications of school bus drivers--Temporary school bus driver's permit. Temporary school bus drivers' permits may be issued by educational service district superintendents upon application by an authorized representative of the employing school district subject to compliance with the following provisions:

(1) **Effective period.** The temporary school bus driver's permit shall be valid for a period of ninety school days and shall be nonrenewable: *Provided*, That the educational service district superintendent may extend such period for a reasonable number of days when necessary to enable an applicant to complete the prescribed training course requirements for the continuing school bus driver's certificate.

(2) **Applicant qualification requirements.** The applicant must meet the requirements set forth below:

(a) Age: Minimum eighteen years.

(b) Driver's license: Possess a valid driver's license issued by the state department of motor vehicles.

(c) Experience:

(i) One year of experience as a driver of a passenger car and one year of experience as a driver of a truck or commercial vehicle, or

(ii) At least two years of experience as a driver of a passenger car.

(d) Character: Employing school district must determine and certify that applicant is of good moral character.

(e) Physical requirements: Applicant must be able-bodied, free from communicable disease, physically able to handle a bus with ease; shall have normal use of both

[Title 180 WAC—p 25]

hands, both feet, both eyes and both ears; and must satisfactorily meet physical standards for school bus drivers established by the superintendent of public instruction and approved by the Washington state medical association as evidenced by physical examination and physician's certification that applicant is medically qualified.

(f) Shall not be habitually or excessively addicted to the use of any alcoholic beverage or liquor, narcotic, habit-forming drug, or dangerous drug.

(g) Shall not have been convicted of any violation of law involving the use, sale, possession, or transportation of any narcotic, habit-forming drug, or dangerous drug.

(h) Shall not have been convicted or cited by lawful authority (except those citations which a court or authorized administrative agency has found the applicant to be "not guilty" of) for violation of a law involving hit and run driving, driving while intoxicated, reckless driving or negligent driving, within the preceding three year period.

(i) Shall not have had his/her driving license privilege suspended or revoked by a court or authorized administrative agency for cause involving or arising out of the operation of a motor vehicle, within the preceding three year period.

(j) Shall not have been convicted of any violation of law involving the physical molesting, abuse, injury or neglect of any minor.

(k) Shall not have been convicted of any violation of law which would demonstrate that the applicant is of poor moral character.

(3) Application procedure.

(a) Application for temporary school bus driver's permit must be approved by an authorized representative of the employing school district, certified by said school official that the applicant meets the qualification requirements set forth in (2) above and the medical requirements set forth in WAC 180-20-215, and submitted by the employing school district to the educational service district superintendent.

(b) Upon approval of application by the educational service district superintendent, the temporary permit will be transmitted to the employing school district, recorded by said district, and delivered to the applicant.

[Order 8-77, § 180-20-215, filed 7/18/77; Order 1-76, § 180-20-215, filed 2/3/76; Order 8-75, § 180-20-215, filed 7/22/75; Order 5-69, § 180-20-215, filed 7/31/69.]

WAC 180-20-220 Training and qualifications of school bus drivers—Continuing school bus driver's certificate. The continuing school bus driver's certificate shall be issued upon evidence of compliance with the requirements and in accordance with the procedures set forth below and will be valid for a period of four years.

(1) **Applicant qualification requirements.** The applicant must meet the requirements hereinbefore in WAC 180-20-215(2) set forth and in addition thereto shall:

(a) Satisfactorily complete the school bus driver training course hereinafter prescribed. This training course must be completed within six months following the date of the first class attended.

(b) Hold a current and valid first aid card which certifies that the applicant has completed a course in the basic principles of first aid within the preceding three year period.

(2) **School bus driver training course.** A basic course and a refresher course in school bus driver training shall be established by the superintendent of public instruction. Such courses shall be given at a time and place determined by the educational service district superintendent in cooperation with the superintendent of public instruction or his/her designee.

(3) **Training and certification of instructors.** Instructors of school bus driver training courses shall be trained and certified under the direction of the superintendent of public instruction or his/her designee. The superintendent shall, upon request by the educational service district superintendent, furnish a current list of qualified school bus driver training instructors.

(4) **Issuance of continuing certificate—Procedures.** A continuing school bus driver's certificate shall be issued by the superintendent of public instruction to each trainee upon evidence submitted by the certified instructor that the requirements of (1) above have been satisfied.

Continuing certificates will be granted to drivers with the understanding that any unsafe driving practices, violation of motor vehicle laws, school bus regulations, or involvement in an accident which the bus driver could have prevented or an accident in which the bus driver is held to be partially or wholly at fault could result in the cancellation of the school bus driver certificate. This applies to any motor vehicles the bus driver may be operating.

Concurrent with the issuance of a continuing certificate, the instructor shall forward to the appropriate educational service district superintendent the following documents relating to the application of the trainee:

(a) The application for a school bus driver's certificate.

(b) Record of training course attendance.

(c) Certification by instructor of successful completion of training course.

(d) Certification by employing school district that it has on file current physician's certification as provided in WAC 180-20-215 (2)(e).

(5) **Notification to employing school district.** The educational service district superintendent shall transmit to the employing school district the names of the individuals granted continuing school bus drivers' certificates.

(6) **Effective period of continuing certificate—Limitations—Rescission.**

(a) The effective period of the continuing school bus driver's certificate shall be limited to four years or to the period that the holder thereof continues to meet the requirements of WAC 180-20-210, 180-20-215(2) and 180-20-225.

(b) When it is sufficiently evident that the holder of a continuing certificate fails to continue to meet one or more of the requirements hereinbefore set forth, the superintendent of public instruction shall, in compliance

with the provisions of chapter 34.04 RCW, effect a cancellation of said certificate.

(7) Recertification procedures.

(a) Prior to the expiration of the school bus driver continuing certificate, the holder must successfully complete the refresher course prescribed by the superintendent of public instruction and continue to meet all other requirements as hereinbefore set forth.

(b) If a trainee completes the basic course and is not employed as a school bus driver within one-year period, he/she must be recertified as indicated in (a) above.

[Order 1-76, § 180-20-220, filed 2/3/76; Order 8-75, § 180-20-220, filed 7/22/75; Order 5-69, § 180-20-220, filed 7/31/69.]

WAC 180-20-225 Training and qualifications of school bus drivers--Annual physical examination required. An annual physical examination shall be required of each school bus driver in accordance with standards and procedures established by the superintendent of public instruction and approved by the Washington state medical association. The schedule of such physical examinations for drivers shall be as follows:

Under 36 Yrs. of Age	Ages 36-59	Over 59 Yrs. of Age
Complete examination every four years	Complete examination every two years	Complete examination each year
Recertification in each of the three interim years	Recertification in the interim year	

[Order 8-75, § 180-20-225, filed 7/22/75; Order 5-69, § 180-20-225, filed 7/31/69.]

WAC 180-20-230 Training and qualifications of school bus drivers--Administration. It shall be the responsibility of the superintendent of public instruction to administer the program of training and qualifications of school bus drivers consistent with the provisions of this chapter.

[Order 8-75, § 180-20-230, filed 7/22/75; Order 5-69, § 180-20-230, filed 7/31/69.]

**Chapter 180-22 WAC
EDUCATIONAL SERVICE DISTRICTS**

WAC

180-22-100	Authority.
180-22-105	Purpose.
180-22-140	Territorial organization of educational service districts.
180-22-150	Educational service districts--Criteria for organization.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

180-22-005 Regulatory provisions relating to specific acts. [Order 3-68, § 180-22-005, filed 2/14/68.] Repealed by

180-22-010	Order 3-69, filed 6/27/69 and Emergency Order 1-69, filed 5/1/69.
180-22-015	Definitions. [Order 3-68, § 180-22-010, filed 2/14/68.] Repealed by Order 3-69, filed 6/27/69 and Emergency Order 1-69, filed 5/1/69.
180-22-020	State-wide plan of service areas--Policy. [Order 3-68, § 180-22-015, filed 2/14/68.] Repealed by Order 3-69, filed 6/27/69 and Emergency Order 1-69, filed 5/1/69.
180-22-025	State-wide plan of service areas--Purpose--Criteria. [Order 3-68, § 180-22-020, filed 2/14/68.] Repealed by Order 3-69, filed 6/27/69 and Emergency Order 1-69, filed 5/1/69.
180-22-030	State-wide plan of service areas--Changes in service area boundaries--Procedure. [Order 3-68, § 180-22-025, filed 2/14/68.] Repealed by Order 3-69, filed 6/27/69 and Emergency Order 1-69, filed 5/1/69.
180-22-035	State-wide plan of service areas--Service area division. [Order 3-68, § 180-22-030, filed 2/14/68.] Repealed by Order 3-69, filed 6/27/69 and Emergency Order 1-69, filed 5/1/69.
180-22-200	Intermediate districts. [Order 3-68, § 180-22-035, filed 2/14/68.] Repealed by Order 3-69, filed 6/27/69 and Emergency Order 1-69, filed 5/1/69.
180-22-250	Educational service districts--Qualifications of superintendents. [Permanent and Emergency Order 12-77, § 180-22-200, filed 8/30/77, effective 8/30/77; Order 4-77, § 180-22-200, filed 6/2/77.] Repealed by 84-21-001 (Order 9-84), filed 10/4/84. Statutory Authority: RCW 28A.21.020.
180-22-255	Board of directors--Election of members. [Order 16-77, § 180-22-250, filed 12/13/77; Permanent and Emergency Order 12-77, § 180-22-250, filed 8/30/77, effective 8/30/77.] Repealed by 84-11-044 (Order 3-84), filed 5/17/84. Statutory Authority: RCW 28A.21.020.
180-22-260	Eligibility--Declaration of candidacy--Withdrawal--Lapse of election. [Statutory Authority: Chapter 28A.21 RCW and 1980 c 179. 81-01-022 (Order 13-80), § 180-22-255, filed 12/8/80; Order 16-77, § 180-22-255, filed 12/13/77; Permanent and Emergency Order 12-77, § 180-22-255, filed 8/30/77, effective 8/30/77.] Repealed by 84-11-044 (Order 3-84), filed 5/17/84. Statutory Authority: RCW 28A.21.020.
180-22-265	Biographical data--Limitation. [Order 16-77, § 180-22-260, filed 12/13/77; Permanent and Emergency Order 12-77, § 180-22-260, filed 8/30/77, effective 8/30/77.] Repealed by 84-11-044 (Order 3-84), filed 5/17/84. Statutory Authority: RCW 28A.21.020.
180-22-270	Ballots. [Order 16-77, § 180-22-265, filed 12/13/77; Permanent and Emergency Order 12-77, § 180-22-265, filed 8/30/77, effective 8/30/77.] Repealed by 84-11-044 (Order 3-84), filed 5/17/84. Statutory Authority: RCW 28A.21.020.
180-22-275	Voting. [Statutory Authority: Chapter 28A.21 RCW and 1980 c 179. 81-01-022 (Order 13-80), § 180-22-270, filed 12/8/80; Order 16-77, § 180-22-270, filed 12/13/77; Permanent and Emergency Order 12-77, § 180-22-270, filed 8/30/77, effective 8/30/77.] Repealed by 84-11-044 (Order 3-84), filed 5/17/84. Statutory Authority: RCW 28A.21.020.
180-22-280	Publicity. [Order 16-77, § 180-22-275, filed 12/13/77; Permanent and Emergency Order 12-77, § 180-22-275, filed 8/30/77, effective 8/30/77.] Repealed by 84-11-044 (Order 3-84), filed 5/17/84. Statutory Authority: RCW 28A.21.020.
	Postage. [Statutory Authority: Chapter 28A.21 RCW and 1980 c 179. 81-01-022 (Order 13-80), § 180-22-280, filed 12/8/80; Permanent and Emergency Order 12-77, § 180-22-280, filed 8/30/77, effective 8/30/77.] Repealed by 84-11-044 (Order 3-84), filed 5/17/84. Statutory Authority: RCW 28A.21.020.

- 180-22-285 Recount of votes cast—Automatic—By request—Certification. [Permanent and Emergency Order 12-77, § 180-22-285, filed 8/30/77, effective 8/30/77.] Repealed by 84-11-044 (Order 3-84), filed 5/17/84. Statutory Authority: RCW 28A.21.020.
- 180-22-290 Composition of election board. [Permanent and Emergency Order 12-77, § 180-22-290, filed 8/30/77, effective 8/30/77.] Repealed by 84-11-044 (Order 3-84), filed 5/17/84. Statutory Authority: RCW 28A.21.020.
- 180-22-295 Contest of elections. [Permanent and Emergency Order 12-77, § 180-22-295, filed 8/30/77, effective 8/30/77.] Repealed by 84-11-044 (Order 3-84), filed 5/17/84. Statutory Authority: RCW 28A.21.020.
- 180-22-297 Listing of candidates' names. [Permanent and Emergency Order 12-77, § 180-22-297, filed 8/30/77, effective 8/30/77.] Repealed by Order 16-77, filed 12/13/77.

WAC 180-22-100 Authority. The authority for this chapter is RCW 28A.21.020 which authorizes the state board of education to make changes in the number and boundaries of educational service districts.

[Statutory Authority: RCW 28A.21.020. 84-21-001 (Order 9-84), § 180-22-100, filed 10/4/84.]

WAC 180-22-105 Purpose. The purpose of this chapter is to establish policies and procedures for changes in the number and boundaries of educational service districts.

[Statutory Authority: RCW 28A.21.020. 84-21-001 (Order 9-84), § 180-22-105, filed 10/4/84.]

WAC 180-22-140 Territorial organization of educational service districts. It shall be the purpose of the state-wide territorial organization of educational service districts to more readily and efficiently adapt to the changing economic pattern and educational program in the state so that the children of the state will be provided more equal educational opportunity.

[Statutory Authority: RCW 28A.21.020. 84-21-001 (Order 9-84), § 180-22-140, filed 10/4/84.]

WAC 180-22-150 Educational service districts—Criteria for organization. The establishment of educational service districts shall be in accordance with the criteria hereinafter set forth. In making a determination of the boundaries of an educational service district, reasonable weight shall be given to each criterion individually and to all criteria collectively. Failure to meet any single criterion shall not necessarily prohibit the establishment of an educational service district if in the judgment of the state board of education the establishment of the educational service district is warranted by a collective consideration of all the criteria.

(1) Program and staff. An educational service district shall have the ability to support an administrative unit of sufficient staff to provide a program of educational services including but not limited to leadership and consultant services in administration and finance, in-service education programs for teachers and administrators, special services for the handicapped and educationally

talented, planning of school facilities, counseling and guidance, instructional materials, and development of projects and proposals under various federal acts.

(2) Size. An educational service district should have no more than a maximum area of 7,500 square miles, nor should an intermediate district have less than a minimum area of 1,700 square miles.

(3) School enrollment. An educational service district shall have a potential of 15,000 students within the clearly foreseeable future.

(4) Topography and climate. In establishing the boundaries of an educational service district, consideration shall be given to topography and climate as these factors may affect the educational services to be provided and the economic efficiency of the program.

[Statutory Authority: RCW 28A.21.020. 84-21-001 (Order 9-84), § 180-22-150, filed 10/4/84; Order 4-77, § 180-22-150, filed 6/2/77; Order 3-69, § 180-22-150, filed 6/27/69; Emergency Order 1-69, filed 5/1/69.]

Chapter 180-23 WAC

EDUCATIONAL SERVICE DISTRICTS—ELECTION OF BOARD MEMBERS

WAC

- 180-23-037 Authority.
 180-23-040 Purpose.
 180-23-043 Election officer.
 180-23-047 Biennial elections.
 180-23-050 Information necessary for the conduct of elections—Responsibility of school officials.
 180-23-055 Publicity.
 180-23-058 Tentative certification of electors.
 180-23-060 Call of election.
 180-23-065 Candidates—Eligibility—Filing.
 180-23-070 Declaration and affidavit of candidacy form.
 180-23-075 Biographical data form.
 180-23-077 Withdrawal of candidacy.
 180-23-078 Certification of electors.
 180-23-080 Ballots—Contents.
 180-23-085 Ballots and envelopes—Mailing to voters.
 180-23-090 Voting—Marking and return of ballots.
 180-23-095 Election board—Appointment and composition.
 180-23-100 Receipt of ballots and count of votes.
 180-23-105 Ineligible votes.
 180-23-110 Recount of votes cast—Automatic—By request.
 180-23-115 Certification of election.
 180-23-120 Special elections.

WAC 180-23-037 Authority. The authority for this chapter is RCW 28A.21.031 which authorizes the state board of education to adopt rules and regulations for the conduct of election for members of boards of educational service districts.

[Statutory Authority: RCW 28A.21.031. 84-11-045 (Order 4-84), § 180-23-037, filed 5/17/84.]

WAC 180-23-040 Purpose. The purpose of this chapter is to establish policies and procedures related to the conduct of elections by the secretary to the state board of education for members of boards of educational service districts.

[Statutory Authority: RCW 28A.21.031. 84-11-045 (Order 4-84), § 180-23-040, filed 5/17/84.]

WAC 180-23-043 Election officer. In accordance with RCW 28A.21.033, the secretary to the state board of education shall serve as the election officer for the coordination and conduct of the election of members of boards of educational service districts.

[Statutory Authority: RCW 28A.21.031. 84-11-045 (Order 4-84), § 180-23-043, filed 5/17/84.]

WAC 180-23-047 Biennial elections. Elections for members of boards of educational service districts shall be conducted biennially in odd-numbered years. All dates noted within this chapter shall apply to elections in such years.

[Statutory Authority: RCW 28A.21.031. 84-11-045 (Order 4-84), § 180-23-047, filed 5/17/84.]

WAC 180-23-050 Information necessary for the conduct of elections--Responsibility of school officials. It shall be the responsibility of the educational service districts to assure that the secretary to the state board of education is provided current and correct information necessary to the conduct of the elections provided for in this chapter. Forms published by the secretary to the state board of education for the purpose of providing the following essential information shall be obtained, completed and submitted on a current basis:

(1) The name, legal residence, mailing address and board-member district number of persons serving on the educational service district board of directors; and

(2) The position numbers for which appointments have been made to fill unexpired terms.

[Statutory Authority: RCW 28A.21.031. 84-11-045 (Order 4-84), § 180-23-050, filed 5/17/84.]

WAC 180-23-055 Publicity. The secretary to the state board of education shall biennially provide reasonable public information concerning the election of educational service district board members through press and publication releases beginning in May of the year the elections are to be called.

[Statutory Authority: RCW 28A.21.031. 84-11-045 (Order 4-84), § 180-23-055, filed 5/17/84.]

WAC 180-23-058 Tentative certification of electors. On August twenty-first of the year of election or, if such date is a Saturday, Sunday, or holiday, the state working day immediately preceding such date, the secretary to the state board of education shall certify a tentative list of electors consisting of all persons eligible to vote if the election were held on that date.

[Statutory Authority: RCW 28A.21.031. 84-11-045 (Order 4-84), § 180-23-058, filed 5/17/84.]

WAC 180-23-060 Call of election. On August twenty-five, or if such date is a Saturday, Sunday or holiday, the state working day immediately preceding such date, the secretary to the state board of education shall give written notice of an election to be held in each educational service district within which resides a member of the board of the educational service district whose term of office expires on the second Monday of January

next following, and shall give written notice thereof to each member of the board of directors of each school district in such educational service district. Notice shall be accomplished by mailing the call of election notice, declaration of candidacy, biographical data form, tentative certification of electors, calendar and rules and regulation established by the state board of education for the conduct of the election to each member of a public school district board of directors.

[Statutory Authority: RCW 28A.21.031. 84-11-045 (Order 4-84), § 180-23-060, filed 5/17/84.]

WAC 180-23-065 Candidates--Eligibility--Filing.

(1) Eligibility. A person is eligible to be a candidate for membership on an educational service district board if he or she is a registered voter and a resident of the board-member district for which the candidate files. Restriction on other service pursuant to RCW 28A.21.0306.

(2) Forms for filing. A person who desires to file for candidacy shall complete:

(a) A declaration of candidacy and affidavit form provided for in WAC 180-23-070; and

(b) The biographical form required by WAC 180-23-075: *Provided*, That a declarant may elect not to submit biographical data.

(3) Filing period. The filing period for candidates for any position on an educational service district board is from September first through September sixteenth. Any declaration of candidacy that is not received by the secretary to the state board of education on or before 5:00 p.m. September sixteenth shall not be accepted and such a declarant shall not be a candidate: *Provided*, That any declaration that is postmarked on or before midnight September sixteenth and received by mail prior to the printing of ballots shall be accepted: *Provided further*, That any declaration received pursuant to the United States mail on or before 5:00 p.m. September twenty-first that is not postmarked or legibly postmarked shall also be accepted.

[Statutory Authority: RCW 28A.21.031. 84-11-045 (Order 4-84), § 180-23-065, filed 5/17/84.]

WAC 180-23-070 Declaration and affidavit of candidacy form. The declaration and affidavit of candidacy which each candidate is required to substantially complete and to file as a condition to having his or her name placed on an official ballot shall be as follows:

I, _____, solemnly swear (or affirm): That I reside within the boundary of Educational Service District No. _____, within the boundary of board-member district No. _____, and am a registered voter of the same board-member district; That I am aware that, if elected, I cannot concurrently serve as a member of an educational service district board, and as an employee of a school district or a member of a board of directors of a common school district or a member of the state board of education; and That I hereby declare myself a candidate for membership on Educational Service District No. _____ Board of Directors for a term of four years beginning the second Monday in January, 19....,

subject to the election to be held pursuant to law and I request that my name be listed on the ballot therefor.

Further, I solemnly swear (or affirm) that I will support the Constitution and laws of the United States and the Constitution and laws of the state of Washington.

(Signed)

Address:

.....

SUBSCRIBED and sworn (or affirmed) to before me this ----- day of -----, 19 ----- .

NOTARY PUBLIC in and for the state of Washington, residing at -----

[Statutory Authority: RCW 28A.21.031. 84-21-002 (Order 10-84), § 180-23-070, filed 10/4/84; 84-11-045 (Order 4-84), § 180-23-070, filed 5/17/84.]

WAC 180-23-075 Biographical data form. The secretary to the state board of education shall provide a biographical data form not exceeding two letter size typewritten pages in length which each candidate may complete. Completed forms submitted to the secretary to the state board of education by a candidate must be camera ready. Biographical data forms shall be reproduced as submitted and distributed by the secretary to the state board of education with the ballots to each voter.

[Statutory Authority: RCW 28A.21.031. 84-11-045 (Order 4-84), § 180-23-075, filed 5/17/84.]

WAC 180-23-077 Withdrawal of candidacy. Any candidate may withdraw his or her declaration of candidacy by delivering a written, signed and notarized statement of withdrawal to the secretary to the state board of education on or before 5:00 p.m. September twenty-first. A candidate's failure to withdraw as prescribed above shall result in the inclusion of the candidate's name on the appropriate election ballot.

A board-member district position shall be stricken from the ballot if no candidate files for the position within the timelines specified in WAC 180-23-065.

Board-member district positions which become vacant after the call of election specified in WAC 180-23-060 shall be filled by appointment by the educational service district pursuant to RCW 28A.21.0305 and the appointee shall serve until his or her successor has been elected at the next election called by the secretary to the state board of education.

[Statutory Authority: RCW 28A.21.031. 84-11-045 (Order 4-84), § 180-23-077, filed 5/17/84.]

WAC 180-23-078 Certification of electors. The list of eligible voters shall remain open for changes and deletions until 5:00 p.m. September 26 or, in the event such date is a Saturday, Sunday, or holiday, until 5:00

p.m. the working day immediately following such date. The secretary to the state board of education as soon thereafter as is practical shall certify the list of electors.

[Statutory Authority: RCW 28A.21.031. 84-11-045 (Order 4-84), § 180-23-078, filed 5/17/84.]

WAC 180-23-080 Ballots--Contents. Ballots shall be prepared by the secretary to the state board of education. The ballot for each position subject to election pursuant to this chapter shall contain the names of each candidate eligible for the particular position. There shall be a separate listing of the candidates for each board-member district open in the particular educational service district. The secretary to the state board of education shall develop voting instructions which shall accompany the ballots.

[Statutory Authority: RCW 28A.21.031. 84-11-045 (Order 4-84), § 180-23-080, filed 5/17/84.]

WAC 180-23-085 Ballots and envelopes--Mailing to voters. (1) On or before October first ballots shall be mailed to voters together with two envelopes to be used for voting. The outer and larger envelope (i.e., official ballot envelope) shall:

- (a) Be labeled "official ballot";
- (b) Be preaddressed with the "secretary to the state board of education" as addressee;
- (c) Have provision for prepaid postage; and
- (d) Have provision for the identification of the voter, mailing address, his or her school district and his or her educational service district.

The inner and smaller envelope shall be unlabeled and unmarked.

(2) One ballot and two envelopes to be used for voting purposes, any candidates' biographical data and pertinent instructions for voting purposes shall be mailed to each member of a public school district board of directors.

[Statutory Authority: RCW 28A.21.031. 84-11-045 (Order 4-84), § 180-23-085, filed 5/17/84.]

WAC 180-23-090 Voting--Marking and return of ballots. (1) The election shall be conducted in strict accordance with the requirements of RCW 28A.21.033.

(2) Marking of ballots. Each member of a public school district board of directors may vote for one of the candidates in each board-member district named on his or her ballot by placing an "X" or other mark in the space provided next to the name of a candidate.

(3) Return of ballots. Each member of a public school district board of directors shall complete voting by:

- (a) Placing his or her marked official ballot in the smaller, unmarked envelope and sealing the same;
- (b) Placing the smaller envelope containing the ballot in the larger preaddressed envelope marked "official ballot" and sealing the same;
- (c) If not already designated, completing the following information on the face of the official ballot envelope: Name, mailing address, identification of school district and educational service district.

(d) Placing the official ballot envelope in the United States mail to the secretary to the state board of education.

[Statutory Authority: RCW 28A.21.031. 84-11-045 (Order 4-84), § 180-23-090, filed 5/17/84.]

WAC 180-23-095 Election board--Appointment and composition. The state board of education shall biennially appoint a three member election board and at least one alternate who shall serve thereon in the absence of a regular member of the election board. Votes cast at elections, conducted pursuant to this chapter shall be counted by the secretary to the state board of education or his or her designee and the election board.

[Statutory Authority: RCW 28A.21.031. 84-11-045 (Order 4-84), § 180-23-095, filed 5/17/84.]

WAC 180-23-100 Receipt of ballots and count of votes. (1) As official ballot envelopes are received by the secretary to the state board of education, a preliminary determination shall be made as to the eligibility of the voter, and a record shall be made on a list of eligible voters that the voter has voted. Official ballot envelopes not submitted in compliance with this chapter and other envelopes containing ballots shall be set aside for a final review and acceptance or rejection by the election board.

(2) The election board shall convene for the purpose of counting votes on October twenty-fifth or if such date is a Saturday, Sunday, or holiday, the state working day immediately preceding such date at a date, time and place designated by the secretary to the state board of education. Official ballot envelopes that are accepted by the election board shall be opened, and the inner envelopes containing ballots shall be removed and placed aside, still sealed. The inner envelopes shall then be opened and the votes counted by the election board.

(3) No record shall be made or maintained of the candidate for which any voter cast his or her vote.

[Statutory Authority: RCW 28A.21.031. 84-11-045 (Order 4-84), § 180-23-100, filed 5/17/84.]

WAC 180-23-105 Ineligible votes. The following ballots and votes shall be declared void and shall not be accepted:

- (1) Votes for write-in candidates;
- (2) Votes cast on other than an official ballot provided pursuant to this chapter;
- (3) Ballots which contain a vote for more than one candidate in board-member district;
- (4) Ballots contained in other than an official ballot envelope provided pursuant to this chapter;
- (5) Ballots contained in an official ballot envelope upon which the voter's name is not designated;
- (6) Ballots received after 5:00 p.m. October sixteenth: *Provided*, That any ballot that is postmarked on or before midnight October sixteenth and received prior to the initial counting of votes by the election board shall be accepted: *Provided further*, That any ballot received pursuant to the United States mail on or before 5:00 p.m. on October twenty-first that is not postmarked or legibly postmarked shall also be accepted; and

(1986 Ed.)

(7) Such other ballots or votes as the election board shall determine to be unidentifiable or unlawful.

[Statutory Authority: RCW 28A.21.031. 84-11-045 (Order 4-84), § 180-23-105, filed 5/17/84.]

WAC 180-23-110 Recount of votes cast--Automatic--By request. (1) Automatic. A recount of votes cast shall be automatic if the electoral vote difference between any two candidates for the same position is one vote or less than one percent of electoral votes on a single ballot cast for the position, whichever is greater.

(2) Upon request. A recount of votes cast shall be afforded any candidate as a matter of right: *Provided*, That the request shall be made in writing and received by the secretary to the state board of education within seven calendar days after the date upon which the votes were counted by the election board.

[Statutory Authority: RCW 28A.21.031. 84-11-045 (Order 4-84), § 180-23-110, filed 5/17/84.]

WAC 180-23-115 Certification of election. Within ten calendar days after the date upon which the votes were counted, but no sooner than eight calendar days after the votes were counted by the election board, the secretary to the state board of education shall officially certify to the county auditor of the headquarters county of the educational service district the name or names of candidates elected to membership on the educational service district board of directors.

[Statutory Authority: RCW 28A.21.031. 84-11-045 (Order 4-84), § 180-23-115, filed 5/17/84.]

WAC 180-23-120 Special elections. If no candidate receives a majority of the votes cast, a second election provided for in RCW 28A.21.033 shall be conducted in accordance with the pertinent procedural and substantive provisions of this chapter, including the time schedules governing the conduct of elections, as modified by the secretary to the state board of education to accommodate the special nature of the election and special statutory dates and requirements.

[Statutory Authority: RCW 28A.21.031. 84-11-045 (Order 4-84), § 180-23-120, filed 5/17/84.]

Chapter 180-24 WAC

SCHOOL DISTRICT ORGANIZATION

WAC	
180-24-005	Changes in organization and extent of school districts--Regulatory provisions pursuant to chapter 28A.57 RCW.
180-24-010	Changes in organization and extent of school districts--Guidelines for county committees--General.
180-24-015	Changes in organization and extent of school districts--Planning organizational improvements.
180-24-020	Changes in organization and extent of school districts--Principles and policies governing state assistance in providing school facilities as related to school district organization.
180-24-025	Changes in organization and extent of school districts--Administrative procedures.
180-24-030	Changes in organization and extent of school districts--Glossary of terms.

[Title 180 WAC--p 31]

180-24-100 Rules for classification of school districts.
 180-24-200 Numbering system of school districts.

WAC 180-24-005 Changes in organization and extent of school districts--Regulatory provisions pursuant to chapter 28A.57 RCW. The principles, policies, rules and regulations hereinafter in WAC 180-24-010 through 180-24-030 set forth shall govern administration of the provisions of chapter 28A.57 RCW relating to powers and duties of the state board of education.

[Order 8-70, § 180-24-005, filed 6/9/70; SBE 24-4-1, filed 12/17/64, effective 1/18/65.]

WAC 180-24-010 Changes in organization and extent of school districts--Guidelines for county committees--General. Pursuant to provisions of RCW 28A.57.060, the state board of education hereby adopts the statement of principles and policies set forth in this section and WAC 180-24-015 through 180-24-030 for the guidance of county committees in their efforts to improve the school district organization of their counties.

In the state of Washington, the local school district is the unit for administration and operation of common school education. It must be recognized, however, that:

(1) The needs and demands for improvement and expansion of the educational program at the common school level can never be met by a school district organization designed to meet pioneer conditions and rudimentary education requirements.

(2) Recent and prospective improvements and extensions of highways and means of transportation, and changes in agricultural, commercial and industrial patterns have extended the limits of communities and have resulted in significant changes in the distribution and massing of population, thereby completely outmoding the school district organization that once sufficed in this state.

(3) Well-planned and ever-continuing improvements in the school district system are essential to the educational welfare of the children and youth of the state.

[Order 8-70, § 180-24-010, filed 6/9/70; SBE 24-4-20 (part), filed 12/17/64, effective 1/18/65; Regulation 1, filed 3/24/60, adopted 12/9/55, amended 5/26/56.]

WAC 180-24-015 Changes in organization and extent of school districts--Planning organizational improvements. (1) In planning improvements in school district organization, primary consideration should be given to the establishment, wherever geographical features and massing of population permit, of school districts with sufficient population to qualify them for the operation of all levels of the common school system--grades kindergarten through twelve. The existing high school and nonhigh school district relationship form of organization is inconsistent with the pattern of school district organization now needed in this state and should be replaced as speedily as possible by unified school districts of the kind heretofore mentioned.

(2) Factors other than the ability to operate the complete program of common school education which should be considered in planning local school districts are geographical unity; interrelated and interdependent social,

economic, service and cultural interests; compactness of the population to be served; and a network of improved roads.

(3) The simplest approach to improvement of the school district system (in conformity with the principles heretofore in this section and WAC 180-24-010 above stated) is through the formation of new school districts each of which comprises an existing necessary high school district, its tributary nonhigh school district territory, and any adjacent, small, high-cost high school district or districts that could be discontinued without undue inconvenience to any appreciable number of students. Such areas satisfy fairly well the requirements for a satisfactory school district. Through the formation of such districts the educational opportunities of the pupils affected will be enhanced and a wiser expenditure of public funds realized.

(4) County committees may consider it wise, pending possible future development of improved roads and means of transportation, to exclude from plans for the formation of unified school districts some remote or isolated mountainous or island territory lying outside the service area of any high school district. The school districts located therein are practically all one-room districts with limited attendance.

Even in the case of such remote or isolated districts, certain advantages accrue if the territory of these districts is included in a high school district. In such event, provision for the education of high school students resident in the territory must be made by the school authorities of the high school district. Otherwise, no public agency is required to assume this responsibility; if the elementary school district authorities are unable or unwilling to accept the responsibility, arrangements must be made by the parents of the individual students. With the passing of time most of this remote or isolated territory should be a part of some high school district, even though students residing therein may have to live away from home while attending high school.

(5) The formation of a new school district which includes districts that now operate elementary schools is not for the purpose of closing any existing elementary schools. The question of whether or not any of these schools will be closed is a matter for determination by the board of directors and the people of the new district after it is established.

In making such determination it is wise to consider carefully the advisability of retaining neighborhood elementary schools in cases where the enrollment is sufficient to permit effective operation or where failure to do so would make necessary long-distance transportation for a considerable number of young children.

[Order 8-70, § 180-24-015, filed 6/9/70; SBE 24-4-20 (part), filed 12/17/64, effective 1/18/65; Regulations 2-6, filed 3/24/60, adopted 12/9/55, amended 5/26/56.]

WAC 180-24-020 Changes in organization and extent of school districts--Principles and policies governing state assistance in providing school facilities as related to school district organization. For the guidance of county committees, attention is directed to the principles and

policies of the state board of education established pursuant to provisions of RCW 28A.47.806 that assistance to school districts in providing school plant facilities must be considered in light of "the need for improvement of school administrative units and school attendance areas among or within such districts," as set forth in WAC 180-30-015, which principles and policies relate specifically to nonhigh school districts contemplating establishment of high schools and to districts operating small high schools.

The attention of county committees is directed also to the policy relating to nonhigh school district participation in financing the cost of high school facilities set forth in WAC 180-30-450 and 180-30-455, which policy was established pursuant to provisions of RCW 28A.56.040 requiring the state board to "approve any plan which in its judgment makes adequate and satisfactory provision for participation by the nonhigh school districts in providing capital funds" for the purpose aforesaid.

[Order 8-70, § 180-24-020, filed 6/9/70; SBE 24-4-201, filed 12/17/64, effective 1/18/65.]

WAC 180-24-025 Changes in organization and extent of school districts--Administrative procedures. (1) **Materials and services to county committees.** Materials and services shall be furnished to county committees to aid them in the performance of their duties, the nature and extent of such materials and services to be determined by the state superintendent of public instruction.

(2) **Proposals for changes in school district organization.** Pursuant to provisions of RCW 28A.57.060(2), proposals by county committees for changes in school district organization shall be reviewed by the state superintendent of public instruction in light of statutory provisions and state board established principles and policies. The state superintendent shall report his findings to the state board at the time the proposal as submitted by the county committee is presented for approval consideration by the state board.

[Order 8-70, § 180-24-025, filed 6/9/70; SBE 24-4-30 and 24-4-31, filed 12/17/64, effective 1/18/65.]

WAC 180-24-030 Changes in organization and extent of school districts--Glossary of terms. Terms used in connection with school district organization and changes in school district organization in the state are defined below.

Annexation of territory to a school district: Annexation of territory takes place when a school district is dissolved or terminated and the territory thereof is attached to another district or to other districts in conformity with procedures prescribed by act of the legislature. Such procedures involve (1) preparation by a county committee of a proposal for dissolution and annexation, (2) approval of the proposal by the state board of education, and (3) the issuance of an order by the intermediate school district superintendent making effective the dissolution and annexation. Annexation does not require a vote of the people (see also "dissolution" and "transfer of territory").

Changes in school district organization: A term used to describe situations commonly designated under one or other of the following expressions: (1) "Consolidation" or "formation of a new school district" by joining two or more districts, (2) "transfer of territory," and (3) "annexation" of all or part of a district.

Consolidation: A term which does not appear in the statutes pertaining to school district organization as enacted by the legislature but is popularly used instead of the expression "formation of a new school district" to mean the joining together of two or more school districts by election of the voters of the districts concerned.

County committee: A term used in the statutes to designate the county committee on school district organization created by act of the legislature.

Dissolution: A term used to describe a procedure prescribed by the legislature under which a school district may be terminated as a quasi municipal corporation (see also "annexation").

Formation of new school district: A term used in the statutes meaning the same as the popular expression "consolidation" and having reference to the uniting of two or more school districts to form a new school district. Elections by the voters in the districts concerned are required in the formation of a new school district.

Joint school district: A term used in the statutes to designate any district which includes territory located in two or more counties.

School district organization: A term referring to the creation, establishment and operation of school districts in accordance with acts of the legislature (see also "school district system").

School district system: This term refers to the various types of school districts established and operated in conformity with acts of the legislature, such as high school districts and elementary or nonhigh school districts; also, to classes of districts based primarily on size, namely, first-, second- and third-class districts (see also "school district organization").

State board: A term used in legislation pertaining to schools referring to the state board of education.

Transfer of territory: A term used to designate the procedure set forth in laws enacted by the legislature whereby part of the territory of one school district becomes a part of another district. This procedure does not require a vote of the people except in the instance of any transfer of territory which involves ten per cent or more of the common school student population of the entire district from which such transfer is proposed (see also "annexation").

Unified district: A term used in official reports to indicate a school district which operates all grades of a public school system—grades one through twelve or in the case of districts which operate kindergarten, grades K through twelve.

[Order 8-70, § 180-24-030, filed 6/9/70; SBE 24-4-4, filed 12/17/64, effective 1/18/65.]

WAC 180-24-100 Rules for classification of school districts. Pursuant to provisions of RCW 28A.04.130

and 28A.44.060, the state board of education hereby establishes rules and regulations as hereinafter set forth to govern the classification of school districts as high school districts and nonhigh school districts.

(1) **Four-year program a requirement.** Every school district currently classified by the state board of education as a high school district which, prior to the annual classification of high school districts, shall have maintained the ninth, tenth, eleventh and twelfth grades shall be classified as a high school district, but it shall be removed from such classification if it shall fail to maintain the said ninth through twelfth grades prior to the first day of October next following such classification.

(2) **Approval of new secondary program a prerequisite.** Every nonhigh school district which, prior to the classification of high school districts in any year, shall have received approval of the state board of education under provisions of RCW 28A.04.120(5) for the establishment of a secondary program grades nine through twelve or grades ten through twelve during the school year next following such classification shall be classified as a high school district, but it shall be removed from such classification if it shall fail to maintain the said ninth through twelfth grades prior to the first day of October next following such classification.

(3) **High school classification in formation of new district.** In all cases when a district heretofore classified by the state board of education as a high school district consolidates with another district or districts, the classification as a high school district shall pass to the consolidation: *Provided*, That the consolidated district continues with the maintenance and operation of the ninth through twelfth grades as required by the previous classification of the state board of education.

(4) **State superintendent to administer classification.** Consistent with the regulations hereinbefore set forth and pursuant to provisions of RCW 28A.04.130 and 28A.44.060, the state superintendent of public instruction hereby is authorized to act for the state board of education in the classification of high school and non-high school districts: *Provided*, That (a) a school district maintaining and operating a high school accredited by the state board of education shall be given automatic classification as a high school district and (b) a school district maintaining and operating a nonaccredited high school shall not be given classification as a high school district without the approval and acceptance of its high school program by the state superintendent of public instruction.

[Order 8-70, § 180-24-100, filed 6/9/70. Prior: SBE 24-8-1, 24-8-20, 24-8-21, 24-8-22, and 24-8-23, filed 3/29/65, effective 4/29/65; WAC 180-56-015 and 180-56-060, Rules (part), filed 3/24/60.]

WAC 180-24-200 Numbering system of school districts. (1) **Authority for rules.** Pursuant to authority contained in RCW 28A.04.130, the state board of education hereby establishes the rules and regulations hereinafter set forth to govern the numbering system of school districts.

(2) **Intent.** It is the intent of the state board of education to establish a procedure by which school districts

which currently have duplicate numbers and all new or consolidated districts may have the opportunity, consistent with these rules, to obtain a unique number.

(3) **New or consolidated school district.** Each proposal for the formation of a new school district when submitted to the state board of education for consideration shall be assigned a unique number by the superintendent of public instruction. In the event such proposal fails to receive state board approval or is rejected by the voters, the unused number shall remain available for reassignment.

(4) **Renumbering of school districts to eliminate duplication.** Application for renumbering of a school district to eliminate duplication shall be made by the superintendent of the school district concerned to the superintendent of public instruction, a copy of which shall be submitted to the intermediate school district superintendent for his information. Assignment of a unique number shall be made by the superintendent of public instruction.

(5) **Exception to rules.** In accordance with RCW 28A.57.150, paragraph 5, the intermediate school district superintendent has the authority to designate the number in case of the incorporation of a city or town containing territory lying in two or more school districts or of the uniting of two or more cities or towns not located in the same school district, except where the incorporation or consolidation would affect a district or districts of the first class.

(6) **Superintendent of public instruction to administer numbering system.** Consistent with the regulations hereinbefore set forth and pursuant to RCW 28A.03.030 and 28A.04.090, the superintendent of public instruction hereby is authorized to act for the state board of education in the numbering and/or renumbering of school districts and to establish a procedure for administration of the numbering system.

[Order 2-72, § 180-24-200, filed 6/27/72.]

Chapter 180-25 WAC

STATE ASSISTANCE IN PROVIDING SCHOOL PLANT FACILITIES—PRELIMINARY PROVISIONS

WAC

180-25-005	Authority.
180-25-010	Purpose.
180-25-015	Definition—School facilities.
180-25-020	District application—Study and survey.
180-25-025	State study and survey—Content.
180-25-030	State study and survey—Local involvement.
180-25-035	State study and survey—State board of education review.
180-25-037	Out of date state study and survey.
180-25-040	State study and survey—State board of education approval or denial.
180-25-043	State board of education commitment at project approval.
180-25-045	Approval criteria for state assistance.
180-25-050	District authority to proceed.
180-25-055	Conditions applicable to district's authority to proceed.
180-25-200	Forms.

WAC 180-25-005 Authority. This chapter is adopted pursuant to RCW 28A.47.830 which authorizes the state board of education to prescribe rules and regulations governing the administration, control, terms, conditions, and disbursements of moneys to school districts to assist them in providing school facilities. In accordance with RCW 28A.47.830, the only provisions of chapter 28A.47 RCW currently applicable to state assistance for school facilities are RCW 28A.47.073, 28A.47.075, 28A.47.080, 28A.47.801 through 28A.47.809.

[Statutory Authority: RCW 28A.47.830. 83-21-064 (Order 9-83), § 180-25-005, filed 10/17/83.]

WAC 180-25-010 Purpose. The purpose of this chapter is to set forth provisions applicable to a district's official application for state assistance, including conditions preceding, in the construction of school facilities.

[Statutory Authority: RCW 28A.47.830. 85-24-047 (Order 24-85), § 180-25-010, filed 11/27/85; 83-21-064 (Order 9-83), § 180-25-010, filed 10/17/83.]

WAC 180-25-015 Definition—School facilities. As used in this chapter, and in chapters 180-26 through 180-33 WAC, the term "school facilities" means school plant facilities, school plant projects, school buildings, common school facilities and the grounds as those terms are utilized in chapter 28A.47 RCW. Any structure not placed on a permanent foundation shall be excluded from this definition.

[Statutory Authority: RCW 28A.47.830. 83-21-064 (Order 9-83), § 180-25-015, filed 10/17/83.]

WAC 180-25-020 District application—Study and survey. Prior to state board of education consideration of state assistance in providing school facilities, the board of directors of a school district shall file with the superintendent of public instruction an application for each school facility project, whether new construction or modernization of an existing facility, and shall request the superintendent of public instruction to study and survey existing and proposed school facilities within the district.

[Statutory Authority: RCW 28A.47.830. 83-21-064 (Order 9-83), § 180-25-020, filed 10/17/83.]

WAC 180-25-025 State study and survey—Content. The study and survey to be conducted by the superintendent of public instruction with the cooperation of the local school district shall include the following:

(1) An inventory and area analysis of existing school facilities within the district and the physical condition of such facilities;

(2) A long-range (i.e., minimum of six years) educational and facilities plan setting forth the projected facility needs and priorities of the district based on the educational plan;

(3) Demographic data including population projections and projected economic growth and development;

(4) The ability of such district to provide capital funds by local effort;

(5) The existence of a school housing emergency;

(6) The need to improve racial balance and/or to avoid creation or aggravation of racial imbalance;

(7) The type and extent of the school facilities required and the urgency of need for such facilities;

(8) The need to modernize and/or replace school facilities in order to meet current educational needs and the current state building code;

(9) A determination from data as to whether the district is eligible to receive funds from the state board of education for the construction and/or modernization of its school facilities;

(10) A determination of the amount of space and the estimated state financial assistance the district is eligible to receive;

(11) A determination of the district's time line for completion of the school facilities project;

(12) An inventory of accessible unused or underutilized school facilities in neighboring school districts and the physical condition of such school facilities;

(13) The need for adjustments of school attendance areas among or within such districts; and

(14) Such other matters as the superintendent of public instruction deems pertinent to a decision by the state board of education in the allocation of funds for school facilities. Cooperation by the applicant school district in conducting the study and survey is a requisite for the superintendent of public instruction to complete the study and survey and to establish the eligibility of the district for state assistance in school facility construction.

[Statutory Authority: RCW 28A.47.830. 85-24-047 (Order 24-85), § 180-25-025, filed 11/27/85; 83-21-064 (Order 9-83), § 180-25-025, filed 10/17/83.]

WAC 180-25-030 State study and survey—Local involvement. When in the judgment of the superintendent of public instruction information is not readily available to complete the state study and survey or the superintendent of public instruction determines that an existing study and survey, although completed within the previous six years, is out of date, the superintendent of public instruction shall request the state board of education to approve a district's request for state assistance to offset all or a portion of the cost of acquiring such information. If the state board of education concurs that such information is incomplete or the state study and survey is out of date, the state board of education shall approve such request unless the state board of education determines there is no possibility that the district will be eligible for state assistance within the next six years. Such assistance shall be based on a variable flat grant for each enrollment category plus a variable per-pupil allocation based on the district's headcount enrollment (kindergarten students counted one-half) as reported

annually on the first day of October and in accordance with the following schedule:

Headcount Enrollment Categories

1 to 500—Minimum grant plus per-pupil allocation

501 to 3,000—Minimum grant plus per-pupil allocation

3,001 to 10,000—Minimum grant plus per-pupil allocation

Above 10,000—Minimum grant plus per-pupil allocation

The dollar amount for the minimum grants and the per-pupil allocations for these categories shall be established annually by the state board of education.

[Statutory Authority: RCW 28A.47.830. 85-24-047 (Order 24-85), § 180-25-030, filed 11/27/85; 83-21-064 (Order 9-83), § 180-25-030, filed 10/17/83.]

WAC 180-25-035 State study and survey--State board of education review. The state study and survey, together with recommendations prepared by the superintendent of public instruction, if any, shall be transmitted to the board of directors of the school district(s) affected for written comment by such district or districts prior to transmittal of such study and survey to the state board of education. Once the superintendent of public instruction has received the written comments of the district(s) affected, including a request for one or more project approvals pursuant to WAC 180-25-040, the state study and survey and recommendations of the superintendent of public instruction, together with any written comments by the school district board of directors, shall be transmitted to the state board of education for review and action pursuant to WAC 180-25-040.

[Statutory Authority: RCW 28A.47.830. 85-24-047 (Order 24-85), § 180-25-035, filed 11/27/85; 83-21-064 (Order 9-83), § 180-25-035, filed 10/17/83.]

WAC 180-25-037 Out of date state study and survey. The state board of education, commencing January 1, 1985, shall not grant approval of state assistance pursuant to WAC 180-25-040 to a district without consideration of a state study and survey conducted within the preceding six years that addresses such project.

[Statutory Authority: RCW 28A.47.830. 85-24-047 (Order 24-85), § 180-25-037, filed 11/27/85.]

WAC 180-25-040 State study and survey--State board of education approval or denial. Upon receipt of a request for one or more project approvals and after review of the state study and survey, together with recommendations and comments, the state board of education shall in accordance with WAC 180-25-045 take one of the following actions:

(1) Deny approval of state assistance for the construction and/or modernization of school facilities; or

(2) Grant approval of state assistance for the construction and/or modernization of school facilities by authorizing the maximum area allowance eligible for state financial assistance for each school plant project

approved and for which the superintendent of public instruction shall issue an appropriate SPI form and state any conditions that may or may not be applicable including whether the state board of education has approved or denied eligibility for additional state assistance pursuant to WAC 180-27-115 for one or more approved school plant projects or whether such decision by the state board of education for any approved school plant project has been deferred due to insufficient factual information for a determination or due to a request by the district to present the necessary factual information at a subsequent state board of education meeting. Such project approval for projects approved after September 30, 1985, shall be null and void after one year from action by the state board of education unless the district complies with each of the following:

(a) Obtains local capital funds to provide the districts share of the estimated cost;

(b) Completes the development of educational specifications pursuant to chapter 180-26 WAC;

(c) Selects a site and receives approval pursuant to chapter 180-26 WAC.

[Statutory Authority: RCW 28A.47.830. 85-24-047 (Order 24-85), § 180-25-040, filed 11/27/85; 85-09-059 (Order 7-85), § 180-25-040, filed 4/17/85; 83-21-064 (Order 9-83), § 180-25-040, filed 10/17/83.]

WAC 180-25-043 State board of education commitment at project approval. State board of education project approval pursuant to WAC 180-25-040 defines the type of project and the maximum allowable square footage in which the state conditionally agrees to participate. There is no commitment whatsoever by the state board of education or the state to any project or to any amount of state assistance. The state board of education reserves the right to amend and/or repeal any rule(s) respecting state assistance in school building construction. Such rule changes may be made regardless of the negative and/or positive impact of such changes upon the eligibility of any project for state assistance and/or the extent of eligibility of any project for state assistance.

[Statutory Authority: RCW 28A.47.830. 86-04-065 (Order 1-86), § 180-25-043, filed 2/4/86.]

WAC 180-25-045 Approval criteria for state assistance. The state board of education shall grant approval of state assistance for school facilities for a school district that demonstrates the following:

(1) The existence of unhoused students which for the purpose of this section shall mean current or projected enrolled students who are in excess of the capacity calculated for existing facilities within the district pursuant to chapter 180-27 WAC: *Provided*, That current or projected enrolled students shall not be designated as unhoused for a high school district of application which has a student enrollment of four hundred or less in grades nine through twelve, if the students involved or affected can be served without undue inconvenience in a neighboring school, or schools of larger size and the neighboring school district has indicated a willingness to

serve, and has the capacity to house the applying district high school students; and

(2) The ability of the district to provide any necessary capital funds by local effort: *Provided*, That the existence of unhouseed students provision of subsection (1) of this section shall not be required for approval of the following school facilities projects: Interdistrict cooperative centers authorized by chapter 180-31 WAC, interdistrict transportation cooperatives authorized by chapter 180-32 WAC, and modernization and new construction authorized by chapter 180-33 WAC.

[Statutory Authority: RCW 28A.47.830. 85-09-059 (Order 7-85), § 180-25-045, filed 4/17/85; 83-21-064 (Order 9-83), § 180-25-045, filed 10/17/83.]

WAC 180-25-050 District authority to proceed. Upon receipt of the state board of education approval, the school district is authorized to proceed as follows:

(1) Complete the development of educational specifications pursuant to chapter 180-26 WAC.

(2) Select a site and seek approval pursuant to chapter 180-26 WAC.

[Statutory Authority: RCW 28A.47.830. 86-04-066 (Order 2/86), § 180-25-050, filed 2/4/86; 83-21-064 (Order 9-83), § 180-25-050, filed 10/17/83.]

WAC 180-25-055 Conditions applicable to district's authority to proceed. The authorization by the state board of education pursuant to WAC 180-25-050 for the district to proceed for particular school facilities is subject to the conditions of WAC 180-29-107. Therefore, districts receiving approval by the state board of education pursuant to WAC 180-25-040 are on notice that until approval is granted pursuant to WAC 180-29-107 (i.e., the issuance of an appropriate SPI form by the superintendent of public instruction) the particular school facilities do not have secured funding status.

[Statutory Authority: RCW 28A.47.830. 85-24-047 (Order 24-85), § 180-25-055, filed 11/27/85; 85-09-059 (Order 7-85), § 180-25-055, filed 4/17/85.]

WAC 180-25-200 Forms. Commencing January 1, 1986, forms applicable to provisions of this chapter for school facilities requested after such date shall be as follows:

(1) Applications for a state study and survey by a district pursuant to WAC 180-25-020 shall be designated as SPI Form D-1.

(2) Planning grants to districts pursuant to WAC 180-25-030 shall be awarded to such districts through SPI Form D-2.

(3) Applications for approval of a school project by a district pursuant to WAC 180-25-040 shall be designated as SPI Form D-3.

(4) Project approval for districts pursuant to WAC 180-25-040 shall be awarded to such district through SPI Form D-4.

[Statutory Authority: RCW 28A.47.830. 85-24-047 (Order 24-85), § 180-25-200, filed 11/27/85.]

(1986 Ed.)

Chapter 180-26 WAC

STATE ASSISTANCE IN PROVIDING SCHOOL PLANT FACILITIES--EDUCATIONAL SPECIFICATIONS AND SITE SELECTION

WAC

180-26-005	Authority.
180-26-010	Purpose.
180-26-015	Educational specifications.
180-26-020	Site conditions—Acceptance criteria.
180-26-025	Racial imbalance prohibition—Definition and acceptance criteria.
180-26-030	Site nonacceptance by superintendent of public instruction—Appeal to state board of education.
180-26-040	District authority to proceed.
180-26-050	Option to request preliminary funding status prior to proceeding pursuant to WAC 180-26-040.
180-26-055	Preliminary funding status to certain projects.
180-26-057	State board of education project commitment at preliminary funded status.
180-26-060	Loss of preliminary funding status.
180-26-200	Forms.

WAC 180-26-005 Authority. This chapter is adopted pursuant to RCW 28A.47.830 relating to authority of the state board of education to prescribe rules and regulations governing the administration, control, terms, conditions, and disbursements of allocations to school districts to assist them in providing school facilities. In accordance with RCW 28A.47.830, the only provisions of chapter 28A.47 RCW currently applicable to state assistance for school facilities are RCW 28A-47.073, 28A.47.075, 28A.47.080, and 28A.47.801 through 28A.47.809.

[Statutory Authority: RCW 28A.47.830. 83-21-065 (Order 10-83), § 180-26-005, filed 10/17/83.]

WAC 180-26-010 Purpose. The purpose of this chapter is to set forth the procedure for educational specification development and site selection.

[Statutory Authority: RCW 28A.47.830. 83-21-065 (Order 10-83), § 180-26-010, filed 10/17/83.]

WAC 180-26-015 Educational specifications. (1) Prior to commencing the design phase, the school district shall cause to be prepared educational specifications for the approved project. The educational specifications shall describe the educational activities that the proposed school facilities and grounds should support and the types of spaces and their relationships in order to accommodate program requirements.

(2) One copy of the educational specifications document, approved by the district board of directors, shall be submitted to the superintendent of public instruction for review and comment. The review by the superintendent of public instruction shall be based on the components of educational specifications published by the superintendent of public instruction in the School Facilities Development Procedures Manual. The comments of the superintendent of public instruction shall be transmitted to the district board of directors for its review. The board of directors shall give consideration to the comments of the superintendent of public instruction but shall not be bound to adopt any of the recommendations

[Title 180 WAC—p 37]

or make any modification of its adopted educational specifications.

(3) This section shall not be applicable to the construction of interdistrict transportation cooperatives or the additions to existing facilities of less than fifteen thousand square feet, unless combined with modernization.

[Statutory Authority: RCW 28A.47.830, 83-21-065 (Order 10-83), § 180-26-015, filed 10/17/83.]

WAC 180-26-020 Site conditions--Acceptance criteria. The superintendent of public instruction shall conduct an on-site review and evaluation of a proposed site in the case of new construction and an existing site in the case of modernization. The superintendent of public instruction shall accept a site that meets the following conditions:

(1) The school district provides certification by legal counsel retained by the district that the property upon which the school facility is or will be located is free of all encumbrances that would detrimentally interfere with the construction, operation, and useful life of the school facility;

(2) The minimum acreage of the site shall be five usable acres and one additional usable acre for each one hundred students or portion thereof of projected maximum enrollment plus an additional five usable acres if the school contains any grade above grade six. In computing the minimum acreage of the site, the district may include public property in close proximity to the site if, as a matter of public policy the property is available for school purposes and the district is committed to using such facilities: *Provided*, That a site consisting of less than the minimum usable acreage calculated as per the provisions of this subsection shall be approved by the state board of education if the district demonstrates the following:

(a) The health and safety of the students are not in jeopardy;

(b) The internal spaces within the proposed facility are adequate for the proposed educational program;

(c) The neighborhood in which the school facility is or will be situated is not detrimentally impacted by lack of parking for students, employees, and the public; and

(d) The physical education and recreational programs on the school site are compatible with less than the minimum prescribed acreage;

(3) The school district has retained the services of a geotechnical engineer for the purpose of conducting a limited subsurface investigation to gather basic information regarding potential foundation performance and a report has been reviewed by the school district board of directors;

(4) The site has been approved by the following agencies:

(a) The health agency having jurisdiction;

(b) The local planning commission or authority having jurisdiction; and

(c) The state department of ecology.

[Statutory Authority: RCW 28A.47.830, 83-21-065 (Order 10-83), § 180-26-020, filed 10/17/83.]

WAC 180-26-025 Racial imbalance prohibition--Definition and acceptance criteria. The superintendent of public instruction shall not accept a site unless the applicant district provides assurances that its attendance policies for the proposed or modernized school facility will not create or aggravate racial imbalance within the boundaries of the applicant school district. For the purpose of this chapter, racial imbalance shall be defined as the situation that exists when the combined minority student enrollment in a school plant facility exceeds the district-wide combined minority average by twenty percentage points, provided that the single minority enrollment (as defined by current federal categories) of a school plant facility will not exceed fifty percent of the school plant facility enrollment. This section shall not apply to public schools located on American Indian reservations.

[Statutory Authority: RCW 28A.47.830, 84-11-046 (Order 5-84), § 180-26-025, filed 5/17/84; 83-21-065 (Order 10-83), § 180-26-025, filed 10/17/83.]

WAC 180-26-030 Site nonacceptance by superintendent of public instruction--Appeal to state board of education. For any site not accepted, the superintendent of public instruction shall state the reasons in writing to the board of directors affected. Such board may appeal the decision of the superintendent of public instruction to the state board of education but the criteria specified in WAC 180-26-020 and 180-26-025 shall not be waived.

[Statutory Authority: RCW 28A.47.830, 83-21-065 (Order 10-83), § 180-26-030, filed 10/17/83.]

WAC 180-26-040 District authority to proceed. Upon completion of the educational specifications review and comment and the site approval by the superintendent of public instruction as provided for in WAC 180-26-020 or state board of education as provided for in WAC 180-26-030, the school district is authorized to proceed as follows:

(1) Commence with the design of the school facility in accordance with the district's educational specifications.

(2) Complete the energy conservation report pursuant to WAC 180-27-075.

(3) Complete a value engineering study pursuant to WAC 180-27-080.

[Statutory Authority: RCW 28A.47.830, 85-24-047 (Order 24-85), § 180-26-040, filed 11/27/85; 83-21-065 (Order 10-83), § 180-26-040, filed 10/17/83.]

WAC 180-26-050 Option to request preliminary funding status prior to proceeding pursuant to WAC 180-26-040. As used in chapters 180-26, 180-27, and 180-29 WAC, the term "preliminary funding status" shall mean the project shall be considered for approval pursuant to WAC 180-29-107 prior to projects without such preliminary funding status and shall be eligible for state assistance pursuant to the state board of education rules pertaining to eligible square footage, maximum area cost allowance, and priorities in effect at the time

such status is granted. Any district may request the superintendent of public instruction to grant preliminary funding status for any project with secured local capital funds and authority to proceed pursuant to WAC 180-26-040. The superintendent of public instruction shall grant such approval if in the judgment of the superintendent of public instruction such project will receive approval pursuant to WAC 180-29-107 within one year.

[Statutory Authority: RCW 28A.47.830. 85-24-047 (Order 24-85), § 180-26-050, filed 11/27/85.]

WAC 180-26-055 Preliminary funding status to certain projects. Notwithstanding the provisions of WAC 180-26-050, the following projects shall be granted preliminary funding status by the superintendent of public instruction thirty days after the effective date of this section:

(1) All projects with secured local capital funding and authority to proceed pursuant to WAC 180-25-040 as of September 30, 1985.

(2) All projects with a priority one or two status pursuant to WAC 180-27-058.

[Statutory Authority: RCW 28A.47.830. 85-24-047 (Order 24-85), § 180-26-055, filed 11/27/85.]

WAC 180-26-057 State board of education project commitment at preliminary funded status. When preliminary funding status for a project is requested and granted pursuant to WAC 180-26-050 and/or 180-26-055, the state board of education commitment is limited to the eligibility of the project for state assistance, the eligible square footage, the maximum area cost allowance and the priority standing of the project as determined pursuant to the state building assistance rules in effect at the time such preliminary funding status is granted. This commitment is effective only for the initial one-year period set forth at WAC 180-26-060. The state board of education otherwise reserves the right to amend and/or repeal any rule(s) respecting state assistance in school building construction. Such rule changes may be made regardless of the negative and/or positive impact of such changes upon the eligibility of any project and/or the extent of eligibility of any project for state assistance.

[Statutory Authority: RCW 28A.47.830. 86-04-065 (Order 1-86), § 180-26-057, filed 2/4/86.]

WAC 180-26-060 Loss of preliminary funding status. All districts granted preliminary funding status for a project pursuant to WAC 180-26-050 or 180-26-055(2) shall request approval to bid such project pursuant to WAC 180-29-107 within one year of receiving preliminary funding status or shall have such status withdrawn. A district with a project so withdrawn may reapply pursuant to WAC 180-26-050 or 180-26-055(2) for such status.

[Statutory Authority: RCW 28A.47.830. 85-24-047 (Order 24-85), § 180-26-060, filed 11/27/85.]

WAC 180-26-200 Forms. Commencing January 1, 1986, forms applicable to the provisions of this chapter

(1986 Ed.)

for school facilities projects after such date shall be as follows:

(1) Applications for preliminary funding status pursuant to WAC 180-26-050 shall be designated as SPI Form D-5.

(2) Grants of preliminary funding status pursuant to WAC 180-26-050 shall be given to districts through SPI Form D-6.

[Statutory Authority: RCW 28A.47.830. 85-24-047 (Order 24-85), § 180-26-200, filed 11/27/85.]

Chapter 180-27 WAC

STATE ASSISTANCE IN PROVIDING SCHOOL PLANT FACILITIES--BASIC STATE SUPPORT

WAC

180-27-005	Authority.
180-27-010	Purpose.
180-27-015	State board policy.
180-27-020	Related factors and formula for determining amount of state assistance.
180-27-025	State matching percentage—General.
180-27-030	Applicable state matching percentage for project.
180-27-035	Space allocations.
180-27-040	Square foot area analysis.
180-27-045	Space allocations—Enrollment projection provisions.
180-27-050	Space allocations—Computing building capacity.
180-27-053	State moneys for studies and surveys.
180-27-054	Implementation of priority approval process.
180-27-056	Funding during the period of a priority approval process order by state board of education.
180-27-057	State assistance—Deferred payment.
180-27-058	State assistance—Priorities.
180-27-059	Application of priority system to projects with and without preliminary funding status.
180-27-060	Determining the area cost allowance.
180-27-063	Annual review and report by the superintendent of public instruction to the state board of education.
180-27-065	Educational specifications.
180-27-070	Architectural and engineering services.
180-27-075	Energy conservation report.
180-27-080	Value engineering study—Requirements and definition.
180-27-085	Construction cost savings—Sharing incentive.
180-27-095	Support level—Furniture and equipment allowances.
180-27-100	Special inspections and testing.
180-27-105	Support level—Insurance receipts.
180-27-110	Support level—Federal moneys.
180-27-115	Support level—Additional assistance.
180-27-120	Costs to be financed entirely with school district funds.
180-27-125	Unforeseen costs.
180-27-990	Interim application of priority system during transitional period.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

180-27-055	State assistance—Priorities. [Statutory Authority: RCW 28A.47.830. 83-21-066 (Order 11-83), § 180-27-055, filed 10/17/83.] Repealed by 85-04-008 (Order 2-85), filed 1/25/85. Statutory Authority: RCW 28A.47.830.
------------	--

WAC 180-27-005 Authority. This chapter is adopted pursuant to RCW 28A.47.830 relating to authority of the state board of education to prescribe rules and regulations governing the administration, control, terms, conditions, and disbursements of allotments to

school districts to assist them in providing school facilities. In accordance with RCW 28A.47.830, the only provisions of chapter 28A.47 RCW currently applicable to state assistance for school plant facilities are RCW 28A.47.073, 28A.47.075, 28A.47.080, and 28A.47.801 through 28A.47.809.

[Statutory Authority: RCW 28A.47.830. 83-21-066 (Order 11-83), § 180-27-005, filed 10/17/83.]

WAC 180-27-010 Purpose. The purpose of this chapter is to set forth provisions applicable to basic state support and assistance in the construction of school facilities, including state board of education approval criteria. The limitations set forth represent the level of state support within moneys available and are not to be interpreted as maximum criteria to meet the educational requirements of all school districts, the determination of such criteria being the prerogative of respective school districts.

[Statutory Authority: RCW 28A.47.830. 83-21-066 (Order 11-83), § 180-27-010, filed 10/17/83.]

WAC 180-27-015 State board policy. (1) In the interpretation of the regulations in this chapter, the superintendent of public instruction shall be guided by the following state board of education policy:

(a) To equate insofar as possible the efforts by districts to provide capital moneys;

(b) To equalize insofar as possible the educational opportunities for the students of the state;

(c) To establish a level of state support for the construction and modernization of school facilities consistent with moneys available; and

(d) To recognize that districts may find it necessary to apply local moneys in excess of state matching funds in order to provide facilities commensurate with their respective educational specifications.

(2) Nonhigh district participation in financing the cost of secondary school facilities shall be established pursuant to the provisions of chapter 28A.56 RCW.

[Statutory Authority: RCW 28A.47.830. 83-21-066 (Order 11-83), § 180-27-015, filed 10/17/83.]

WAC 180-27-020 Related factors and formula for determining amount of state assistance. (1) The amount of state assistance to a school district to provide school facilities shall be determined on the basis of component factors, as hereinafter set forth in this chapter, relating to:

(a) The number of unhoused students;

(b) Space allocations;

(c) Reduction of the number of operating schools as per chapter 180-33 WAC;

(d) Area cost allowance;

(e) Allowances for furniture and equipment purchases;

(f) The amount of insurance, federal, or other nontax source local moneys applied to a school facilities project;

(g) Certain specified costs which must be financed directly by the school district; and

(h) The amount of fees for professional services.

[Title 180 WAC—p 40]

(2) State assistance for an approved project shall be derived by multiplying the percentage of state assistance determined pursuant to RCW 28A.47.803 by the following:

(a) The eligible construction cost which shall be calculated by multiplying the approved square foot area of the project as set forth in WAC 180-27-035 by the area cost allowance as set forth in WAC 180-27-060;

(b) The cost of preparing educational specifications as set forth in WAC 180-27-065;

(c) The cost of basic architectural and engineering services as set forth in WAC 180-27-070;

(d) The cost of preparing the energy conservation report as set forth in WAC 180-27-075;

(e) The cost of a value engineering study during design as set forth in WAC 180-27-080;

(f) The construction cost savings—sharing incentive as set forth in WAC 180-27-085;

(g) The cost of furniture and equipment as set forth in WAC 180-27-095; and

(h) The cost of special inspections and testing as set forth in WAC 180-27-100.

Any cost in excess of the maximum allowable shall be financed entirely by the school district.

[Statutory Authority: RCW 28A.47.830. 83-21-066 (Order 11-83), § 180-27-020, filed 10/17/83.]

WAC 180-27-025 State matching percentage—

General. (1) The percentage of state assistance for which a school district is eligible, if otherwise qualified under prevailing statutory provisions and rules and regulations of the state board of education, shall be determined in accordance with the matching formula set forth in RCW 28A.47.803.

(2) In the event the percentage of state assistance to any school district computed in accordance with RCW 28A.47.803(2) is less than twenty percent and such school district otherwise is eligible for state assistance under statutory provisions and state board of education regulations, the percentage for such district shall be twenty percent of the matchable cost of the project.

(3) In addition to the computed percent of state assistance as stated above, a school district as provided in RCW 28A.47.803(3), shall be entitled to additional percentage points determined by the average percentage of growth for the past three years. One percent shall be added to the computed percent of state assistance for each average percent of student growth for the past three years, with a maximum addition of twenty percent. In no case shall the state dollars matched exceed one hundred percent of the maximum allowable cost of the project.

[Statutory Authority: RCW 28A.47.830. 83-21-066 (Order 11-83), § 180-27-025, filed 10/17/83.]

WAC 180-27-030 Applicable state matching percentage for project. Pursuant to provisions of RCW 28A.47.803, the percentage of state assistance prevailing at the time the voters of the school district authorize the issuance of bonds and/or the levying of excess taxes to meet the statutory and state board of education fiscal

requirements for state assistance in providing school facilities shall be the percentage used for the allocation of state moneys: *Provided*, That in the event a higher percentage of state assistance prevails at the time of state board of education project approval or at the superintendent of public instruction construction and other document approval as set forth in WAC 180-29-030 and 180-29-085, then that higher percentage of state assistance shall govern the project.

[Statutory Authority: RCW 28A.47.830. 83-21-066 (Order 11-83), § 180-27-030, filed 10/17/83.]

WAC 180-27-035 Space allocations. (1) State assistance in the construction of school facilities for grades kindergarten through twelve and classrooms planned for the exclusive use of handicapped students shall be based on a space allowance per enrolled student and for state matching purposes shall be computed in accordance with the following table:

Grade or Area	Maximum Matchable Area Per Student
Grades kindergarten through six	80 square feet
Grades seven and eight	110 square feet
Grades nine through twelve	120 square feet
Classrooms for handicapped	140 square feet

For purposes of this subsection, kindergarten students shall be calculated at fifty percent of actual headcount enrollments on October 1 and submitted to the superintendent of public instruction on October 1 each year; handicapped students shall be counted as one student for each such student assigned to a specially designated self-contained classroom for handicapped children for at least one hundred minutes per school day, calculated on actual headcount enrollment submitted to the superintendent of public instruction.

(2) State assistance for construction of vocational-technical institutes shall be based on full time equivalent students enrolled on October 1 and computed as follows:

Type of Facility	Maximum Matchable Area Per Full-Time Equivalent Student
Vocational-Technical Institutes	140 square feet

(3) State assistance for construction of vocational skill centers shall be based on one-half of students enrolled on October 1 and computed as follows:

Type of Facility	Maximum Matchable Area Per One-Half Enrolled Student
Skill Centers	140 square feet

(4) Space allowance for state matching purposes—districts with senior or four-year high schools with fewer than four hundred students. Space allowance for districts with senior or four-year high schools with fewer

than four hundred students for state matching purposes shall be computed in accordance with the following formula:

Number of Headcount Student-Grades 9-12	Maximum Matchable Area Per Facility
0-100	37,000 square feet
101-200	42,000 square feet
201-300	48,000 square feet
301-or more	52,000 square feet

[Statutory Authority: RCW 28A.47.830. 84-11-047 (Order 6-84), § 180-27-035, filed 5/17/84; 83-21-066 (Order 11-83), § 180-27-035, filed 10/17/83.]

WAC 180-27-040 Square foot area analysis. The square foot area analysis, when submitted for review by the superintendent of public instruction shall be calculated in accordance with the American Institute of Architects, Document D101, *The Architectural Area and Volume of Buildings*, January 1980 edition, except for the following areas which shall not be counted:

(1) Exterior covered walkways, cantilevered or supported; and

(2) Exterior porches, including loading platforms.

The analysis shall be reported on a form prepared by the superintendent of public instruction.

[Statutory Authority: RCW 28A.47.830. 84-11-047 (Order 6-84), § 180-27-040, filed 5/17/84; 83-21-066 (Order 11-83), § 180-27-040, filed 10/17/83.]

WAC 180-27-045 Space allocations--Enrollment projection provisions. In planning for construction of all school facilities, a school district shall estimate capacity needs on the basis of the following:

(1) A three or five-year cohort survival enrollment projection for growth districts, whichever is greater;

(2) A three or five-year cohort survival enrollment projection for a declining district, whichever is lesser;

(3) Actual enrollment of preschool handicapped students; and

(4) Supplemental information regarding district growth factors which may include but not be limited to the following types of information:

(a) County live birth rates;

(b) New housing starts;

(c) Utility/telephone hookups; and

(d) Economic/industrial expansion.

[Statutory Authority: RCW 28A.47.830. 83-21-066 (Order 11-83), § 180-27-045, filed 10/17/83.]

WAC 180-27-050 Space allocations--Computing building capacity. The net total area of a school facility eligible for state matching purposes shall be calculated as follows:

(1) The capacity of existing buildings within the district based on the school district's assigned grade spans shall be computed in accordance with the tables set forth in WAC 180-27-035 and the square foot area analysis set forth in WAC 180-27-040.

(2) The number of students projected at each grade span shall be multiplied by appropriate numbers of square feet as set forth in WAC 180-27-035. (Note: The area generated at each grade level determines district eligibility, if any.)

(3) The amount of housing the district is eligible to construct at each grade span is determined by subtracting the area computed in subsection (2) of this section from the existing housing capacity at each grade span in the school district. Using this formula, over housing at one grade span will not negatively affect unhoused eligibility at another grade span.

(4) Appropriate grade assignment is a local determination and shall not affect the above calculations.

[Statutory Authority: RCW 28A.47.830. 83-21-066 (Order 11-83), § 180-27-050, filed 10/17/83.]

WAC 180-27-053 State moneys for studies and surveys. State moneys for school district studies and surveys conducted pursuant to chapter 180-25 WAC shall be available even though the state board of education deems it necessary to order a priority approval process pursuant to WAC 180-27-054. At the beginning of each biennium, the superintendent of public instruction shall estimate the amount of moneys necessary for allocation to districts for studies and surveys and not make such moneys available for any other purpose. In the event the estimated amount proves to be insufficient, the superintendent shall set aside additional moneys.

[Statutory Authority: RCW 28A.47.830. 85-04-008 (Order 2-85), § 180-27-053, filed 1/25/85.]

WAC 180-27-054 Implementation of priority approval process. In the event the state board of education determines that projected revenues, as calculated by the ceiling established in WAC 180-27-056(2), are insufficient to meet school construction needs of school districts for the ensuing state fiscal year, the state board of education shall order the implementation of a priority approval process on final approval by the superintendent of public instruction of additional school construction projects pursuant to WAC 180-29-107. Such priority approval process shall remain in effect until the order is rescinded by the state board of education: *Provided*, That if the state board of education determines that projected revenue is insufficient for the 1985-86 state fiscal year, the priority approval process shall not become effective prior to the end of the 1985 regular session and any immediately following special session of the forty-ninth legislature unless the state board of education prior to such adjournment specifically orders an earlier implementation date.

[Statutory Authority: RCW 28A.47.830. 85-04-008 (Order 2-85), § 180-27-054, filed 1/25/85.]

WAC 180-27-056 Funding during the period of a priority approval process order by state board of education. During the period of a priority approval process imposed by order of the state board of education school construction projects shall receive final approval pursuant to WAC 180-29-107 as follows:

(1) On or after July 1 following the state board of education order for the implementation of a priority approval process the superintendent of public instruction shall rank all projects for which final approval has been requested pursuant to WAC 180-29-107 as per the priority list in WAC 180-27-058. Only school construction projects with secured local capital funds by December 31 of the previous state fiscal year and eligible for final approval pursuant to WAC 180-29-107 by June 30 of the previous state fiscal year shall be placed on that priority list.

(2) Based on a ceiling of one and one-half times the amount of the estimated revenue available for the state fiscal year plus fund balance for the state fiscal year minus outstanding encumbrances for the state fiscal year or as close thereto as is reasonably practical, the superintendent of public instruction shall give final approval pursuant to WAC 180-29-107 during the state fiscal year to school construction projects on the priority list. For the purpose of this subsection the term "estimated revenue available for the state fiscal year" shall mean the estimated revenue from the common school construction fund for the current state fiscal year and the subsequent state fiscal year, the result of which is divided by two.

(3) In the event the state board of education does not rescind the order for the implementation of a priority approval process by the close of the state fiscal year, school construction projects remaining on the priority list without final approval and, therefore, without secured funding status pursuant to WAC 180-29-107 shall be combined with new school construction projects that have secured local capital funds by December 31 of the state fiscal year and that are eligible, pursuant to WAC 180-29-107, for final approval by the close of the state fiscal year, and a new priority list shall be established on or after July 1 of the next state fiscal year and such remaining and new school construction projects shall be eligible for final approval pursuant to the provisions of subsections (1) and (2) of this section.

[Statutory Authority: RCW 28A.47.830. 85-04-008 (Order 2-85), § 180-27-056, filed 1/25/85.]

WAC 180-27-057 State assistance--Deferred payment. In the event state moneys are not sufficient for a school district project, a school district may proceed at its own financial risk. At such time state moneys become available, reimbursement may be made for the project provided the provisions of chapter 180-29 WAC have been complied with.

[Statutory Authority: RCW 28A.47.830. 83-21-066 (Order 11-83), § 180-27-057, filed 10/17/83.]

WAC 180-27-058 State assistance--Priorities. The priority system for the funding of school construction projects during a priority approval process imposed by order of the state board of education shall be as follows:

(1) Priority one: New construction projects in districts with unhoused students other than those in priority two. Projects within this priority shall be ranked as follows: The project with the highest percentage of unhoused

students in the district by grade level on the date of project approval pursuant to WAC 180-25-040 shall be ranked highest—i.e., projected enrollment times authorized space allocation as calculated pursuant to WAC 180-27-035 divided by capacity of existing buildings as calculated pursuant to WAC 180-27-050(1). In the event two or more districts possess an equal percentage of unhoused students, the district with the greatest number of unhoused students shall be ranked the highest.

(2) Priority two: New construction projects in districts with unhoused students due to the need to replace a building. In the event the district is precluded from educating students in a facility due to bona fide condemnation procedures, such related space requirement shall be treated as unhoused students in priority one. Projects with this priority shall be ranked as follows: The project with the highest percentage of unhoused students in the district by grade level on the date of project approval pursuant to WAC 180-25-040 shall be ranked highest. In the event two or more districts possess an equal percentage of unhoused students, the district with the greatest number of unhoused students shall be ranked the highest.

(3) Priority three: All projects with secured local capital funding and authority to proceed pursuant to WAC 180-25-040 as of September 30, 1985, which are not included in priority one or two pursuant to this section. Projects within this priority shall be ranked pursuant to the priority system in effect as of September 30, 1985.

(4) Priority four: New construction of vocational-technical institutes and interdistrict cooperative vocational skill center facilities. Projects within this priority shall be ranked as follows: The project with the earliest date of project approval pursuant to WAC 180-25-040 shall be ranked highest. In the event two or more projects possess the same project approval date, the project with the earliest date of application received in the office of superintendent of public instruction shall be ranked the highest. Funding allocations for this priority shall not exceed ten percent of the available funds remaining after funding eligible projects in priorities one and two.

(5) Priority five: Modernization projects in districts with no unhoused students and not funded under priority three. Projects within this priority shall be ranked as follows: The project with the highest percentage of projected student occupancy shall be ranked the highest—i.e., projected enrollment times authorized space allocation as calculated pursuant to WAC 180-27-035 divided by capacity of existing buildings as calculated pursuant to WAC 180-27-050(1). In the event two or more projects possess an equal percentage, the highest ranking shall be given to the project with the earliest date of project approval pursuant to WAC 180-25-040. For the purpose of ranking within this subsection vocational technical institute and interdistrict cooperative facilities other than interdistrict transportation cooperatives shall be considered as independent school district projects.

(6) Priority six: New construction of interdistrict cooperative facilities which are not included in priority three, four, or seven. The project with the earliest date

of project approval pursuant to WAC 180-25-040 shall be ranked the highest. In the event two or more projects possess the same project approval date, the project with the earliest date of application received in the office of superintendent of public instruction shall be ranked the highest.

(7) Priority seven: Interdistrict transportation cooperatives. Projects within this priority shall be ranked as follows: The project with the earliest date of project approval pursuant to WAC 180-25-040 shall be ranked the highest. In the event two or more projects possess the same project approval date, the project with the earliest date of application received in the office of superintendent of public instruction shall be ranked the highest.

[Statutory Authority: RCW 28A.47.830, 85-24-048 (Order 25-85), § 180-27-058, filed 11/27/85; 85-04-008 (Order 2-85), § 180-27-058, filed 1/25/85.]

WAC 180-27-059 Application of priority system to projects with and without preliminary funding status. All projects with preliminary funding status pursuant to WAC 180-26-050 and 180-26-055 shall be approved pursuant to WAC 180-29-107 prior to projects without such status.

[Statutory Authority: RCW 28A.47.830, 85-24-048 (Order 25-85), § 180-27-059, filed 11/27/85.]

WAC 180-27-060 Determining the area cost allowance. The area cost allowance for state assistance shall apply to the cost of construction of the total facility and grounds including state sales and use taxes generally levied throughout the state of Washington and excluding those local option sales and use taxes levied by political subdivisions. The maximum area cost allowance used in calculating state financial assistance for construction of school facilities shall be determined by the superintendent of public instruction as follows:

(1) Commencing with the two-month period of July-August, 1984, a two-month area cost allowance is determined as follows: The average seven-city building cost index for commercial and factory buildings in Washington state reported by the E. H. Boeckh Company (Boeckh Index) for that two-month period (1,494.99) shall be multiplied by the 1984 area cost allowance (\$74.87). That product shall be divided by the 1984 area cost index (1,494.99).

(2) The calculation in subsection (1) of this section shall be made for each subsequent two-month period averaging six Washington cities and the Portland, Oregon metropolitan area reported by E. H. Boeckh Company.

(3) Each of the actual two-month area cost allowances calculated as set forth in subsections (1) and (2) of this section shall be recorded by the superintendent of public instruction.

(4) The average monthly rate of increase in the area cost allowance for the previous one year is determined as follows: Not later than August 31 of each year, the actual two-month area cost allowance calculated for the first two-month reporting period in the twelve-month period ending August 31 shall be subtracted from the

actual area cost allowance for the current two-month reporting period. This result shall be divided by twelve.

(5) The projected maximum monthly area cost allowances for the next ensuing school fiscal year are calculated as follows:

(a) The area cost allowance for July-August 1985 effective September 1, 1985 shall be the actual amount as calculated in subsections (1) and (2) of this section.

(b) The projected area cost allowance for the following twelve months will be the amount of the previous month plus the average monthly rate of increase as calculated in subsection (4) of this section.

(6) The projection process will be repeated no later than August 31 for each following school fiscal year.

[Statutory Authority: RCW 28A.47.830. 85-24-048 (Order 25-85), § 180-27-060, filed 11/27/85; 84-11-047 (Order 6-84), § 180-27-060, filed 5/17/84; 83-21-066 (Order 11-83), § 180-27-060, filed 10/17/83.]

WAC 180-27-063 Annual review and report by the superintendent of public instruction to the state board of education. The superintendent of public instruction on an annual basis shall review actual construction costs of school projects and report findings together with recommended changes to the area cost allowance calculation in WAC 180-27-060, if any, to the state board of education for consideration and possible action.

[Statutory Authority: RCW 28A.47.830. 85-24-048 (Order 25-85), § 180-27-063, filed 11/27/85.]

WAC 180-27-065 Educational specifications. (1) Only school facility projects which are complete new facilities or modernization projects pursuant to chapter 180-33 WAC are eligible for state assistance in the preparation of education specifications.

(2) The construction of interdistrict transportation cooperatives, or additions of less than fifteen thousand square feet to existing facilities, unless combined with modernization, are not eligible.

(3) The amount of state assistance for which a district is eligible for the preparation of educational specifications shall be the state matching percentage multiplied by the greater of the following:

- (a) One quarter of one percent of the area cost allowance multiplied by the square foot area at time of bid; or
- (b) Ten thousand dollars.

[Statutory Authority: RCW 28A.47.830. 83-21-066 (Order 11-83), § 180-27-065, filed 10/17/83.]

WAC 180-27-070 Architectural and engineering services. School districts shall select their architectural and engineering consultants in accordance with chapter 39.80 RCW. As required by RCW 39.80.050, the district shall negotiate a contract with the most qualified consultants at a price which the school district determines is fair and reasonable to the district; and, in making its determination, the district shall take into account the estimated value of the services to be rendered as well as the scope, complexity, and professional nature thereof.

[Title 180 WAC—p 44]

The allocation of state moneys for matching purposes for a school facility project shall be based on the basic architectural and engineering services as defined by the *American Institute of Architects Handbook of Professional Practice, Number Nine, Owner-Architects Agreements*, thirteenth edition, July 1977, and calculated by the percentage(s) in relation to the square foot area of construction as calculated in WAC 180-27-040 and project type, as set forth below:

(1) **New construction projects:**

Architectural and Engineering Team Fee Matching Limitations

Square Feet of Construction	Percent of Construction Cost
3,700 or under	10.0
3,700	9.0
7,350	8.75
11,000	8.5
14,650	8.25
18,300	8.0
25,700	7.75
36,700	7.5
55,000	7.25
73,400	7.0
101,000	6.75
128,450	6.5
156,000	6.25
183,500 & above	6.0

Note: Compensation for projects with square foot area of construction between the values shown shall be established for matching purposes by the process as indicated in the example below.

Example:

Assume: Area of construction = 75,000 sq. ft.
Area cost allowance = \$90/sq. ft.

73,400 sq. ft. x \$90/sq. ft. x 7.0% = \$462,420.00
1,600 sq. ft. x \$90/sq. ft. x 6.75% = 9,720.00
75,000 sq. ft. \$472,140.00

State share = \$472,140.00 x state matching percentage

(2) **Modernization projects:**

For modernization projects, the limits of state participation shall be one and one-half times the amount calculated for new construction as set forth in subsection (1) of this section.

(3) **Combination projects:**

For those projects which include a combination of new construction and modernization, the limits of state participation shall be prorated as set forth in subsection (1) and (2) of this section.

[Statutory Authority: RCW 28A.47.830. 84-07-036 (Order 1-84), § 180-27-070, filed 3/20/84; 83-21-066 (Order 11-83), § 180-27-070, filed 10/17/83.]

WAC 180-27-075 Energy conservation report. In compliance with the provisions of chapter 39.35 RCW,

school districts constructing school facilities shall complete an energy conservation report for any new construction or for additions to and modernization of existing school facilities. One copy of the energy conservation report, approved by the district board of directors, shall be filed with the superintendent of public instruction. The amount of state assistance for which a district is eligible for the preparation of the energy conservation report shall be the state matching percentage multiplied by ten thousand dollars.

[Statutory Authority: RCW 28A.47.830. 83-21-066 (Order 11-83), § 180-27-075, filed 10/17/83.]

WAC 180-27-080 Value engineering study--Requirements and definition. At the appropriate time in the design process for a school facility approved by the state board of education, the district shall cause to be prepared a standard value engineering study of the project except that any project which includes fifteen thousand square feet or less shall be exempt from this requirement. For the purpose of this section, a standard value engineering study is defined as a cost control technique which is based on the use of a systematic, creative analysis of the functions of the facility with the objective of identifying unnecessary high costs or functions and/or identifying cost savings that may result in high maintenance and operation costs. The study shall consist of a forty-hour workshop involving a minimum of a five-person team pursuant to WAC 180-29-065. The amount of state assistance for which a district is eligible for a value engineering study shall be the state matching percentage multiplied by the greater of the following:

- (1) One-quarter of one percent of the area cost allowance multiplied by the square foot area at time of bid; or
- (2) Fifteen thousand dollars.

[Statutory Authority: RCW 28A.47.830. 83-21-066 (Order 11-83), § 180-27-080, filed 10/17/83.]

WAC 180-27-085 Construction cost savings--Sharing incentive. The purpose of this section is to set forth provisions designed to further enhance cost effectiveness in the construction of exclusively new school facilities.

(1) Districts become eligible for a cost saving incentive equal to sixty percent of the state share of the construction cost savings if the cost of new construction at bid is less than the approved state matchable construction cost, as set forth in WAC 180-27-020 (2)(a).

(2) The state matched fee for basic architectural and engineering services shall not be reduced if the project is bid and is awarded below the approved state matchable construction cost (WAC 180-27-070) or the cost contracted for between the school district and architect/engineer, whichever is less.

(3) Any project attached to or adjacent to or otherwise designed to operate in conjunction with an existing facility and which contains additional area equal to or less than fifty percent of the area in the existing facility

shall be classified as an addition and shall not be eligible for the cost saving incentive option authorized in this section.

(4) Districts shall not be eligible for a cost-saving incentive where the entire project, or any part of the project, qualifies for state support under chapter 180-33 WAC.

(5) Receipt of a portion of the state share of construction cost savings shall not reduce the district's future eligibility and entitlement to state assistance in providing school facilities and shall not result in the district receiving more than one hundred percent of the cost of construction.

[Statutory Authority: RCW 28A.47.830. 85-24-048 (Order 25-85), § 180-27-085, filed 11/27/85; 83-21-066 (Order 11-83), § 180-27-085, filed 10/17/83.]

WAC 180-27-095 Support level--Furniture and equipment allowances. (1) A matchable allowance for furniture and equipment purchases shall be added to total construction cost of an approved school facilities project. The amount of state assistance for which a district is eligible shall be the eligible square foot area of the project multiplied by the area cost allowance of state support at time of bid and that product multiplied by:

- (a) Two percent for elementary schools;
- (b) Three percent for middle and junior high schools;
- (c) Four percent for high schools;
- (d) Five percent for handicapped facilities;
- (e) Five percent for vocational-technical facilities;
- (f) Five percent for interdistrict cooperative occupational skill centers; and
- (g) Seven percent for interdistrict transportation cooperatives.

(2) For those projects where the eligible square footage is allocated to grade spans which do not conform to those listed above, the equipment allowance shall be allocated based on eligibility as established in WAC 180-27-035.

[Statutory Authority: RCW 28A.47.830. 83-21-066 (Order 11-83), § 180-27-095, filed 10/17/83.]

WAC 180-27-100 Special inspections and testing. All special inspections and testing to be performed by independent sources as specified in the construction documents shall be matched in addition to the construction costs subject to the approval of the superintendent of public instruction. For the purposes of this section, special inspections shall be those special inspections required under the Uniform Building Code.

[Statutory Authority: RCW 28A.47.830. 83-21-066 (Order 11-83), § 180-27-100, filed 10/17/83.]

WAC 180-27-105 Support level--Insurance receipts. It is a school district, not a state, determination whether or not a school facility shall be insured. Should a district need to replace or repair a school facility destroyed or damaged by fire, it will be the district's financial responsibility to replace or repair the number of square feet destroyed or damaged by the fire.

[Statutory Authority: RCW 28A.47.830. 86-04-067 (Order 3-86), § 180-27-105, filed 2/4/86; 83-21-066 (Order 11-83), § 180-27-105, filed 10/17/83.]

WAC 180-27-110 Support level—Federal moneys.

A school district determined to be eligible for moneys made available by acts of congress for school facility construction, including but not limited to Public Law 815 moneys, shall complete the following steps:

(1) Make application for such moneys, which requirement shall be prerequisite for a preliminary or provisional allocation of state matching moneys;

(2) Furnish evidence of the availability of such federal moneys, which requirement shall be a prerequisite for a final allocation of state moneys: *Provided*, That nothing in this section shall restrict a school district from receipt of federal moneys otherwise provided for specific purposes in accordance with the conditions imposed by the federal government incumbent upon the recipient school district; and

(3) Include the number of square feet in school facilities constructed with federal moneys and used for instructional purposes in the district's inventory which will decrease district eligibility for state moneys by an equal number.

[Statutory Authority: RCW 28A.47.830. 83-21-066 (Order 11-83), § 180-27-110, filed 10/17/83.]

WAC 180-27-115 Support level—Additional assistance. State assistance in addition to the amount determined pursuant to WAC 180-27-020 and 180-27-055 may be allowed for the purposes and in accordance with the requirements set forth in this section: *Provided*, That in no case shall the state assistance exceed one hundred percent of the amount calculated for matching purposes. In each of the following exceptions, either at the time the project is approved pursuant to WAC 180-25-040 or at any time prior to receiving secured funding status pursuant to WAC 180-29-107, state board of education approval is required:

(1) Act of condemnation of a building.

A school district required to replace a school facility determined to be hazardous to the safety and health of school children and staff—as evidenced by reports of architects or engineers licensed to practice in the state of Washington, the health agency having jurisdiction, and/or the fire marshal and building official having jurisdiction—shall be eligible for additional assistance if the voters of the school district authorize the issuance of bonds and/or the levying of excess taxes to meet the statutory limits. If the state board of education determines that the voters of the school district have authorized the issuance of bonds to its legal limit, the board shall provide state financial assistance for the remaining cost of the building to a level not exceeding the area cost allowance set forth in WAC 180-27-060.

(2) Loss of building by fire.

A school district which has lost a school facility by fire shall be eligible for additional state assistance consideration if the district first applies toward the project all insurance payments received for the loss of the structure and the voters of the school district authorize the

issuance of bonds and/or the levying of excess taxes to meet the statutory limits. If the state board of education determines that the district is deficient in capital moneys and cannot legally bond for the moneys needed to replace the number of square feet for which it is eligible, the state board of education shall provide state financial assistance for the remaining cost of the project to a level not exceeding the area cost allowance set forth in WAC 180-27-060.

(3) Facilities for handicapped children.

A school district which admits handicapped children from without the district shall be eligible for additional state assistance in construction of school facilities: *Provided*, That (a) handicapped children who spend less than one hundred minutes per school day in a facility designated by the school district board of directors as special purpose space shall not be counted, and (b) the additional allocation shall be ninety percent of the approved square foot cost allowance for out-of-district handicapped students.

(4) Vocational-technical facilities.

A school district which has a vocational-technical institute shall be eligible for additional state assistance in construction of vocational-technical institute facilities: *Provided*, That the additional assistance in excess of the amount allocable under the statutory formula shall be ninety percent of the total approved project cost determined to be eligible for state matching purposes.

(5) Interdistrict cooperative centers.

In the financing of interdistrict cooperative projects as set forth in chapter 180-31 WAC, the state board of education shall allocate at ninety percent of the total approved project cost determined eligible for state matching purposes if the planned school facility meets the following criteria:

(a) Provides educational opportunities, including vocational skills programs, not otherwise provided;

(b) Avoids unnecessary duplication of specialized or unusually expensive educational programs or facilities; or

(c) Improves racial balance within and among participating districts.

(6) School housing emergency.

A school district found by the state board of education to have a school housing emergency requiring an allocation of state moneys in excess of the amount allocable under the statutory formula may be considered for an additional allocation of moneys: *Provided*, That the school district must have authorized the issuance of bonds to its legal capacity to meet the statutory and state board of education fiscal requirements for state assistance in providing school facilities.

The total amount of state moneys allocated shall be ninety percent of the total approved project cost determined eligible for state matching purposes: *Provided further*, That at any time thereafter when the state board of education finds that the financial position of such district has improved, the amount of such additional allocation shall be deducted, under conditions

prescribed by the state board of education from any future state school facility construction funds which might otherwise be provided to such district.

(7) Improved school district organization.

If two or more school districts reorganize into a single school district and the construction of new school facilities results in the elimination of a small high school with a full-time equivalent enrollment in grades 9-12 of less than four hundred students and/or an elementary school with a full-time equivalent enrollment of less than one hundred students, the state board of education shall match the total approved cost of the project at ninety percent.

(8) Racial imbalance.

Any school district that contains a school facility which is racially imbalanced as defined in WAC 180-26-025 or which contains a school facility that would have been racially imbalanced as defined in WAC 180-26-025 but for a transportation program designed to eliminate racial imbalance shall receive ninety percent of the total approved cost of construction if the building project meets one of the following standards:

(a) In the case of a school district which contains a racially imbalanced school facility the district must demonstrate that, as a result of new construction or modernization, the particular school facility will no longer be racially imbalanced, that the combined minority enrollment in the particular school facility will be reduced by more than ten percentage points, and that the above stated results will be obtained as a direct result of increased enrollment of nonminority students in the particular school facility.

(b) In the case of a school district which contains a school facility that would have been racially imbalanced but for a transportation program designed to eliminate racial imbalance, the district must demonstrate that, as a result of new construction or modernization, the district will continue to contain no school plant facility which is racially imbalanced and that the expense of transportation within the district for a stated period of years will be significantly less than without the new construction or modernization. For the purpose of demonstrating eligibility of a particular school plant facility pursuant to this subsection, a district shall demonstrate that a particular school plant facility would have been racially imbalanced but for a transportation program by producing demographic data that demonstrate what the racial balance for its population would have been within the proximity attendance area of the particular school plant facility. For the purpose of demonstrating that the expense of transportation within the district for a stated period of time will be significantly less pursuant to this subsection, a district shall demonstrate savings in to and from transportation costs, as the term "to and from" transportation is defined in WAC 392-141-120, by comparing expenses for such transportation for the school year immediately preceding the school year in which approval by the state board of education pursuant to this subsection with the amount that would have been expended for such transportation for the previous school

year if the new construction or modernization was in place. In the alternative, the district shall demonstrate savings in to and from transportation by comparing such previous year's expenditures with the amount that would have been expended for such transportation if the particular school plant facility was closed. In either case, in order to demonstrate the amount of savings necessary to qualify for additional state assistance pursuant to this subsection, the district must demonstrate savings in to and from transportation for the school year of comparison equal to or exceeding five percent of the additional state assistance resulting from application of this subsection to modernization of such school plant facility or equal to or exceeding two and one-half percent of the additional state assistance resulting from application of this subsection to new construction, including new construction authorized pursuant to the replacement option of WAC 180-33-042.

When an improvement in racial balance within a school district pursuant to this section involves construction or modernization of one or more school facilities, all such school facilities shall be included in the application.

[Statutory Authority: RCW 28A.47.830. 85-24-048 (Order 25-85), § 180-27-115, filed 11/27/85; 83-21-066 (Order 11-83), § 180-27-115, filed 10/17/83.]

WAC 180-27-120 Costs to be financed entirely with school district funds. The cost of the following areas, facilities, and items shall not be eligible for the state matching purposes:

- (1) The cost of area in excess of the space allocations as set forth in WAC 180-27-035;
- (2) Acquisition cost of site;
- (3) Maintenance and operation;
- (4) Alterations, repair, and demolitions, except alterations necessary to connect new construction to an existing building;
- (5) Central administration buildings;
- (6) Stadia/grandstands;
- (7) Costs incidental to advertising for bids, site surveys, soil testing for site purchase, and costs other than those connected directly with the construction of facilities;
- (8) Bus garages, except interdistrict cooperatives;
- (9) Project signs;
- (10) Sales and/or use taxes levied by local governmental agencies other than those sales and/or use taxes levied by the state of Washington; and/or
- (11) All costs in excess of state support level factors established by the state board of education for state participation in financing school construction.

[Statutory Authority: RCW 28A.47.830. 83-21-066 (Order 11-83), § 180-27-120, filed 10/17/83.]

WAC 180-27-125 Unforeseen costs. The state board of education shall not provide additional assistance for unforeseen circumstances related to the construction project after the filing of construction contract(s) with the superintendent of public instruction except those required by change to the state building code as set forth in chapter 19.27 RCW.

[Statutory Authority: RCW 28A.47.830. 83-21-066 (Order 11-83), § 180-27-125, filed 10/17/83.]

WAC 180-27-990 Interim application of priority system during transitional period. (1) It is the intent of the state board of education that one-A and one-B building projects, and certain exemplary special education projects, will be granted a preference to available state assistance in future state fiscal years as provided in this rule and notwithstanding the terms of WAC 180-27-058 (the priority system rule), or any other rule set forth in chapters 180-25 through 180-33 WAC, to the contrary.

(2) The following definitions apply for the purposes of this rule: (a) "One-A building projects" means and includes all building projects for which staff of the superintendent of public instruction determined were eligible for issuance of Form C-6 approval pursuant to WAC 180-29-107 during the period of April 2 through April 10, 1985, and, which have not been granted Form C-8 approval prior to April 15, 1985, pursuant to WAC 180-29-115 (notwithstanding such Form C-6 approval, no Form C-8 approval shall hereafter be granted for such projects pursuant to WAC 180-29-115 until on or after July 1, 1985, in accordance with this rule); and (b) "one-B building projects" means and includes any building project for which a Form C-2 had been issued pursuant to WAC 180-25-040 and 180-29-025 and, in addition, for which a complete and approvable application for Form C-6 approval pursuant to WAC 180-29-107 was delivered to the office of the superintendent of public instruction prior to noon of April 11, 1985, which, but for the unavailability of state assistance, would have been granted Form C-6 approval.

(3) **Fiscal year 1985-86.** As of July, 1985, all eligible building projects shall be prioritized or ranked in accordance with WAC 180-27-058. State assistance deemed available as of that time shall first be allocated for priority one or WAC 180-27-058(1) building projects (inclusive of such one-A and one-B building projects as may qualify as priority one projects). In the event such available state assistance is more than sufficient for such priority one projects, all remaining one-A building projects alone shall then be prioritized or ranked in accordance with the date and time staff of the superintendent of public instruction determined the projects were eligible for issuance of Form C-6 approval pursuant to WAC 180-29-107, and remaining available state assistance shall be allocated for such projects. If available state assistance remains, all remaining one-B building projects alone shall be prioritized or ranked alone in accordance with the date and time application for Form C-6 approval was received by staff of the superintendent of public instruction, and the remaining available state assistance shall be allocated for such projects.

Notwithstanding provisions of the first paragraph of this subsection to the contrary, the Kent School District Kentridge Senior High School special education project addition shall be issued C-6 approval immediately following the issuance of C-6 approval for the Federal

Way School District Wildwood Elementary and Federal Way High School special education project additions: *Provided*, That the conditions for C-6 approval of the Kentridge project addition have been met by the Kent School District prior to June 30, 1985.

If available state assistance still remains for fiscal year 1985-86 allocation purposes, the priority system established pursuant to WAC 180-27-058 shall again be utilized for the purpose of allocating such remaining available state assistance. For the purposes of this subsection, all one-A building projects for which available state assistance has been allocated shall be deemed to have been reissued the requisite Form C-6 approval pursuant to WAC 180-29-107.

(4) **Fiscal year 1986-87.** As of July, 1986, one-A building projects for which state assistance was deemed unavailable for fiscal year 1985-86 purposes shall have first priority in accordance with the date and time ranking established pursuant to subsection (3) of this section for the purposes of the allocation of state assistance then deemed to be available for fiscal year 1986-87 allocation purposes, as well as state assistance deemed available during fiscal year 1987-88, until such time as the state assistance for which such one-A building projects are eligible has been allocated in full: *Provided*, That pilot or exemplary projects approved by the state board of education pursuant to WAC 180-30-400 shall be approved for fiscal year 1986-87 notwithstanding any prioritization of projects pursuant to this subsection if such projects have met the conditions for a Form C-6 approval between July 1, 1985, and June 30, 1986.

In the event available state assistance is more than sufficient for such remaining one-A building projects, all other eligible projects shall then be prioritized or ranked in accordance with WAC 180-27-058 and the remaining available state assistance shall then be allocated for eligible priority one projects. If available state assistance remains, all remaining one-B, building projects alone shall be prioritized or ranked alone in accordance with the date and time application for Form C-6 approval was received by staff of the superintendent of public instruction, and the remaining available state assistance shall be allocated for such projects.

If available state assistance still remains for fiscal year 1986-87 allocation purposes, the priority system established pursuant to WAC 180-27-058 shall again be utilized for the purpose of allocating such remaining available state assistance. For the purposes of this subsection, all one-A building projects for which available state assistance has been allocated shall be deemed to have been reissued the requisite Form C-6 approval pursuant to WAC 180-29-107.

(5) **Fiscal year 1987-88.** As of July, 1987, one-A building projects for which state assistance was deemed unavailable for fiscal year 1986-87 purposes shall have first priority in accordance with the date and time ranking established pursuant to subsection (3) of this section for the purposes of the allocation of state assistance then deemed to be available for fiscal year 1987-88 allocation purposes.

In the event available state assistance is more than sufficient for such remaining one-A building projects, all other eligible projects shall then be prioritized or ranked in accordance with WAC 180-27-058 and the remaining available state assistance shall then be allocated for eligible priority one projects. If available state assistance remains, all remaining one-B building projects alone shall be prioritized or ranked alone in accordance with the date and time ranking established pursuant to subsection (4) of this section, and the remaining available state assistance shall be allocated for such projects.

If available state assistance still remains for fiscal year 1987-88 allocation purposes, the priority system established pursuant to WAC 180-27-058 shall again be utilized for the purpose of allocating such remaining available state assistance. For the purposes of this subsection, all one-A building projects for which available state assistance has been allocated shall be deemed to have been reissued the requisite Form C-6 approval pursuant to WAC 180-29-107.

(6) **Fiscal year 1988-89.** As of July, 1988, all one-B building projects for which state assistance has not been allocated for shall have first priority for purposes of the allocation of state assistance then deemed to be available for fiscal year 1988-89 allocation purposes, as well as state assistance deemed available during any subsequent fiscal year, until such time as the state assistance for which such one-B building projects are eligible has been allocated in full.

[Statutory Authority: RCW 28A.47.830. 85-12-040 (Order 10-85), § 180-27-990, filed 6/5/85.]

- 180-29-107 Bid opening—Superintendent of public instruction approval.
- 180-29-1075 State board of education commitment when district is authorized to open bids.
- 180-29-108 Condition precedent to approval to bid.
- 180-29-110 Bids—Data and document requirements.
- 180-29-115 Authorization for contract award.
- 180-29-120 School district authorized agent.
- 180-29-125 Award of contract(s).
- 180-29-130 Disbursement of moneys—Sequence of payments.
- 180-29-135 Disbursement of moneys—General provisions applicable to payments.
- 180-29-140 Disbursements of moneys by school districts(s)—Superintendent of public instruction filing.
- 180-29-145 Disbursement of moneys by superintendent of public instruction.
- 180-29-150 Changes in contract cost.
- 180-29-155 Final acceptance of project by architect/engineer.
- 180-29-160 Acceptance of project by school district.
- 180-29-165 Documents required for release of retainage by school district.
- 180-29-170 Liens.
- 180-29-200 Forms.

WAC 180-29-005 Authority. This chapter is adopted pursuant to RCW 28A.47.830 relating to authority of the state board of education to prescribe rules and regulations governing the administration, control, terms, conditions, and disbursements of allotments to school districts to assist them in providing school facilities. In accordance with RCW 28A.47.830, the only provision of chapter 28A.47 RCW currently applicable to state assistance for school plant facilities are RCW 28A.47.073, 28A.47.075, 28A.47.080, and 28A.47.801 through 28A.47.809.

[Statutory Authority: RCW 28A.47.830. 83-21-067 (Order 12-83), § 180-29-005, filed 10/17/83.]

WAC 180-29-010 Purpose. The purpose of this chapter is to set forth the procedures governing all applications for state assistance, allocations of state funds, and disbursements by school districts and the superintendent of public instruction for school facility projects approved for state assistance by the state board of education. The superintendent of public instruction shall prescribe and furnish forms for the purposes set forth in this chapter.

[Statutory Authority: RCW 28A.47.830. 83-21-067 (Order 12-83), § 180-29-010, filed 10/17/83.]

WAC 180-29-015 Application—Study and survey by the superintendent of public instruction. To qualify for consideration and eligibility for state assistance by the state board of education, the school district board of directors shall:

- (1) Submit to the superintendent of public instruction an application for each school facility project; and
- (2) Request a study and survey of the district, to be conducted by the superintendent of public instruction with the cooperation of the school district pursuant to requirements in chapter 180-25 WAC. The aforementioned study and survey must be completed, reviewed by the district board of directors, and submitted to the state board of education prior to school district submittal of any capital funding measures to the voters of the district.

**Chapter 180-29 WAC
STATE ASSISTANCE IN PROVIDING SCHOOL
PLANT FACILITIES—PROCEDURAL
REGULATIONS**

WAC

- 180-29-005 Authority.
- 180-29-010 Purpose.
- 180-29-015 Application—Study and survey by the superintendent of public instruction.
- 180-29-020 Study and survey—Local involvement.
- 180-29-021 Deadline for submission of agenda items.
- 180-29-025 State board of education review.
- 180-29-030 State board of education approval.
- 180-29-035 Site—Acceptance requirements.
- 180-29-040 Educational specifications—Review and comment.
- 180-29-045 Notice to proceed with design.
- 180-29-050 Educational specifications contracts.
- 180-29-055 Architect-engineer contracts.
- 180-29-060 Energy conservation report contracts.
- 180-29-065 Value engineering contracts.
- 180-29-075 Contracts—Filing.
- 180-29-080 Construction documents—Bids and contract provisions.
- 180-29-085 Construction and other documents—Submittal.
- 180-29-090 Construction documents—Other governmental agency approval.
- 180-29-095 Construction documents—Compliance with public works statutory provisions.
- 180-29-100 Construction documents—Compliance with state building code.
- 180-29-105 Bids—Advertisement.

[Statutory Authority: RCW 28A.47.830. 83-21-067 (Order 12-83), § 180-29-015, filed 10/17/83.]

WAC 180-29-020 Study and survey—Local involvement. School districts seeking state assistance in school facility construction shall cooperate with the superintendent of public instruction in gathering required information set forth in chapter 180-25 WAC.

[Statutory Authority: RCW 28A.47.830. 83-21-067 (Order 12-83), § 180-29-020, filed 10/17/83.]

WAC 180-29-021 Deadline for submission of agenda items. The superintendent of public instruction shall not place on the agenda of any regular meeting of the state board of education any item requested by a district pertaining to the approval of school facilities, including state board of education action regarding study and surveys, site approval or waiver, planning grants, and any other matters requiring action by the state board of education pertaining to a school facility unless such district has presented to the superintendent of public instruction in satisfactory form all materials required by law or rule or regulation of the state board of education pertaining to such action at least sixty calendar days preceding the date of commencement of the next scheduled meeting of the state board of education: *Provided*, That if any error or omission in such materials is found prior to the thirtieth calendar day preceding the first day of such meeting and is corrected prior to such date, the superintendent of public instruction shall place such item on the agenda of the state board of education.

[Statutory Authority: RCW 28A.47.830. 85-24-050 (Order 27-85), § 180-29-021, filed 11/27/85.]

WAC 180-29-025 State board of education review. Upon completion of the study and survey by the superintendent of public instruction and review by district board of directors, the study and survey shall be submitted to the state board of education, accompanied by recommendations from the superintendent of public instruction and an application for state assistance from the district for the project(s) to be considered by the board. State board of education approval of a proposed project(s) shall establish the maximum area allowance and estimated amount of state financial assistance based upon the information furnished in the study and survey.

[Statutory Authority: RCW 28A.47.830. 83-21-067 (Order 12-83), § 180-29-025, filed 10/17/83.]

WAC 180-29-030 State board of education approval. Upon review of the application and study and survey the state board of education shall approve or deny the application. When approved, the superintendent of public instruction shall transmit required forms to the district to continue the process.

[Statutory Authority: RCW 28A.47.830. 83-21-067 (Order 12-83), § 180-29-030, filed 10/17/83.]

WAC 180-29-035 Site—Acceptance requirements. (1) The district shall provide the superintendent of public instruction with evidence of compliance with applicable site conditions pursuant to chapter 180-26 WAC

and certification from the district board of directors that the site will not create or aggravate racial imbalance.

(2) The superintendent of public instruction shall conduct an on-site review as required by chapter 180-26 WAC.

(3) Acceptance of the site by the superintendent of public instruction shall be a prerequisite to commencing with the design of a school facility project.

[Statutory Authority: RCW 28A.47.830. 83-21-067 (Order 12-83), § 180-29-035, filed 10/17/83.]

WAC 180-29-040 Educational specifications—Review and comment. Prior to the commencement of the design of the proposed school facility, the school district shall cause to be prepared the educational specifications pursuant to chapter 180-26 WAC. One copy of the completed educational specifications approved by the district board of directors shall be transmitted to the superintendent of public instruction for review and comment.

[Statutory Authority: RCW 28A.47.830. 83-21-067 (Order 12-83), § 180-29-040, filed 10/17/83.]

WAC 180-29-045 Notice to proceed with design. After completion of the educational specifications review process as set forth in WAC 180-29-040 and after approval of the site, the superintendent of public instruction shall transmit to the school district a notice to proceed with the design of the school facility.

[Statutory Authority: RCW 28A.47.830. 83-21-067 (Order 12-83), § 180-29-045, filed 10/17/83.]

WAC 180-29-050 Educational specifications contracts. Contracts between the school district and the educational specifications consultant, if any, shall stipulate the amount of fee and the consultant's duties, i.e., scope of work, to be performed as required in chapter 180-26 WAC set forth.

[Statutory Authority: RCW 28A.47.830. 83-21-067 (Order 12-83), § 180-29-050, filed 10/17/83.]

WAC 180-29-055 Architect-engineer contracts. Architects and engineers employed on approved school facility projects involving state school building moneys shall be licensed to practice in the state of Washington. Contract(s) between the school district and the architects and engineers shall stipulate the maximum amount of the fee and the duties, i.e., scope of work, to be performed as required in chapter 180-27 WAC.

[Statutory Authority: RCW 28A.47.830. 83-21-067 (Order 12-83), § 180-29-055, filed 10/17/83.]

WAC 180-29-060 Energy conservation report contracts. Contracts between the school district and the energy conservation consultant, if not included in the architect-engineer contract for professional services, shall stipulate the amount of fee and the consultant's duties, i.e., scope of work, to be performed as required by chapter 180-27 WAC set forth.

[Statutory Authority: RCW 28A.47.830. 83-21-067 (Order 12-83), § 180-29-060, filed 10/17/83.]

WAC 180-29-065 Value engineering contracts. Value engineering consultants employed on approved school facilities projects shall include a value engineering team coordinator/leader qualified by the Society of American Value Engineers to manage and coordinate a value engineering study. Contracts between the school district and the value engineering consultant shall stipulate the amount of the fee and the consultant's duties, i.e., scope of work, to be performed as in chapter 180-27 WAC set forth.

[Statutory Authority: RCW 28A.47.830. 83-21-067 (Order 12-83), § 180-29-065, filed 10/17/83.]

WAC 180-29-075 Contracts--Filing. The school district shall submit to the superintendent of public instruction one copy of the following contracts for projects approved by the state board of education for state assistance:

- (1) Educational specifications (WAC 180-29-050)
- (2) Architect-engineer (WAC 180-29-055)
- (3) Energy conservation report (WAC 180-29-060)
- (4) Value engineering (WAC 180-29-065).

[Statutory Authority: RCW 28A.47.830. 83-21-067 (Order 12-83), § 180-29-075, filed 10/17/83.]

WAC 180-29-080 Construction documents--Bids and contract provisions. The construction documents shall include the following bid and contract provisions:

(1) Separate or combined bids. The school district shall determine if the bids for general, mechanical, or electrical are to be separate or combined.

(2) Combination projects. For those projects which include a combination of both new construction and modernization, bid documents shall provide for separate and distinct bids for each and shall, when combined, be the low bid for the project.

(3) Ineligible items. Items ineligible for state matching shall be bid separate or as an alternate.

(4) Bid law. All items included in the construction documents shall be bid in accordance with RCW 28A-.58.135 and 43.19.1906.

(5) Fire insurance. Provision for fire insurance is mandatory for all school facilities under construction. The insurance shall cover at a minimum the amount of the work in place and materials to be used in the project which is in place and on the site. Evidence shall be submitted to the superintendent of public instruction that insurance is provided for by the contractor or the school district. Only costs for insurance provided for in the construction documents will be matched.

[Statutory Authority: RCW 28A.47.830. 83-21-067 (Order 12-83), § 180-29-080, filed 10/17/83.]

WAC 180-29-085 Construction and other documents--Submittal. (1) For the purpose of determining that the provisions set forth in chapters 180-25 through 180-29 WAC have been complied with prior to the opening of bids of any project to be financed with state moneys, the school district shall submit to the superintendent of public instruction the following:

(a) One microfilm copy of the construction documents;

(b) Cost estimate of construction on a form approved by the superintendent of public instruction, completed and signed by the architect-engineer;

(c) Signed copy or photocopy of letters of approval by other governmental agencies in accordance with WAC 180-29-090;

(d) Area analysis on a form approved by the superintendent of public instruction in accordance with chapter 180-27 WAC;

(e) Complete listing of construction special inspections and/or testing to be performed by independent sources that are included in the project pursuant to WAC 180-27-100;

(f) One copy of the value engineering report signed by the school district board of directors. The report shall include the following:

- (i) A brief description of the original design;
- (ii) A brief description of the value engineering methodology used;
- (iii) The areas analyzed;
- (iv) The design alternatives proposed;
- (v) The cost changes proposed;
- (vi) The alternates accepted; and
- (vii) A brief statement by the school district board of directors explaining why each alternate not accepted was rejected.

(2) If the above documents reflect an increase in square foot size from the application approved by the state board of education as per WAC 180-29-030 which will result in an increase in state support, a new application must be submitted to the state board of education.

[Statutory Authority: RCW 28A.47.830. 83-21-067 (Order 12-83), § 180-29-085, filed 10/17/83.]

WAC 180-29-090 Construction documents--Other governmental agency approval. (1) The construction documents shall be submitted for the approval of the following other governmental agencies:

- (a) Fire marshal or fire chief having jurisdiction;
- (b) Department of labor and industries (electrical);
- (c) Health agency having jurisdiction;
- (d) Department of ecology (when applicable); and
- (e) Building official of the jurisdiction.

Approval shall be in respect to compliance with pertinent rules and regulations established by said agencies.

(2) The school district shall receive written approvals of the construction documents by the agencies and submit proof of such approvals to the superintendent of public instruction in accordance with WAC 180-29-085.

[Statutory Authority: RCW 28A.47.802. 84-21-003 (Order 11-84), § 180-29-090, filed 10/4/84. Statutory Authority: RCW 28A.47.830. 83-21-067 (Order 12-83), § 180-29-090, filed 10/17/83.]

WAC 180-29-095 Construction documents--Compliance with public works statutory provisions. The construction documents shall provide for compliance by the contractor with pertinent statutory provisions relating to public works including the following:

- (1) Chapter 39.08 RCW relating to contractor's bond;
- (2) Chapter 39.12 RCW relating to prevailing wages;
- (3) Chapter 39.25 RCW relating to offshore items;
- (4) Chapter 18.27 RCW relating to contractor registration;
- (5) Chapter 49.28 RCW relating to hours of labor;
- (6) Chapter 49.60 RCW relating to discrimination; and
- (7) Chapter 70.92 RCW relating to the provisions for the aged and physically handicapped.

[Statutory Authority: RCW 28A.47.802. 84-21-003 (Order 11-84), § 180-29-095, filed 10/4/84. Statutory Authority: RCW 28A.47.830. 83-21-067 (Order 12-83), § 180-29-095, filed 10/17/83.]

WAC 180-29-100 Construction documents—Compliance with state building code. The architect/engineer shall certify to the superintendent of public instruction that to the best of his knowledge the construction documents are in compliance with the provisions of the state building code, chapter 19.27 RCW, and any and all other pertinent state and local statutes relating to school building construction.

[Statutory Authority: RCW 28A.47.830. 83-21-067 (Order 12-83), § 180-29-100, filed 10/17/83.]

WAC 180-29-105 Bids—Advertisement. In accordance with RCW 28A.58.135 and 43.19.1906, school districts shall advertise for bids once each week for two consecutive weeks in a trade journal of general circulation and a like number of times in a publication of general circulation throughout the area.

[Statutory Authority: RCW 28A.47.830. 83-21-067 (Order 12-83), § 180-29-105, filed 10/17/83.]

WAC 180-29-107 Bid opening—Superintendent of public instruction approval. (1) A school district shall not open bids until receiving written approval of the superintendent of public instruction. Such approval shall not be granted if more than one year has passed since the project received preliminary funding status pursuant to WAC 180-26-050 or 180-26-055(2).

(2) The superintendent of public instruction shall grant approval if moneys are available for state assistance and the required documents pursuant to WAC 180-29-075, 180-29-080, 180-29-085, 180-29-090, 180-29-095, and 180-29-100 are complete.

(3) If the superintendent of public instruction determines that the required documents are incomplete, the superintendent of public instruction shall hold the project and notify the school district in writing as to the incomplete items.

(4) If moneys are not available for state assistance in construction, the school district shall notify the superintendent of public instruction that they are proceeding with their own moneys with the expectation that they will be reimbursed as per WAC 180-27-057.

[Statutory Authority: RCW 28A.47.830. 85-24-047 (Order 24-85), § 180-29-107, filed 11/27/85; 83-21-067 (Order 12-83), § 180-29-107, filed 10/17/83.]

WAC 180-29-1075 State board of education commitment when district is authorized to open bids. When a

[Title 180 WAC—p 52]

district is granted approval to open bids pursuant to WAC 180-29-107, the state board of education is committed as provided at WAC 180-29-107 as well as to all other state building assistance determinations including but not limited to, for example, additional state assistance, and professional fees, determined pursuant to state building assistance rules and regulations in effect at the time such approval to open bids is granted. This commitment is subject to the district's compliance with time limitation for requesting an authorization for contract award as set forth in WAC 180-29-108.

[Statutory Authority: RCW 28A.47.830. 86-04-065 (Order 1-86), § 180-29-1075, filed 2/4/86.]

WAC 180-29-108 Condition precedent to approval to bid. Any project for which the superintendent of public instruction authorizes a district to open bids pursuant to WAC 180-29-107 shall request an authorization for contract award pursuant to WAC 180-29-110 within ninety calendar days of receipt of approval pursuant to WAC 180-29-107 or shall have its authority to proceed withdrawn. Districts with such projects withdrawn may reapply for a school district project pursuant to WAC 180-25-040.

[Statutory Authority: RCW 28A.47.830. 85-24-047 (Order 24-85), § 180-29-108, filed 11/27/85.]

WAC 180-29-110 Bids—Data and document requirements. School districts shall demonstrate that they have complied with RCW 28A.58.135 and 43.19.1906 and shall not enter into contracts(s) for construction until the following certified copies have been submitted and approved by the superintendent of public instruction:

- (1) Each advertisement for bid;
- (2) Tabulated statement of all bids received;
- (3) Recommendation of the board of directors for award of contract(s) on the basis of bids received, including all accepted alternates;
- (4) Alternate bids;
- (5) Names and addresses of all bidders;
- (6) Certified statement of costs for special inspections and testing;
- (7) Certified statement of amount of local and/or other disburseable funds available specifically for the project, exclusive of state funds, with the source of funds identified, including identity and amount of nonhigh school district funds when applicable.

If the recommended contractor is not the low bidder, the school district shall give reasons pursuant to statutory provisions set forth in RCW 43.19.1911.

[Statutory Authority: RCW 28A.47.830. 83-21-067 (Order 12-83), § 180-29-110, filed 10/17/83.]

WAC 180-29-115 Authorization for contract award. (1) Upon receipt of the items as per WAC 180-29-110, the superintendent of public instruction shall:

- (a) Analyze the bids;
- (b) Determine the amount of state moneys allocable; and
- (c) Make an allocation of state moneys for construction and other items as per chapter 180-27 WAC.

(2) Authorization for contract award and allocation of state moneys shall be contingent upon the following:

- (a) The contract price for the construction has been established by competitive bid(s); and
- (b) The school district has available sufficient local funds pursuant to chapter 180-25 WAC.

[Statutory Authority: RCW 28A.47.830. 83-21-067 (Order 12-83), § 180-29-115, filed 10/17/83.]

WAC 180-29-120 School district authorized agent. The school district shall provide the superintendent of public instruction with the certified signature(s) of district personnel authorized by board resolution for the purposes in this chapter requiring district authorization(s).

[Statutory Authority: RCW 28A.47.830. 83-21-067 (Order 12-83), § 180-29-120, filed 10/17/83.]

WAC 180-29-125 Award of contract(s). Upon receipt of authorization to award contract(s) from the superintendent of public instruction, the board of directors of the school district may proceed with award of contract(s) for construction of the school facility project. Immediately following the awarding of contract(s), the board of directors of the school district shall forward to the superintendent of public instruction one copy of each properly executed contract, one copy of the contractor's cost breakdown, and one copy of the contract(s) payment schedule. Such cost breakdown and payment schedule shall be displayed on a form issued and approved by the superintendent of public instruction in accordance with WAC 180-29-080 (1)(b).

[Statutory Authority: RCW 28A.47.830. 83-21-067 (Order 12-83), § 180-29-125, filed 10/17/83.]

WAC 180-29-130 Disbursement of moneys--Sequence of payments. The order in which funds shall be disbursed for school facility construction shall be as follows:

(1) Prior to payment from state moneys, the school district shall make payments on all claims submitted until such time as the total amount of school district moneys obligated by the district have been expended.

(2) When local moneys have been expended as in subsection (1) of this section, payments from state moneys shall then be made.

[Statutory Authority: RCW 28A.47.830. 83-21-067 (Order 12-83), § 180-29-130, filed 10/17/83.]

WAC 180-29-135 Disbursement of moneys--General provisions applicable to payments. Disbursement of moneys shall be in accordance with the following provisions:

(1) Payments to contractor(s) by school district. Payments to contractors shall be on the basis of work completed. Contractors shall submit to the school district monthly estimates of work completed which shall be supported by the architect/engineer's certificate for payment. No payments shall be made without certification from the architect/engineer that such work has been completed.

(1986 Ed.)

(2) Payments to others. Payments to others as per chapter 180-27 WAC shall be made in accordance with the contract provisions for those services.

(3) Retainage. The provisions of chapter 60.28 RCW relating to public works contracts shall govern retainage on contract payments.

[Statutory Authority: RCW 28A.47.830. 83-21-067 (Order 12-83), § 180-29-135, filed 10/17/83.]

WAC 180-29-140 Disbursements of moneys by school districts(s)--Superintendent of public instruction filing. At such time as the total amount of school district moneys obligated have been expended, a signed statement by an authorized agent of the board of directors comprising a listing of all payments to contractors and others, including retainage, shall be submitted to the superintendent of public instruction.

[Statutory Authority: RCW 28A.47.830. 83-21-067 (Order 12-83), § 180-29-140, filed 10/17/83.]

WAC 180-29-145 Disbursement of moneys by superintendent of public instruction. All school district claims for payment from state moneys shall be submitted to the superintendent of public instruction on invoice vouchers provided by the superintendent of public instruction and shall be signed by the authorized agent of the school district. State warrants issued in payments, unless the school district agent designates a specific payee, shall be drawn payable to the school district. In all cases, warrants shall be transmitted to the school district for disposition.

[Statutory Authority: RCW 28A.47.830. 83-21-067 (Order 12-83), § 180-29-145, filed 10/17/83.]

WAC 180-29-150 Changes in contract cost. The final contract cost shall be determined after inclusion of the net change due to additive and/or deductive change orders. If the final contract cost results in an increase above the original bid amount, the school district shall finance the entire increase. If the final contract cost results in a decrease from the original bid amount, the school district and the state shall share the amount of the decrease based on the matching ratio in effect at the time of contract award. Copies of all change orders when executed and signed by the school district's authorized agent and the project architect/engineer shall be forwarded to the superintendent of public instruction.

[Statutory Authority: RCW 28A.47.830. 83-21-067 (Order 12-83), § 180-29-150, filed 10/17/83.]

WAC 180-29-155 Final acceptance of project by architect/engineer. Upon final completion of the project by contractor(s), the architect/engineer shall inspect the project to determine compliance with the construction documents. The architect/engineer, upon determining that the project has been completed satisfactorily, shall make such recommendation through the issuance of a certificate of completion to the school district board of directors. Separate certificates of completion shall be written for each contract awarded.

[Title 180 WAC—p 53]

[Statutory Authority: RCW 28A.47.830. 83-21-067 (Order 12-83), § 180-29-155, filed 10/17/83.]

WAC 180-29-160 Acceptance of project by school district. Based upon an inspection of the project and the certificate(s) of completion signed by the architect/engineer, the school district board of directors shall accept or reject the project. Until the superintendent of public instruction receives a school district board resolution officially accepting the project, no release of retainage shall be made in accordance with WAC 180-29-165.

[Statutory Authority: RCW 28A.47.830. 83-21-067 (Order 12-83), § 180-29-160, filed 10/17/83.]

WAC 180-29-165 Documents required for release of retainage by school district. Release of retainage on contracts shall be subject to receipt by the superintendent of public instruction of the following documents:

(1) Properly executed state invoice voucher as per the requirements of WAC 180-29-145;

(2) Architect/engineer certificate(s) of completion;

(3) School district board of directors' resolution of final acceptance signed by the authorized agent of the school district;

(4) Certification by the authorized agent of the school district that the district has on file all affidavits of wages paid in compliance with RCW 39.12.040;

(5) After expiration of thirty days following acceptance of the project by the school district, a signed statement by the authorized agent of the school district that no lien(s) is on file with the school district or a certified list of each lien is on file with the school district. A copy of each lien shall be forwarded to the superintendent of public instruction;

(6) Occupancy permit by building official of the jurisdiction.

[Statutory Authority: RCW 28A.47.830. 83-21-067 (Order 12-83), § 180-29-165, filed 10/17/83.]

WAC 180-29-170 Liens. In the event that liens are filed with the school district, the provisions of RCW 60.28.010 through 60.28.060 shall apply. The amount of each lien plus three thousand dollars or twenty-five percent of the claim, whichever is greater, for potential attorney fees, plus ten percent of the lien claim for court costs, shall be withheld from the retainage until any lien has been removed.

[Statutory Authority: RCW 28A.47.830. 83-21-067 (Order 12-83), § 180-29-170, filed 10/17/83.]

WAC 180-29-200 Forms. In addition to forms prescribed in WAC 180-25-200 and 180-26-200, commencing January 1, 1986, forms applicable to the provisions of this chapter for school facility projects after such date shall be as follows:

(1) Applications for secured funding status pursuant to WAC 180-29-107 shall be designated as SPI Form D-7.

(2) Grants of secured funding status pursuant to WAC 180-29-107 shall be given to districts through SPI Form D-8.

[Title 180 WAC—p 54]

(3) Grants of authority for school districts to proceed without secured funding status pursuant to WAC 180-29-107 shall be given to districts through SPI Form D-8-1.

(4) Applications for authority to enter into contracts pursuant to WAC 180-29-110 shall be designated as SPI Form D-9.

(5) Grants of authority to enter into contracts pursuant to WAC 180-29-115 shall be given to districts through SPI Form D-10.

(6) Applications for SPI to release retainage pursuant to WAC 180-29-165 shall be designated as SPI Form D-11.

(7) Grants of release of final retainage pursuant to WAC 180-29-165 shall be given through SPI Form D-12.

[Statutory Authority: RCW 28A.47.830. 85-24-047 (Order 24-85), § 180-29-200, filed 11/27/85.]

Chapter 180-30 WAC

STATE ASSISTANCE IN PROVIDING SCHOOL PLANT FACILITIES--PRE-NOVEMBER 1983 APPLICATIONS

WAC

180-30-003 Applicability of chapter.

STATE ASSISTANCE IN PROVIDING SCHOOL PLANT FACILITIES

180-30-005	Regulatory provisions.
180-30-010	Policies and principles—Basic policy.
180-30-015	Policies and principles—Policies and principles relating to nonhigh school districts contemplating establishment of high schools and to districts operating small high schools.
180-30-030	Eligibility for state assistance—Need for school facilities a basis for eligibility.
180-30-035	Eligibility for state assistance—School district effort to provide capital funds a basis for eligibility.
180-30-040	Eligibility for state assistance—Evidence that new construction will not create or aggravate racial imbalance a basis for eligibility.
180-30-050	General regulations—Licensed architects.
180-30-055	General regulations—Sites—Approval, sizes and fee simple title.
180-30-060	General regulations—Replacement of substandard facilities.
180-30-065	General regulations—Time limit for advancement of projects.
180-30-071	General regulation—Change in project scope.
180-30-075	General regulations—Change orders.
180-30-100	Basic state support level—Related factors.
180-30-105	Basic state support level—State matching percentage.
180-30-110	Basic state support level—Space allocations.
180-30-115	Basic state support level—Square foot cost level of state support.
180-30-116	Basic state support level—Equipment allowance.
180-30-117	Basic state support level—Sales tax.
180-30-120	Basic state support level—Architectural and engineering services.
180-30-125	Basic state support level—Insurance funds.
180-30-130	Basic state support level—Federal funds.
180-30-135	Basic state support level—Costs to be financed entirely with school district local funds.
180-30-200	Additional state assistance—General provisions.
180-30-205	Additional state assistance—Handicapped children and vocational-technical institute students.
180-30-210	Additional state assistance—Loss of building by fire.

- 180-30-215 Additional state assistance--Condemnation of a building.
- 180-30-220 Additional state assistance--Improved school district organization.
- 180-30-225 Additional state assistance--Improved racial balance.
- 180-30-230 Additional state assistance--Other conditions creating an emergency.
- 180-30-250 Additional allotment to meet school housing emergency.
- 180-30-350 Relocatable buildings.
- 180-30-355 Relocatable buildings--Definition.
- 180-30-360 Relocatable buildings--Basic policy.
- 180-30-365 Relocatable buildings--Construction regulations.
- 180-30-370 Relocatable buildings--Regulations governing.
- 180-30-380 Relocatable buildings--Procedural requirements.
- 180-30-400 Pilot or exemplary projects.

ENERGY CONSERVATION PROGRAM

- 180-30-405 Energy conservation program.
- 180-30-406 Energy conservation program--Life cycle cost analysis.
- 180-30-407 Energy conservation program--Energy conservation considerations in existing facilities.
- 180-30-408 Energy conservation program--Procedural requirements.

PRELIMINARY PLANNING GRANTS TO SCHOOL DISTRICTS

- 180-30-410 Preliminary planning grants to school districts.
- 180-30-415 Preliminary planning grants to school districts--Basic policies.
- 180-30-420 Preliminary planning grants to school districts--Application provisions.
- 180-30-425 Preliminary planning grants to school districts--Procedural requirements.
- 180-30-430 Grants to school districts for purchase of works of art.
- 180-30-435 Grants to school districts for purchase of works of art--Basic policies.
- 180-30-440 Grants to school districts for purchase of works of art--Procedural requirements.

NONHIGH SCHOOL DISTRICT PARTICIPATION IN FINANCING COST OF SECONDARY SCHOOL FACILITIES

- 180-30-450 Nonhigh school district participation in financing cost of secondary school facilities--Basic policy.
- 180-30-455 Nonhigh school district participation in financing cost of secondary school facilities--Implementation of policy.

INTERDISTRICT COOPERATION IN FINANCING SCHOOL CONSTRUCTION

- 180-30-460 Interdistrict cooperation in financing construction of school plant facilities--Statutory authority.
- 180-30-465 Interdistrict cooperation in financing construction of school plant facilities--Any cooperative plan subject to state board approval.
- 180-30-470 Interdistrict cooperation in financing construction of school plant facilities--Applicant district defined.
- 180-30-475 Interdistrict cooperation in financing school construction--Application provisions.
- 180-30-480 Interdistrict cooperation in financing construction of school plant facilities--Contract between applicant and participating districts.
- 180-30-485 Interdistrict cooperation in financing construction of school plant facilities--Approval of program or services by superintendent of public instruction.
- 180-30-490 Interdistrict cooperation in financing construction of school plant facilities--Dissolution provisions.
- 180-30-495 Interdistrict cooperation in financing school construction--Project construction approval required--Rules and regulations governing.

WASHINGTON SCHOOL FACILITIES COST STABILIZATION PROGRAM

- 180-30-500 Statutory authority and program goals.
- 180-30-505 Definitions.
- 180-30-510 Procedural guidelines.

- 180-30-515 Exemptions.
- 180-30-520 School facilities cost stabilization program--Procedural requirements.

FEDERAL GRANTS TO SCHOOL DISTRICTS FOR SCHOOL CONSTRUCTION

- 180-30-575 Federal grants to school districts for school construction--Relating to certification by state agency.

PROCEDURAL REGULATIONS GOVERNING ADMINISTRATION OF STATE ASSISTANCE IN PROVIDING SCHOOL PLANT FACILITIES

- 180-30-610 Application requirements and procedural regulations governing.
- 180-30-620 Notice of intent by school district to submit application for state assistance and school housing study prerequisites to filing of application.
- 180-30-625 Acknowledgment of notice of intent to file application and instructions for preparation and filing of application and supporting data.
- 180-30-630 Application for state assistance.
- 180-30-635 Authorization to prepare final plan and specifications (construction documents).
- 180-30-640 Preparation of final plan and specifications (construction documents)--Bid and contract provisions.
- 180-30-645 Final plan and specifications (construction documents) to be submitted for review and approval.
- 180-30-650 Preliminary allotment of state funds.
- 180-30-655 Bid data and document requirements following bid opening.
- 180-30-660 Final allotment of state funds.
- 180-30-710 Disbursement of funds for construction of school plant facilities--Administration of payments from state funds under direction of state superintendent.
- 180-30-715 Disbursement of funds for construction of school plant facilities--Sequence of payments by school district and state.
- 180-30-720 Disbursement of funds for construction of school plant facilities--General provisions applicable to payments by school district and/or state.
- 180-30-725 Disbursement of funds for construction of school plant facilities--Payments from school district local funds--Requirements and procedures.
- 180-30-730 Disbursement of funds for construction of school plant facilities--Payments from state funds--General provisions.
- 180-30-735 Disbursement of funds for construction of school plant facilities--Progress payments from state funds.
- 180-30-740 Disbursement of funds for construction of school plant facilities--Final payments on contracts.
- 180-30-750 Advancement of project pending availability of appropriated funds and priority rank.
- 180-30-755 Authorization for district to proceed at its own financial risk with advancement of project.
- 180-30-760 Approval of final plan and specifications.
- 180-30-765 Bid data and document requirements following bid opening.
- 180-30-770 Authorization to award contract.
- 180-30-775 Disbursement of funds for construction of school plant facilities--Final payments on contracts.
- 180-30-780 Deferred payment of state funds.

PROGRAM FOR BARRIER-FREE FACILITIES PURSUANT TO PROVISIONS OF SECTION 504, PUBLIC LAW 93-112, REHABILITATION ACT OF 1973, AS AMENDED

- 180-30-800 Program for barrier-free facilities.
- 180-30-805 Program for barrier-free facilities--Basic policies.
- 180-30-807 Program for barrier-free facilities--Basic state support level.
- 180-30-810 Program for barrier-free facilities--Application requirements and procedural regulations.
- 180-30-815 Program for barrier-free facilities--Notice of intent to file application for state assistance.
- 180-30-820 Program for barrier-free facilities--Acknowledgment of notice of intent to file application and instructions for preparation and filing of application and supporting data.

- 180-30-825 Program for barrier-free facilities—Application for state assistance.
- 180-30-830 Program for barrier-free facilities—Approval of final plan.
- 180-30-845 Program for barrier-free facilities—Disbursement of funds for modification of facilities for handicapped accessibility.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

- 180-30-070 General regulations—Change in project scope. [Order 4-70, § 180-30-070, filed 3/10/70; Order 7-69, § 180-30-070, filed 10/31/69.] Repealed by Order 5-75, filed 5/27/75.
- 180-30-300 Modernization of school plant facilities. [Order 5-75, § 180-30-300, filed 5/27/75; Order 7-69, § 180-30-300, filed 10/31/69.] Repealed by 81-24-022 (Order 14-81), filed 11/24/81. Statutory Authority: RCW 28A.47.073.
- 180-30-305 Modernization of school plant facilities—Basic policies. [Order 5-75, § 180-30-305, filed 5/27/75; Order 7-69, § 180-30-305, filed 10/31/69.] Repealed by 81-24-022 (Order 14-81), filed 11/24/81. Statutory Authority: RCW 28A.47.073.
- 180-30-310 Modernization of school plant facilities—Minimum projects—Ten percent of replacement cost. [Order 5-75, § 180-30-310, filed 5/27/75; Order 7-69, § 180-30-310, filed 10/31/69.] Repealed by 81-24-022 (Order 14-81), filed 11/24/81. Statutory Authority: RCW 28A.47.073.
- 180-30-315 Modernization of school plant facilities—Maximum costs eligible for state matching purposes—Sixty-five percent of replacement cost. [Order 2-73, § 180-30-315, filed 6/13/73; Order 7-69, § 180-30-315, filed 10/31/69.] Repealed by 81-24-022 (Order 14-81), filed 11/24/81. Statutory Authority: RCW 28A.47.073.
- 180-30-320 Modernization of school plant facilities—Architectural and engineering services. [Order 6-72, § 180-30-320, filed 8/29/72; Order 7-69, § 180-30-320, filed 10/31/69.] Repealed by 81-24-022 (Order 14-81), filed 11/24/81. Statutory Authority: RCW 28A.47.073.
- 180-30-325 Modernization of school plant facilities—Survey of existing facilities a prerequisite. [Order 7-69, § 180-30-325, filed 10/31/69.] Repealed by 81-24-022 (Order 14-81), filed 11/24/81. Statutory Authority: RCW 28A.47.073.
- 180-30-330 Modernization of school plant facilities—Regulations governing. [Order 7-69, § 180-30-330, filed 10/31/69.] Repealed by 81-24-022 (Order 14-81), filed 11/24/81. Statutory Authority: RCW 28A.47.073.
- 180-30-335 Modernization of school plant facilities—Procedural requirements. [Order 7-69, § 180-30-335, filed 10/31/69.] Repealed by 81-24-022 (Order 14-81), filed 11/24/81. Statutory Authority: RCW 28A.47.073.
- 180-30-615 Official forms related to applications for and allocations of state funds—Defined. [Order 4-70, § 180-30-615, filed 3/10/70; Order 7-69, § 180-30-615, filed 10/31/69.] Repealed by Order 5-75, filed 5/27/75.
- 180-30-651 Preliminary provisional allotment of state funds. [Order 5-75, § 180-30-651, filed 5/27/75; Order 4-70, § 180-30-651, filed 3/10/70.] Repealed by 79-11-022 (Order 12-79), filed 10/10/79. Statutory Authority: Chapter 28A.47 RCW.
- 180-30-661 Final provisional allotment of state funds. [Order 5-75, § 180-30-661, filed 5/27/75; Order 4-70, § 180-30-661, filed 3/10/70.] Repealed by 79-11-022 (Order 12-79), filed 10/10/79. Statutory Authority: Chapter 28A.47 RCW.
- 180-30-835 Program for barrier free facilities—Bid data and document requirements following bid opening. [Statutory Authority: RCW 28A.47.802 and 28A.47.803. 80-

02-145 (Order 1-80), § 180-30-835, filed 2/5/80.] Repealed by 80-07-001 (Order 10-80), filed 6/5/80. Statutory Authority: RCW 28A.47.060.

- 180-30-840 Program for barrier free facilities—Final allotment of state funds. [Statutory Authority: RCW 28A.47.802 and 28A.47.803. 80-02-145 (Order 1-80), § 180-30-840, filed 2/5/80.] Repealed by 80-07-001 (Order 10-80), filed 6/5/80. Statutory Authority: RCW 28A.47.060.

WAC 180-30-003 Applicability of chapter. The provisions of chapter 180-30 WAC shall apply to any school district which has filed an application for state assistance prior to November 1, 1983. Thereafter, the provisions of chapters 180-25, 180-26, 180-27, 180-29, 180-31, and 180-32 WAC shall apply.

[Statutory Authority: RCW 28A.47.830. 83-21-069 (Order 14-83), § 180-30-003, filed 10/17/83.]

STATE ASSISTANCE IN PROVIDING SCHOOL PLANT FACILITIES

WAC 180-30-005 Regulatory provisions. The policies, principles, rules and regulations hereinafter set forth, being all of chapter 180-30 WAC relating to state assistance in providing school plant facilities, shall govern the allocation and disbursement of funds appropriated or reappropriated to the state board of education in accordance with statutory provisions as now or hereafter amended.

[Order 5-75, § 180-30-005, filed 5/27/75; Order 2-73, § 180-30-005, filed 6/13/73; Order 7-71, § 180-30-005, filed 10/13/71; Order 7-69, § 180-30-005, filed 10/31/69.]

WAC 180-30-010 Policies and principles—Basic policy. The state board of education recognizes (a) the statutory responsibilities and authority of the board of directors of a school district to determine the type of school building it desires to construct for the children of its district, and (b) the statutory responsibilities and authority of the state board of education to prescribe rules and regulations governing the administration, control, terms, conditions and disbursement of allotments to school districts to assist them in providing school plant facilities.

In prescribing the rules and regulations hereinafter in chapter 180-30 WAC set forth, it shall be the policy of the state board of education to equate insofar as possible the efforts by school districts to provide capital funds, to equalize insofar as possible the educational opportunities for the children of the state and to establish a level of state support consistent with funds available, recognizing that school districts may find it necessary to apply local funds in excess of matching funds to provide facilities commensurate with their respective educational specifications.

[Order 7-69, § 180-30-010, filed 10/31/69.]

WAC 180-30-015 Policies and principles—Policies and principles relating to nonhigh school districts contemplating establishment of high schools and to districts operating small high schools. (1) Response to legislative mandate. The policy of the state board of education with

respect to state assistance in school building construction to nonhigh school districts contemplating establishment of high schools and to school districts operating small high schools is the state board's response to the legislative mandate that such assistance must be considered in light of "the need for improvement of school administrative units and school attendance areas among or within such districts."

(2) **Small high schools--Effectiveness and remoteness.** In administering the program of state assistance to school districts in providing school plant facilities consideration will be given to (a) the effectiveness of the small high school when considered from the point of view of curriculum offerings and per capita expenditures required for operations and for facilities, and (b) the advisability of providing high school services in areas so remote or isolated that students residing therein could not live at home and attend other high schools.

Except in rare instances, it is inadvisable for nonhigh school districts to establish high schools or for existing high schools with limited enrollment to be continued because they are unnecessary from the viewpoint of convenience and the educational opportunities of students—the primary factors to be considered in determining if a new high school is to be established or an existing high school is to be continued.

(3) **Purposes and objectives.** The program of state assistance in providing school plant facilities shall be administered in conformity with the policies and principles hereinbefore set forth and in accordance with the following purposes and objectives:

(a) To encourage the establishment of a single area high school through the unification of two or more existing high school districts wherever physical features, travel time for students and other conditions permit.

(b) To allot state funds to nonhigh school districts for construction of secondary school facilities only upon prior approval by the state board of education pursuant to provisions of RCW 28A.04.120(5) for the establishment of a new secondary program or any new grade in grades nine through twelve.

(c) To allot state funds to high school districts for use in providing school plant facilities only when such allotments will not result in the continuation of small high schools in cases where (i) the students involved or affected can be served without undue inconvenience in a neighboring high school or schools of larger size or (ii) the operating district can be united with another district or districts for the purpose of establishing a high school of more acceptable size. In such cases an allotment may be made only for providing necessary additional elementary school facilities.

(d) To make high school operations possible in areas that are found to be remote or isolated, and likely to remain so, because of physical features, distance from population centers, lack of transportation and other factors related thereto. Eligibility for an allotment of state funds on the basis of remoteness must be determined in the light of (i) the situation, with respect to the items hereinbefore mentioned, which prevails at the time of the application; (ii) the best obtainable information

about possible future changes in the situation aforesaid; and (iii) the number of high school students living in the area who cannot reside at home and attend another high school.

[Order 5-75, § 180-30-015, filed 5/27/75; Order 7-69, § 180-30-015, filed 10/31/69.]

WAC 180-30-030 Eligibility for state assistance--Need for school facilities a basis for eligibility. Allotments of funds to school districts for state assistance in providing school building facilities shall be determined on the basis of the extent to which one, or a combination of more than one, of the following conditions prevail in a school district:

(1) Facilities (a) have been destroyed by fire, flood, earthquake or other calamity; or (b) are definitely known to be hazardous to the safety and health of school children as evidenced by reports of structural engineers licensed to practice in the state of Washington and by representatives of the health agency with jurisdiction and the state fire marshal: *Provided*, That the pupils affected cannot be housed elsewhere without undue inconvenience, overcrowding or the use of unsanitary improvised facilities.

(2) Existing facilities are seriously overcrowded.

(3) Certain facilities necessary for the education, health and well-being of pupils are lacking or extremely inadequate, including but not limited to multipurpose rooms, kitchens, health units, shops and physical education facilities.

(4) There exists a foreseeable excessive future increase in school population which will create or accentuate the conditions described in subsection (2) above.

[Order 7-69, § 180-30-030, filed 10/31/69.]

WAC 180-30-035 Eligibility for state assistance--School district effort to provide capital funds a basis for eligibility. (1) In order to qualify pursuant to statutory requirements that no part of state-appropriated funds shall be allotted to a school district until such district has provided funds for school building construction in an amount equivalent to two and one-half percent of the value of its taxable property, or such lesser amount as may be required by the state board of education, a district must meet one of the following fiscal requirements conformable to the aforesaid two and one-half percent equivalence:

(a) Have bonds authorized for school building construction purposes equivalent to two and one-half percent of the value of its taxable property; OR

(b) Have currently collectible and/or authorized excess tax levies for the building fund equivalent to one and three-fourths percent or more of the value of its taxable property plus such additional excess levies for the building and/or the bond redemption fund as may be required to equal a minimum total of two and one-half percent of the value of its taxable property, said additional excess levies to include currently collectible and/or authorized levies and levies for the four-year period immediately preceding the current year; OR

(c) Have a combination of bonds authorized and currently collectible and/or authorized excess levies for the building fund equivalent to one and three-fourths percent or more of the value of its taxable property plus such additional excess levies for the building and/or the bond redemption fund as may be required to equal a minimum total of two and one-half percent of the value of its taxable property, said additional excess levies to include currently collectible and/or authorized levies and levies for the four-year period immediately preceding the current year.

(2) Allotment of state funds shall be subject to the availability of local funds for financing of the school district's share of the project cost and only such local funds as are derived from excess tax levies, bond issues to be serviced by excess tax levies and investment funds from bonds and levies shall be eligible for state matching purposes. For the purpose of this subsection, availability of local funds shall mean (a) authorized bond issues or excess tax levies as a prerequisite for a provisional reservation and/or preliminary allotment of funds, and (b) certification that the required amount of local funds derived from bond issues is on deposit with the county treasurer as a prerequisite for a final allotment of funds.

[Order 7-71, § 180-30-035, filed 10/13/71; Order 14-70, § 180-30-035, filed 12/10/70; Order 7-69, § 180-30-035, filed 10/31/69.]

WAC 180-30-040 Eligibility for state assistance—Evidence that new construction will not create or aggravate racial imbalance a basis for eligibility. (1) **Definition.** For the purpose of this section racial imbalance shall be deemed to exist when a school has an enrollment of any one minority racial group in excess of forty percent of the total enrollment in that school. A minority racial group is defined as a racial group constituting a lesser part or smaller number identified in relation to the total enrollment of children in the public schools of the state.

(2) **Prerequisite for allotment.** A prerequisite for an allotment of funds to a school district for state assistance in providing school building facilities shall be satisfactory evidence by the superintendent of public instruction that the proposed construction will not create or aggravate racial imbalance within the boundaries of the applicant school district: *Provided*, That this regulation shall not apply to schools serving American Indian communities.

(3) **Study required.** In order to determine the effect of proposed construction upon racial imbalance the superintendent of public instruction shall require study for that purpose as provided in WAC 180-30-620 and 180-30-630.

[Order 7-69, § 180-30-040, filed 10/31/69.]

WAC 180-30-050 General regulations—Licensed architects. Architects employed on school building projects involving state school building funds must be licensed to practice in the state of Washington.

[Order 7-69, § 180-30-050, filed 10/31/69.]

[Title 180 WAC—p 58]

WAC 180-30-055 General regulations—Sites—Approval, sizes and fee simple title. (1) **Site approval requirement.** Evidence of compliance with applicable statutory requirements relating to sites for public buildings and approval of the site by the state board of education shall be prerequisites for state assistance in financing a school building project.

(2) **Site sizes.** Minimum site sizes (a) for elementary schools shall be five acres plus an additional acre for each one hundred pupils of projected maximum enrollment; and (b) for middle schools, junior high schools, senior high schools and four-year high schools shall be ten acres plus an additional acre for each one hundred pupils of projected maximum enrollment: *Provided*, That any deviations below such minimums shall be subject to state board of education approval.

(3) **Fee simple title.** Unless this regulation be waived in a particular case by the state board of education, a school district applying for state assistance in financing school building construction shall file with the state board of education an opinion of the prosecuting attorney having jurisdiction or other legal counsel (a) that fee simple title to the real property is vested in the school district making application, free and clear of all encumbrances including but not limited to all mineral reservations in such property that would in any way interfere with the construction or operation of the proposed school plant facilities; and (b) containing the legal description of such property. The receipt of said opinion shall be a prerequisite to approval of a project for state assistance: *Provided*, That this regulation shall not apply to land secured on lease from the state of Washington.

[Order 7-69, § 180-30-055, filed 10/31/69.]

WAC 180-30-060 General regulations—Replacement of substandard facilities. Applications for state assistance in financing replacement of substandard facilities must be supported by reports concerning the condition of the existing structure and adverse reports relating to the health, safety and welfare of children by (a) a structural engineer licensed to practice in the state of Washington, (b) the health agency having jurisdiction and (c) the state fire marshal.

[Order 7-69, § 180-30-060, filed 10/31/69.]

WAC 180-30-065 General regulations—Time limit for advancement of projects. The board of directors of a school district authorized by the state board of education to prepare final plan and specifications for a school building project and for which the state board has made a provisional reservation of state funds for architectural and engineering services must advertise for bids for construction of the project within twelve months after the issuance date of the authorization document. In the event of failure by the board of directors of a school district to advertise for bids within the time limit herein specified, the authorization herein described shall be declared null and void and the funds reserved thereunder shall revert to the state fund from which the reservation

was made and become available for reservation or allotment toward the financing of some other project or projects as the state board shall determine: *Provided*, That an extension of time may be granted when failure to act within the specified time is due to conditions judged by the state board to be beyond the control of the school district board of directors: *Provided further*, That in the event final plan and specifications for the project have been completed and advancement of the project is precluded by conditions beyond the control of the school district board of directors, said board of directors may request consideration of state assistance in costs of architectural and engineering services incurred through preparation of final plan and specifications as set forth in WAC 180-30-635.

[Order 5-75, § 180-30-065, filed 5/27/75; Order 4-70, § 180-30-065, filed 3/10/70; Order 7-69, § 180-30-065, filed 10/31/69.]

WAC 180-30-071 General regulation—Change in project scope. A project for which the state board of education has granted approval of preliminary plans shall not be increased in excess of the total floor area eligible for state matching purposes except upon approval by the state board.

[Statutory Authority: RCW 28A.47.060. 80-07-001 (Order 10-80), § 180-30-071, filed 6/5/80.]

WAC 180-30-075 General regulations—Change orders. (1) **Cost increases.** Project cost increases resulting from change orders on contracts for the construction of school building facilities approved by the state board of education for state assistance shall be financed entirely by school district local funds.

(2) **Cost decreases.** Project cost decreases resulting from change orders on contracts for the construction of school building facilities approved by the state board of education for state assistance shall be credited to school district and state funds, the amounts respectively to be computed on the same basis as for final allocation of state funds.

(3) **Copies to state board.** Copies of all change orders, whether related to cost increases or decreases, shall be furnished to the state board of education.

(4) **Reservation of funds for change orders.** Since changes often are unavoidable, it is recommended that the school district provide for such contingencies by reserving funds for this purpose.

[Order 5-75, § 180-30-075, filed 5/27/75; Order 7-69, § 180-30-075, filed 10/31/69.]

WAC 180-30-100 Basic state support level—Related factors. The amount of state assistance to a school district in providing school plant facilities shall be determined on the basis of component factors, as hereinafter in WAC 180-30-110 through 180-30-135 set forth, relating to (a) the number of unhouses students, (b) space allocations, (c) square foot cost allowance which may fluctuate according to the construction cost index and

state resources available, (d) allowance for equipment purchases, (e) the amount of insurance, federal or other nontax source local funds applied to a project and (f) certain specified costs which must be financed entirely by the school district. The limitations specified in the aforementioned factors represent the level of state support within funds available and are not to be interpreted as maximum criteria to meet the educational requirements of all school districts, the determination of such criteria being the prerogative of the respective school districts.

[Statutory Authority: RCW 28A.47.060. 80-07-001 (Order 10-80), § 180-30-100, filed 6/5/80; Order 7-69, § 180-30-100, filed 10/31/69.]

WAC 180-30-105 Basic state support level—State matching percentage. (1) The percentage of state assistance to a school district, if otherwise qualified under prevailing statutory provisions and rules and regulations of the state board of education, shall be determined in accordance with the state matching formula as in RCW 28A.47.803 set forth: *Provided*, That in the event the percentage of state assistance to any school district computed as herein provided is less than twenty per cent and such school district otherwise is eligible for state assistance under statutory provisions and state board regulations, the percentage for such district shall be twenty percent of the matchable cost of the project.

(2) Pursuant to provisions of RCW 28A.47.804, the value of the taxable property of the school district and the percentage of state assistance prevailing at the time the voters of the school district authorize the issuance of bonds and/or the levying of excess taxes to meet the statutory and state board of education fiscal requirements for state assistance in providing school facilities shall be the value and the percentage used for the purpose of determining the eligibility of the district for an allotment of state funds and the amount or amounts of such allotments, respectively, for all projects for which the voters authorized the capital funds as aforesaid: *Provided*, That in the event a higher percentage of state assistance prevails on the date that preliminary plan approval or final plan approval for assistance in financing a project is granted by the state board of education, then that higher percentage of state assistance shall govern the project.

[Order 3-75, § 180-30-105, filed 2/4/75; Order 7-71, § 180-30-105, filed 10/13/71; Order 4-70, § 180-30-105, filed 3/10/70; Order 7-69, § 180-30-105, filed 10/31/69.]

WAC 180-30-110 Basic state support level—Space allocations. (1) **Space allowance for state matching purposes.** State assistance in the construction of school plant facilities for grades kindergarten through twelve, vocational-technical institute facilities and facilities for the handicapped based on space allowance for full-time equivalent students for state matching purposes shall be computed in accordance with the following table:

Grade or Facility	Maximum Matchable Area per Full-time Equivalent Student
Grades kindergarten through six	80 square feet
Grades seven and eight	110 square feet
Grades nine through twelve	120 square feet
Vocational-technical institutes	140 square feet
Facilities for the handicapped	140 square feet

Senior or four-year high schools with fewer than 400 students may be given consideration for approval of additional footage, the total area not to exceed 48,000 square feet.

Full-time equivalent student shall mean the same as now or hereafter defined in Title 392 WAC for purposes of determining basic education fund allocations as of the latest October for which enrollment data are available.

(2) **Enrollment projection provisions.** In planning for construction of all facilities for grades kindergarten through twelve, vocational-technical institute facilities and facilities for the handicapped, a school district may estimate capacity needs on the basis of (a) a two or five-year cohort survival or adjusted cohort survival enrollment projection for elementary schools, whichever is the lesser, and (b) a three or five-year cohort survival or adjusted cohort survival enrollment projection for secondary schools and vocational-technical institutes, whichever is the lesser: *Provided*, That such limitations may be waived as shall be determined by the state board of education in its discretion.

(3) **Determination of existing capacity.** In order to determine the net total square foot area eligible for state matching purposes, the capacity of existing facilities shall be computed in accordance with the table set forth in subsection (1) above: *Provided*, That in facilities judged by the state board of education to contain an inordinate footage unusable for instruction purposes, the computation may be adjusted to reflect a reasonable estimate of existing capacity: *Provided further*, That those districts having authorized bond issues and/or excess tax levies for their building funds for specific school construction projects as identified in ballot propositions on or before April 3, 1979, may, when requesting state board of education consideration of state assistance for such projects, determine capacities of existing school plant facilities based on space allowance in accordance with the following table:

Grade or Facility	Maximum Area Per Full-time Equivalent Student
Grades kindergarten through six	90 square feet
Grades seven through twelve	130 square feet
Vocational-technical institutes	150 square feet
Facilities for the handicapped	150 square feet

Additional footage may be allowed for senior or four-year high schools with fewer than 400 students, the total area not to exceed 52,000 square feet.

(4) In the event the amount of state assistance applied for and which may reasonably be anticipated to be applied for pursuant to this chapter exceeds the amount appropriated and made available by the legislature, the state board of education shall adopt one or more schedules which rank(s) school building projects on the basis of urgency of need and determine(s) the order in which applications for state assistance will be considered for the purpose of allocating funds within biennial limitations.

[Statutory Authority: RCW 28A.47.801 through 28A.47.811, 79-06-109 (Order 3-79), § 180-30-110, filed 6/6/79; Order 5-75, § 180-30-110, filed 5/27/75; Order 2-73, § 180-30-110, filed 6/13/73; Order 5-71, § 180-30-110, filed 8/31/71; Order 7-69, § 180-30-110, filed 10/31/69.]

WAC 180-30-115 Basic state support level—Square foot cost level of state support. (1) The square foot cost level of state support shall apply to the costs of construction including sales tax and shall be determined on the basis of (a) average construction costs within the state as measured bimonthly by the Boeckh Building Cost Index of comparable construction; and (b) funds available for state assistance in construction of school facilities.

Except as otherwise provided, the amount of the final allocation of state funds to a school district in the construction of an approved project shall be derived by applying the percentage of state assistance determined in accordance with provisions of WAC 180-30-105 to the total cost of construction and sales tax eligible for state matching funds up to the square foot cost level prevailing on the date of bid opening for said project, plus the cost of architectural and engineering services eligible for state matching purposes as set forth in WAC 180-30-120; any cost in excess thereof shall be financed entirely by the school district: *Provided*, That when the need therefor has been substantiated to the satisfaction of the state board of education, consideration may be given to extraordinary costs of school building construction caused by geographic isolation, peculiar site conditions or other extraordinary conditions.

(2) The square foot cost level shall be adjusted downward to correspond with decreases in construction costs as measured bimonthly by the Boeckh Building Cost Index, such adjusted square foot cost level to be effective at the beginning of the succeeding bimonthly period.

Any increase in the square foot cost level as measured bimonthly by the Boeckh Building Cost Index shall be subject to prior approval by the state board of education: *Provided*, That the state board may at its discretion authorize the superintendent of public instruction to act under its direction.

[Order 5-75, § 180-30-115, filed 5/27/75; Order 2-73, § 180-30-115, filed 6/13/73; Order 7-69, § 180-30-115, filed 10/31/69.]

WAC 180-30-116 Basic state support level—Equipment allowance. (1) An allowance for furniture and equipment purchases shall be added to the total construction cost of a project determined eligible for state matching funds. The equipment allowance for state matching purposes shall be developed by multiplying the

eligible square foot area of a project by the prevailing square foot cost level of state support times two percent for elementary, three percent for middle or junior high, four percent for high schools and five percent for vocational-technical facilities.

(2) The school district shall submit to the superintendent of public instruction certification of equipment purchase in the form and in the manner prescribed within one hundred and eighty days following the final acceptance of the building by the school district board of directors.

(3) Any allotment of funds not required to provide state matching funds for equipment purchases certified for a specific project as set forth above shall revert to the fund from which the allotment was made.

[Statutory Authority: RCW 28A.47.060. 80-07-001 (Order 10-80), § 180-30-116, filed 6/5/80.]

WAC 180-30-117 Basic state support level--Sales tax. The amounts of sales and/or use taxes levied generally throughout the state of Washington by local governmental agencies and state-imposed sales and/or use taxes applicable to the matchable portion of the cost of a construction project shall be eligible for state participation in financing.

[Order 2-73, § 180-30-117, filed 6/13/73; Order 9-70, § 180-30-117, filed 6/9/70.]

WAC 180-30-120 Basic state support level--Architectural and engineering services. In the allocation of state funds for a school building project, the architectural and engineering services eligible for state matching purposes shall not exceed the percentage or percentages in relation to the construction cost or costs as set forth in the following table:

Construction Value	Total Fee % of Construction Cost
Under \$ 100,000	10.0
\$ 100,000	9.0
200,000	8.5
300,000	8.25
400,000	8.0
500,000	8.0
600,000	7.75
700,000	7.75
800,000	7.5
900,000	7.5
1,000,000	7.5
1,500,000	7.25
2,000,000	7.0
3,000,000	6.7
4,000,000	6.3
5,000,000	6.0
Above \$5,000,000	6.0

NOTE: Fees for projects with construction costs between values shown may be established on an interpolation basis as indicated in the example below.

Example

8.25% of \$300,000.00	=	\$24,750.00
8.00% of 50,000.00	=	4,000.00
		\$28,750.00
		\$350,000.00

[Order 6-72, § 180-30-120, filed 8/29/72; Order 7-69, § 180-30-120, filed 10/31/69.]

WAC 180-30-125 Basic state support level--Insurance funds. Funds received by a school district from insurance on a building or buildings destroyed by fire or any other hazard shall not be considered local effort funds in the determination of the amount of state assistance in the construction of new school plant facilities, and, further, such insurance funds identified as payments for building loss shall be applied toward new construction in instances where the project is financed in part with state funds.

[Order 7-69, § 180-30-125, filed 10/31/69.]

WAC 180-30-130 Basic state support level--Federal funds. A school district determined to be eligible for federal funds made available by acts of congress for school building construction, including but not limited to P.L. 815 funds, shall be required (1) to make application for such funds, which requirement shall be a prerequisite for a preliminary or provisional allocation of state funds, and (2) furnish evidence of the availability of such federal funds, which requirement shall be a prerequisite for a final allocation of state funds: *Provided*, That nothing in this regulation shall restrict a school district from receipt of federal monies otherwise provided for specific purposes in accordance with the conditions imposed by the federal government incumbent upon the recipient school district.

[Order 4-70, § 180-30-130, filed 3/10/70; Order 7-69, § 180-30-130, filed 10/31/69.]

WAC 180-30-135 Basic state support level--Costs to be financed entirely with school district local funds. The cost of the following areas, facilities and items shall be paid from school district local funds in excess of local funds applied toward construction costs in accordance with the matching formula specified by law:

- (1) **Area.** The cost of area in excess of the space allocations as in WAC 180-30-110 set forth which shall be computed on the basis of such additional square footage multiplied by the square foot cost of the building eligible for state matching.
- (2) **Site.** Acquisition cost of site.
- (3) **Site development.**
 - (a) Sodding, seeding and/or planting of athletic fields.
 - (b) Shrubs, trees, sprinkler systems and landscaping.
- (4) **Alterations, repair and demolition.** (Except alterations necessary to connect new construction to an existing building.)
- (5) **Facilities.**
 - (a) Administration buildings.
 - (b) Auditoria.
 - (c) Bus garages.

(d) Stadia, grandstands, bleachers, etc.

(6) **Fireplaces.**

(7) **Other costs.**

(a) Costs incidental to advertising for bids, site surveys and costs other than those connected directly with the construction of the building.

(b) Project sign.

(c) Sales and/or use taxes levied by local governmental agencies other than those sales and/or use taxes levied generally throughout the state of Washington.

(d) All costs in excess of state support level factors established by the state board of education for state participation in financing as in WAC 180-30-100 through 180-30-135 set forth.

[Order 5-75, § 180-30-135, filed 5/27/75; Order 2-73, § 180-30-135, filed 6/13/73; Order 9-70, § 180-30-135, filed 6/9/70; Order 7-69, § 180-30-135, filed 10/31/69.]

WAC 180-30-200 Additional state assistance--General provisions. State assistance in addition to the amount determined allocable under basic state support level provisions as in WAC 180-30-100 through 180-30-135 set forth may be allowed for the purposes and in accordance with the requirements hereinafter in WAC 180-30-200 through 180-30-230 set forth: *Provided*, That the state board of education finds that such additional assistance is necessary to meet the prescribed emergency condition, or conditions, or need, and the school district otherwise is determined eligible for state assistance under prevailing statutory provisions and state board of education rules and regulations.

[Order 5-75, § 180-30-200, filed 5/27/75; Order 7-71, § 180-30-200, filed 10/13/71; Order 7-69, § 180-30-200, filed 10/31/69.]

WAC 180-30-205 Additional state assistance--Handicapped children and vocational-technical institute students. A school district which has a special school housing burden imposed by virtue of the admission of handicapped children and/or vocational-technical institute students shall be eligible for additional state assistance in construction of facilities for such educational programs in accordance with the provisions hereinafter set forth.

(1) A school district which furnishes substantial evidence of need for housing for handicapped children and/or vocational-technical institute students may be considered for an allotment of state funds in excess of the amount allocable under the statutory formula, the total amount to equal ninety percent of the total project cost determined eligible for state matching purposes.

[Order 11-76, § 180-30-205, filed 12/9/76; Order 5-75, § 180-30-205, filed 5/27/75; Order 7-69, § 180-30-205, filed 10/31/69.]

WAC 180-30-210 Additional state assistance--Loss of building by fire. A school district which has lost a school plant facility by fire shall be eligible for additional state assistance consideration if the district first applies toward the replacement project (1) all insurance payments for the loss of structure, and (2) school district local funds provided for school construction purposes

through the authorization of bonds and/or excess tax levies for the building fund equivalent to three and one-fourth percent of the value of its taxable property, such funds to include its remaining bonding capacity to two and one-half percent of the value of its taxable property. If the state board of education determines that the balance of funds necessary in excess of state matching funds on the basis of the statutory formula would result in an excessive additional local effort, additional state assistance may be allowed to the extent necessary to provide a functional school plant.

[Order 7-71, § 180-30-210, filed 10/13/71; Order 7-69, § 180-30-210, filed 10/31/69.]

WAC 180-30-215 Additional state assistance--Condemnation of a building. A school district required to replace a school plant facility determined to be hazardous to the safety and health of school children as evidenced by reports of structural engineers licensed to practice in the state of Washington, the health agency having jurisdiction and the state fire marshal shall be eligible for additional state assistance consideration if the district first applies toward the replacement project school district local funds provided for school construction purposes through the authorization of bonds and/or excess tax levies for the building fund equivalent to three and one-half percent of the value of its taxable property, such funds to include its remaining bonding capacity to two and one-half percent of the value of its taxable property. If the state board of education determines that the balance of funds necessary in excess of state matching funds on the basis of the statutory formula would result in an excessive additional local effort, additional state assistance may be allowed to the extent necessary to provide a functional school plant.

[Order 7-71, § 180-30-215, filed 10/13/71; Order 7-69, § 180-30-215, filed 10/31/69.]

WAC 180-30-220 Additional state assistance--Improved school district organization. Additional state assistance in school building construction to provide for improvement in school district organization may be allowed when it is found by the state board of education that through the formation of larger units of administration and areas of attendance there is need for such additional state assistance to achieve improvement and equalization of educational opportunities of pupils, economies in the administration and operation of schools and equalization among school districts of the tax burden for general fund and capital purposes through a reduction in disparities in per-pupil valuation.

Eligibility for and the amount of such additional state assistance shall be determined in accordance with the provisions hereinafter set forth.

(1) **Acceptable administrative unit a prerequisite for additional state assistance consideration.** Determination by the state board of education that a plan for the formation of a new school district constitutes an acceptable administrative unit shall be a prerequisite for additional state assistance consideration. For the purpose of this

section, an acceptable administrative unit shall be defined as a single school district comprising grades kindergarten through twelve offering an educational program recognized by the division of curriculum and instruction of the office of superintendent of public instruction as a comprehensive program.

(2) **Resolution of intent to form a new school district and evidence of need for additional state assistance to provide facilities.** When the boards of directors of two or more school districts, at least one of which shall be a high school district, contemplate the formation of a new school district in accordance with the provisions of chapter 28A.57 RCW and subsequent to such formation to make application for additional state assistance under the provisions of this section, the respective boards of directors shall file with the state board of education a joint resolution of intent which shall set forth the proposed organizational pattern and evidence of the need for additional state assistance, including but not limited to the following:

- (a) Map of the proposed new school district.
- (b) Current and projected enrollment for a five-year period.
- (c) Number of secondary school students, grades seven through twelve, in each component district of the proposed new district.
- (d) Reasons why existing buildings cannot satisfactorily house the projected enrollment of the proposed new district.
- (e) Financial status of the proposed new district.
- (f) Number of school buses currently in operation by the component districts and number required subsequent to formation of the new district.
- (g) Analysis of the improvement in educational opportunities through the formation of the proposed new district.
- (h) Statement of impetus new facilities would provide in effecting the formation of the proposed new district.
- (i) Complete description of the site for proposed new facility or modernization, including but not limited to its location with respect to pupils to be served, size and adequacy.
- (j) Such additional data as the boards of directors deem pertinent to a thorough analysis of the proposal.

(3) **Approval of proposed administrative unit and need for additional state assistance.** When in the judgment of the state board of education a proposal for the formation of a new school district will provide an acceptable administrative unit as defined in subsection (1) above and the state board has determined that additional state assistance is necessary to achieve the objectives in this section set forth, the state board shall notify the boards of directors of the component districts (a) of its approval of the proposed school district organizational pattern, and (b) that upon approval by the voters of the proposal for formation of the new school district, an application by the board of directors of the newly formed school district for state assistance in construction or modernization of school facilities and additional state assistance for improvement in school district organization will receive favorable consideration, the amount of such state

assistance to be determined in accordance with provisions of subsections (4) through (7) hereinafter set forth.

(4) **Regulations governing.** In addition to the regulations herein prescribed, the regulations governing the basic state assistance program shall be applied to an application for additional state assistance for improvement of school district organization except as hereinafter in subsections (5) and (6) provided.

(5) **Eligibility on basis of number of unboxed pupils.** For the purpose of this section, the pertinent requirements of WAC 180-30-030 and 180-30-110(3) relating to eligibility on the basis of number of unboxed pupils, as determined by the state board of education, shall not be applied: *Provided*, That the component school districts furnish evidence of utilization and/or disposition of facilities to be vacated as the result of construction or modernization of facilities satisfactory to the state board of education.

(6) **School district effort to provide capital funds.** For the purpose of this section, the bonded and/or excess tax levy requirements as set forth in WAC 180-30-035 may be reduced or waived as determined by the state board of education to constitute a reasonable local effort to achieve improvement in school district organization: *Provided*, That the newly formed school district shall be required to apply local funds toward the financing of the total project cost eligible for state matching purposes an amount currently collectible of not less than one-fourth of one percent of the value of its taxable property and, in addition thereto, provide the total cost of site acquisition, site improvement and equipment.

(7) **Determination of amount of additional state assistance.** When in the judgment of the state board of education an improvement in school district organization will be achieved and additional state assistance in financing school construction or modernization is necessary to provide for such improvement, additional state assistance may be allowed in an amount to be determined by the state board: *Provided*, That the total amount allotted shall not exceed ninety percent of the total project cost determined eligible for state matching purposes.

[Order 7-71, § 180-30-220, filed 10/13/71; Order 7-69, § 180-30-220, filed 10/31/69.]

WAC 180-30-225 Additional state assistance--Improved racial balance. A school district which furnishes substantiating evidence of need for additional state assistance to provide for improvement in racial balance within a school or within the boundaries of the school district shall be eligible for such additional state assistance consideration in accordance with the following provisions:

(1) **Definition of racial imbalance.** For the purpose of this section, racial imbalance shall be defined as in WAC 180-30-040 set forth.

(2) **Evidence that proposed project will improve racial balance.** Data submitted in compliance with the racial balance study required of all school districts in support of applications for state assistance in construction of school facilities as in WAC 180-30-630 set forth must

substantiate that the proposed construction or modernization will improve racial balance in one or more schools.

(3) **School district to determine means to achieve improvement in racial balance.** Consistent with state board of education policy that it is the responsibility and authority of the board of directors of a school district to determine the type of school building it desires to construct for the children of its district and recognizing that the varying degrees of minority race imbalance throughout the state may require varying procedures to alleviate such imbalance, it shall be the responsibility of school district boards of directors respectively to determine means to achieve improvement in racial balance.

(4) **Program description required.** Insofar as is practicable, the school district shall submit a description of its program for achieving racial balance, including but not limited to the following:

- (a) Statement of the philosophy of the school district as it relates to racial imbalance.
- (b) Objectives of the program.
- (c) Program improvements to be employed.
- (d) Limitations of existing facility or facilities which preclude implementation of the contemplated program.
- (e) Proposed use of any vacated space which may result if enrollment in a building is to be reduced.
- (f) Estimate of time period for full implementation of program.

(5) **When two or more schools involved.** When an improvement in the racial balance within a school district involves construction or modernization of two or more schools, all such units must be included in the program improvement application.

(6) **Regulations governing.** In addition to the regulations herein prescribed, the regulations governing the basic state assistance program shall be applied to an application for additional state assistance for improving racial balance insofar as practicable and commensurate with the availability of funds: *Provided*, That the waiver of any such requirements or regulations shall be subject to approval by the state board of education.

(7) **Determination of amount of additional state assistance.** When in the judgment of the state board of education an improvement in racial balance will be achieved and additional state assistance in financing school construction or modernization is necessary to provide for such improvement, additional state assistance may be allowed in an amount to be determined by the state board: *Provided*, That the total amount allotted shall not exceed ninety percent of the total project cost determined eligible for state matching purposes.

[Order 7-69, § 180-30-225, filed 10/31/69.]

WAC 180-30-230 Additional state assistance-- Other conditions creating an emergency. A school district which furnishes evidence of conditions similar to one or more of those defined in WAC 180-30-205 through 180-30-225 creating a like emergency or need shall be eligible for additional state assistance consideration:

[Title 180 WAC--p 64]

Provided, That it is found by the state board of education that an emergency or need exists and that additional state assistance is necessary to meet said emergency or need. In such cases, the state board of education shall determine the extent to which the school district shall provide local funds in excess of the amount required in accordance with the statutory formula: *Provided*, That the local fund requirement shall be not less than the amount prescribed for eligibility for additional state assistance under conditions determined to be a like emergency or need.

[Order 7-69, § 180-30-230, filed 10/31/69.]

WAC 180-30-250 Additional allotment to meet school housing emergency. (1) **General provisions.** A school district which is eligible for an allotment of funds for school building construction under prevailing statutory provisions and rules and regulations of the state board of education and is found by the state board to have a school housing emergency requiring an allotment of state funds in excess of the amount allocable under the statutory formula may be considered for an additional allotment of funds: *Provided*, That the total amount allotted shall not exceed ninety percent of the total project cost determined eligible for state matching purposes: *Provided further*, That such additional allotment of funds shall be subject to the following provision:

At any time thereafter when the state board of education finds that the financial position of such school district has improved through an increase in its taxable valuation (value of its taxable property) or through retirement of bonded indebtedness or through a reduction in school housing requirement, or for any combination of these reasons, the amount of such additional allotment, or any part of such amount as the state board of education determines, shall be deducted, under terms and conditions prescribed by the board, from any state school building construction funds which might otherwise be provided to such district.

(2) **Definition of school housing emergency.** For the purpose of this section, a school housing emergency shall be deemed to exist when a school district eligible for state assistance cannot provide the necessary school housing for the children of its district after first applying to the cost of the needed construction the funds from sources as follows:

State funds and local funds computed in accordance with the statutory formula plus any other funds required in addition to the basic state support level.

(3) **Regulations governing.** In addition to the regulations herein prescribed, the regulations governing the basic state assistance program shall be applied to an application for additional state assistance to meet a school housing emergency.

(a) A school district must have authorized indebtedness, exclusive of bond redemption levies, equivalent to three and one-half percent or more of the value of its taxable property, and must provide a sum equivalent to two and one-half percent of its assessed valuation to matchable program costs plus any uncommitted moneys in its building fund; or

(b) A school district must have authorized indebtedness to the statutory limit of five percent and place all uncommitted moneys in its building fund toward matchable costs of the proposed emergency program; and

(c) A school district must have experienced an enrollment growth of at least twenty percent during a consecutive three-year period which shall include the latest October 1 for which enrollment data are available.

(4) **Application for additional allotment of funds.** Applications for additional allotments of funds to meet school housing emergencies shall be judged on the basis of (a) past and projected enrollment increases, (b) capacity of existing facilities and (c) past and current effort by the school district to provide capital funds and the disposition thereof.

(5) **Determination of amount of additional allotment.** The amount of an additional allotment of funds to a school district judged by the state board of education to have a school housing emergency shall be determined by the state board on the basis of the need for school housing, the financial resources available to the school district through the authorization of bonds and/or excess tax levies and the total funds available to the state board of education for the biennial period to meet state-wide needs for state assistance in providing school facilities.

[Statutory Authority: RCW 28A.47.801 through 28A.47.811. 79-06-109 (Order 3-79), § 180-30-250, filed 6/6/79; Order 5-75, § 180-30-250, filed 5/27/75; Order 7-71, § 180-30-250, filed 10/13/71; Order 7-69, § 180-30-250, filed 10/31/69.]

WAC 180-30-350 Relocatable buildings. The state board of education hereby establishes policies, rules and regulations governing state assistance in providing relocatable school buildings.

[Order 5-75, § 180-30-350, filed 5/27/75; Order 7-69, § 180-30-350, filed 10/31/69.]

WAC 180-30-355 Relocatable buildings--Definition. For the purpose of providing state assistance in the cost of relocatable buildings, the following definitions shall apply.

(1) **Relocatable buildings.** A relocatable building shall mean one or more classroom units of permanent-type construction other than a mobile home which:

- (a) May reflect modular construction techniques,
- (b) May incorporate core facilities,
- (c) Shall be demountable and relocatable to different locations as needs arise,
- (d) May be readily trailerable or self-propelled.

[Order 5-75, § 180-30-355, filed 5/27/75; Order 7-69, § 180-30-355, filed 10/31/69.]

WAC 180-30-360 Relocatable buildings--Basic policy. State participation in financing relocatable buildings shall be limited to projects justified in terms of specific needs of the school district and deemed by the state board of education to be the best solution to the housing needs of the school district.

[Order 7-69, § 180-30-360, filed 10/31/69.]

WAC 180-30-365 Relocatable buildings--Construction regulations. (1) **Building code requirements.** The construction of relocatable buildings shall be in conformity with the provisions of RCW 43.22.450 through 43.22.490 (factory built housing).

(2) **Provisions for the aged and physically handicapped.** The construction of relocatable buildings shall be in compliance with the requirements for aged and physically handicapped persons in accordance with provisions of chapter 70.92 RCW.

[Order 5-75, § 180-30-365, filed 5/27/75; Order 7-71, § 180-30-365, filed 10/13/71; Order 7-69, § 180-30-365, filed 10/31/69.]

WAC 180-30-370 Relocatable buildings--Regulations governing. In addition to the regulations hereinbefore in WAC 180-30-355 through 180-30-365 prescribed, all regulations governing the basic state assistance program prescribed in chapter 180-30 WAC shall govern administration of state participation in financing relocatable buildings: *Provided*, That compliance with those regulations not pertinent to relocatable construction as determined by the superintendent of public instruction shall not be required.

[Order 7-69, § 180-30-370, filed 10/31/69.]

WAC 180-30-380 Relocatable buildings--Procedural requirements. The superintendent of public instruction shall determine procedures and forms for the administration of state participation in financing relocatable buildings, such procedures and forms to be in addition to or in lieu of procedural requirements prescribed in chapter 180-30 WAC.

[Order 7-69, § 180-30-380, filed 10/31/69.]

WAC 180-30-400 Pilot or exemplary projects. Whenever in the judgment of the state board of education a pilot or exemplary project may develop evidence that economies in school building construction may be effected without impairing the usefulness and adequacy of school buildings and it is determined that one or more of the rules and regulations prescribed in chapter 180-30 WAC create a procedural deterrent to state participation in financing such pilot or exemplary project, the deterrent rules and regulations may be waived for the specific pilot or exemplary project: *Provided*, That the following conditions are satisfied prior to proceeding with action not consistent with existing rules and regulations:

(1) The objectives of and the plan for carrying forward the project are defined clearly and in the judgment of the state board consistent with the intent of this section.

(2) The rules for which waiver is requested are identified adequately and waiver approved by the state board.

(3) Requirements in lieu of rules waived and in addition thereto as the state board may deem necessary to assure the successful completion of the project are defined and approved by the state board.

[Order 7-69, § 180-30-400, filed 10/31/69.]

ENERGY CONSERVATION PROGRAM

WAC 180-30-405 Energy conservation program. In recognition of the need for a continuing energy management and conservation program, the state board of education hereby establishes policies, rules and regulations with respect to implementation of an energy conservation program for proposed school building projects.

[Order 9-75, § 180-30-405, filed 9/9/75.]

WAC 180-30-406 Energy conservation program--Life cycle cost analysis. (1) The school district shall cause to be prepared a life cycle cost analysis for new buildings, and for additions to and modernization of existing buildings to be planned and constructed, said life cycle cost analysis to be in compliance with provisions of chapter 39.35 RCW, and such other requirements and guidelines as may now or hereafter be adopted.

(2) Notwithstanding the provisions of WAC 180-30-110 and 180-30-320, consideration may be granted for state assistance in costs incurred through preparation of the aforementioned life cycle cost analysis as provided in guidelines for energy conservation program.

[Order 1-76, § 180-30-406, filed 2/3/76; Order 9-75, § 180-30-406, filed 9/9/75.]

WAC 180-30-407 Energy conservation program--Energy conservation considerations in existing facilities. Pursuant to guidelines relating to the energy conservation program, state assistance in addition to the amount allocable under the basic state support level provisions in WAC 180-30-300 through 180-30-320 set forth may be allowed for costs incurred through energy conservation considerations in a modernization project.

[Order 9-75, § 180-30-407, filed 9/9/75.]

WAC 180-30-408 Energy conservation program--Procedural requirements. The superintendent of public instruction shall

(1) Establish guidelines to assure that energy conservation practices shall be employed in design of all school building projects to effect an optimum reduction of energy usage in school plant facilities; and (2) determine procedures and forms for state participation in the energy conservation program.

[Order 9-75, § 180-30-408, filed 9/9/75.]

PRELIMINARY PLANNING GRANTS TO SCHOOL DISTRICTS

WAC 180-30-410 Preliminary planning grants to school districts. The state board of education hereby establishes policies, rules and regulations governing state assistance in providing preliminary planning grants to school districts.

[Order 5-75, § 180-30-410, filed 5/27/75; Order 6-73, § 180-30-410, filed 10/3/73.]

[Title 180 WAC—p 66]

WAC 180-30-415 Preliminary planning grants to school districts--Basic policies. State participation in financing costs of preliminary planning shall be limited to (1) school districts which evince a need for preliminary planning grants for the purpose of improving the usefulness or adequacy of their school plant facilities to meet the educational needs of their communities, and (2) the availability of state funds appropriated specifically for such purpose.

[Order 6-73, § 180-30-415, filed 10/3/73.]

WAC 180-30-420 Preliminary planning grants to school districts--Application provisions. The applicant school district shall submit a written application which shall include the proposed budget for carrying out its planning process.

[Order 6-73, § 180-30-420, filed 10/3/73.]

WAC 180-30-425 Preliminary planning grants to school districts--Procedural requirements. The superintendent of public instruction shall determine procedures and forms for the administration of state participation in financing the costs incurred in preliminary planning, such procedures and forms to be in addition to or in lieu of procedural requirements prescribed in chapter 180-30 WAC.

[Order 6-73, § 180-30-425, filed 10/3/73.]

WAC 180-30-430 Grants to school districts for purchase of works of art. The state board of education hereby establishes policies, rules and regulations governing grants of state funds for purchase of works of art.

[Order 5-75, § 180-30-430, filed 5/27/75.]

WAC 180-30-435 Grants to school districts for purchase of works of art--Basic policies. The state board of education shall allocate one-half of one percent of any moneys allotted for state assistance to school districts for original construction of any school facility for the acquisition of works of art which may be (1) an integral part of the structure, (2) attached to the structure, (3) detached within or outside of the structure, or (4) can be exhibited in other public facilities by the school district. In the event the grant shall not be required in toto or in part for any project, such unrequired amounts may be accumulated and expended for art in other projects of the school district.

[Order 5-75, § 180-30-435, filed 5/27/75.]

WAC 180-30-440 Grants to school districts for purchase of works of art--Procedural requirements. The superintendent of public instruction shall determine procedures and forms for the administration of state participation in financing the costs of works of art, such procedures and forms to be in addition to or in lieu of procedural requirements prescribed in chapter 180-30 WAC.

[Order 5-75, § 180-30-440, filed 5/27/75.]

NONHIGH SCHOOL DISTRICT PARTICIPATION IN FINANCING COST OF SECONDARY SCHOOL FACILITIES

WAC 180-30-450 Nonhigh school district participation in financing cost of secondary school facilities--Basic policy. The state board of education construes the intent and purpose of chapter 28A.56 RCW to be that nonhigh school districts which choose to retain their identity as school administrative units shall be placed in the same position with respect to responsibility for providing secondary facilities as are former nonhigh school districts that elected to become a part of a high school district. It shall be the policy of the state board of education therefore to approve a proposed plan for participative financing prepared in accordance with provisions of chapter 28A.56 RCW when it provides for equitable contributions by the nonhigh school districts and by the high school district.

[Order 5-75, § 180-30-450, filed 5/27/75; Order 7-69, § 180-30-450, filed 10/31/69.]

WAC 180-30-455 Nonhigh school district participation in financing cost of secondary school facilities--Implementation of policy. Practice which implements the foregoing policy shall be followed on every occasion when additional secondary school facilities are required to serve an area comprising a high school district and its tributary nonhigh school districts, regardless of the number of different projects involved or the lapse of time between the financing of different projects.

[Order 7-69, § 180-30-455, filed 10/31/69.]

INTERDISTRICT COOPERATION IN FINANCING SCHOOL CONSTRUCTION

WAC 180-30-460 Interdistrict cooperation in financing construction of school plant facilities--Statutory authority. Pursuant to authority under RCW 28A.58-.075, approval of a cooperative financing plan for the construction or modernization of school plant facilities by two or more school districts shall be subject to compliance with the rules and regulations hereinafter in WAC 180-30-465 through 180-30-495 set forth.

[Order 7-71, § 180-30-460, filed 10/13/71; Order 7-69, § 180-30-460, filed 10/31/69.]

WAC 180-30-465 Interdistrict cooperation in financing construction of school plant facilities--Any cooperative plan subject to state board approval. Any interdistrict financial plan for construction or modernization of school facilities irrespective of whether state funds are involved in the financing of the proposed project must be approved by the state board of education prior to carrying into effect the provisions of such plan.

[Order 7-69, § 180-30-465, filed 10/31/69.]

WAC 180-30-470 Interdistrict cooperation in financing construction of school plant facilities--Applicant

district defined. The board of directors of the school district in which the proposed new facility is to be located or in which the facility proposed for modernization is located shall be the applicant district and it shall be the responsibility of said board of directors to submit the application for financial plan approval.

[Order 7-69, § 180-30-470, filed 10/31/69.]

WAC 180-30-475 Interdistrict cooperation in financing school construction--Application provisions. The applicant school district shall submit a written application which shall include but not be limited to the following documents and data:

(1) Resolution. A joint resolution by the boards of directors of all participating school districts shall (a) confer contractual authority and subsequent ownership on the board of directors in whose jurisdiction the facility is to be located, or in event of modernization in whose jurisdiction the facility is located, and (b) designate such board of directors as the legal applicant. Evidence shall be submitted that the said resolution has been incorporated in the official record of the board of directors of each participating school district.

(2) Contract between applicant and participating districts. Copy of contract or contracts between applicant district and participating school districts prepared in accordance with provisions hereinafter in WAC 180-30-480 set forth.

(3) Educational program or services. Statement defining the educational program or services to be offered in the proposed new or modernized facility.

(4) Number of pupils to be housed. Number and grade level or levels by district of all pupils to be housed in the proposed new or modernized facility.

(5) Project description. Description of proposed project including size in terms of square feet and the estimated cost of construction including architect's services, sales tax, site and site development.

(6) Financial plan. Proposed financial plan to fund construction and joint operation of proposed new or modernized facility.

(7) Certification by county treasurers. Certification by the county treasurers for the participating school districts respectively as to (a) amount of funds in the building fund of the district, (b) bonds authorized and (c) value of the taxable property of the district.

(8) Area map. An area map indicating location of schools within the participating school districts and the location of the proposed new or modernized facility.

(9) Educational service district superintendent evaluation. Statement of evaluation of the proposal by the superintendent of the educational service district in which the proposed new facility is to be located or in which the facility proposed for modernization is located.

[Order 11-75, § 180-30-475, filed 10/28/75; Order 7-71, § 180-30-475, filed 10/13/71; Order 4-70, § 180-30-475, filed 3/10/70; Order 7-69, § 180-30-475, filed 10/31/69.]

WAC 180-30-480 Interdistrict cooperation in financing construction of school plant facilities--Contract between applicant and participating districts. The boards

of directors of participating school districts shall negotiate a contract with the board of directors of the applicant school district which shall contain and set forth description of the following elements:

(1) Financial terms by which each cooperating district will participate in the cost of construction or modernization and operation of the facility.

(2) Administration of the facility and of the program or services to be offered therein.

(3) Duration of the interdistrict cooperation agreement.

(4) Procedures for dissolution of cooperative operation of the facility including but not limited to the following:

(a) Ownership of all capital equipment and facilities.

(b) Distribution of assets or the payments to be made to the participating districts.

(c) Minimum period of operation prior to dissolution consideration and approval by the state board of education in accordance with provisions hereinafter in WAC 180-30-490 set forth.

[Order 7-69, § 180-30-480, filed 10/31/69.]

WAC 180-30-485 Interdistrict cooperation in financing construction of school plant facilities—Approval of program or services by superintendent of public instruction. Approval by the superintendent of public instruction of the educational program or services to be offered in the proposed new or modernized facility and the proposed administration of such program or services shall be a prerequisite for approval by the state board of education of an interdistrict cooperative financial plan for construction of new or modernization of school plant facilities.

[Order 7-69, § 180-30-485, filed 10/31/69.]

WAC 180-30-490 Interdistrict cooperation in financing construction of school plant facilities—Dissolution provisions. (1) Procedures for the dissolution of the operation of school plant facilities under an interdistrict cooperative plan shall not be instituted prior to the expiration of ten years after the date of state board of education approval of the financial plan for the construction of such facilities: *Provided*, That a request for dissolution prior to the expiration of ten years may be approved when in the judgment of the state board of education there is substantiation of sufficient cause therefor.

(2) **State board approval of dissolution required.** Any plan for dissolution as in (1) above described shall be submitted to the state board of education for review and approval prior to proceeding with dissolution action.

[Order 7-69, § 180-30-490, filed 10/31/69.]

WAC 180-30-495 Interdistrict cooperation in financing school construction—Project construction approval required—Rules and regulations governing. A project to be constructed under interdistrict cooperative financing pursuant to provisions of RCW 28A.58.075 shall be subject to approval by the state board of education irrespective of whether state funds are involved in

the financing thereof and shall be in conformity with the applicable rules and regulations hereinafter prescribed. The applicant school district shall be responsible for compliance with said rules and regulations.

(1) Projects financed entirely with school district local funds. All rules and regulations promulgated by the state board of education relating to school building construction as in chapter 180-30 WAC set forth shall govern the approval of a project financed entirely with interdistrict cooperative funds except those rules relating to determination of amount of state assistance and such other rules deemed by the superintendent of public instruction to be inapplicable to the said construction.

(2) Projects financed with state assistance.

(a) All rules and regulations promulgated by the state board of education relating to school building construction as in chapter 180-30 WAC set forth shall govern the approval of an application for state assistance in financing an interdistrict cooperative project except such rules deemed by the superintendent of public instruction to be inapplicable to the said construction: *Provided*, That in the interest of program improvement and/or improvement in equalization of educational opportunities, the pertinent requirements of WAC 180-30-030 and 180-30-110(3) relating to eligibility on the basis of number of unhouseed children may be waived as shall be determined by the state board of education.

(b) In determination of the amount of state assistance the principle to be applied shall be that each participating district, otherwise eligible for state assistance, shall receive such assistance on the basis of the computed area ratio. The amount that each participating district shall provide may be the percentage proportion that the value of its taxable property bears to the total value of taxable property of all participating districts or such other amounts as set forth in the contract submitted as are accepted and approved by the state board of education.

(3) Application for additional state assistance. In the financing of interdistrict cooperative projects, applications for state assistance in addition to the amount determined allocable under basic state support level provisions shall be judged by the state board of education on the basis of the need for said facilities for the expressed purpose of (a) providing educational opportunities, including vocational skills programs, not otherwise provided, (b) avoiding unnecessary duplication of specialized or unusually expensive educational programs or facilities, or (c) improving racial balance within and among participating districts.

(4) Determination of amount of additional state assistance. When in the judgment of the state board of education an expressed need exists for an interdistrict cooperative project to achieve one or more of the expressed purposes as set forth in subsection (3) above and additional state assistance in financing said joint construction is necessary to meet such need, additional state assistance may be allowed in an amount to be determined by the state board: *Provided*, That the total amount allotted shall not exceed ninety percent of the total project cost determined eligible for state matching

purposes: *Provided further*, That the total funds available to the state board for the biennial period are sufficient to meet state-wide needs for state assistance in providing necessary school facilities to individual school districts as well as for this purpose.

[Order 11-75, § 180-30-495, filed 10/28/75; Order 7-71, § 180-30-495, filed 10/13/71; Order 7-69, § 180-30-495, filed 10/31/69.]

WASHINGTON SCHOOL FACILITIES COST STABILIZATION PROGRAM

WAC 180-30-500 Statutory authority and program goals. Pursuant to authority under chapter 89, Laws of 1977 1st ex. sess., the Washington school facilities cost stabilization program is hereby established. The program goals are:

(1) To stabilize school construction, maintenance and operating costs.

(2) To reduce school design/construction time.

(3) To provide high quality schools capable of being readily and economically adapted to changing school and community needs.

[Permanent and Emergency Order 14-77, § 180-30-500, filed 12/6/77, effective 12/6/77.]

WAC 180-30-505 Definitions. For the purpose of this section:

(1) "Systems building" shall mean the application of a systematized approach to the programming, design and construction of a facility, with special emphasis on simplicity, repetitiveness, adaptability to future requirements and interrelatedness of building subsystems in the facility design.

(2) "Building subsystem" or "subsystem" shall mean a component of a facility defined for a specific function and comprising the necessary elements and materials to fulfill that function; examples of such subsystems are structural, ceiling-lighting, heating-ventilation-air conditioning, and interior space division subsystems.

[Permanent and Emergency Order 14-77, § 180-30-505, filed 12/6/77, effective 12/6/77.]

WAC 180-30-510 Procedural guidelines. (1) The superintendent of public instruction shall encourage the use of systems building in school construction and modernization by implementing the following procedures and others deemed appropriate:

(a) Develop procedural and technical guidelines to assist school officials and school designers in utilizing the systems concept within the framework of state board of education regulations.

(b) Review and modify building subsystem specifications developed pursuant to RCW 28A.04.310, and develop and/or review specifications for additional subsystems as appropriate.

(c) Require utilization of systems building on those projects, except modernization projects, receiving state assistance in addition to the amount determined allocable under basic state support level provisions in WAC

180-30-105, when, in the judgment of the superintendent of public instruction, the projects lend themselves to systems building.

(d) Provide mandatory critiques of systems project designs on those projects where systems designs are required, and critiquing as requested for districts voluntarily utilizing systems design.

(2) The superintendent of public instruction shall also investigate and/or experiment with emerging design/construction and maintenance/operation practices, and assist districts in implementing those which hold promise of achieving one or more of the program goals identified in WAC 180-30-500.

[Permanent and Emergency Order 14-77, § 180-30-510, filed 12/6/77, effective 12/6/77.]

WAC 180-30-515 Exemptions. (1) Districts which are eligible to receive basic state support pursuant to WAC 180-30-105, and (a) additional state assistance pursuant to WAC 180-30-200 through and including 180-30-250, or (b) additional space allocations pursuant to WAC 180-30-110, and which propose to construct projects that do not conform to the definition as specified in WAC 180-30-505, must request an exemption by the superintendent of public instruction.

(2) The superintendent of public instruction shall determine whether or not a project lends itself to systems building and may grant an exemption to the requirement of utilization of systems building if he/she determines that the project does not lend itself to systems building. Projects which are suggested for exemption from the requirement of systems building include, but are not limited to, projects in which case:

(a) Schematic plans were completed and approved by the board of directors prior to September 21, 1977, the effective date of this act; or

(b) Utilization would result in a significant cost increase and/or delay of project completion; or

(c) Utilization would result in a facility which is incompatible with existing facilities and/or site; or

(d) The nature of the educational program dictates a facility design which does not lend itself to "systems building"; or

(e) The project is a relocatable building as defined in WAC 180-30-355.

(3) Each school district shall provide such data as is necessary to enable the superintendent of public instruction to substantiate the district's eligibility for an exemption. In the event any district fails to submit necessary data in the written request for exemption, the proposed project will not be presented to the state board of education for its consideration.

[Permanent and Emergency Order 14-77, § 180-30-515, filed 12/6/77, effective 12/6/77.]

WAC 180-30-520 School facilities cost stabilization program--Procedural requirements. (1) The superintendent of public instruction shall determine procedures and forms for the administration of state participation in

the school facilities cost stabilization program; such procedures and forms to be in addition to or in lieu of procedural requirements prescribed in chapter 180-30 WAC.

(2) Whenever, in the judgment of the state board of education, implementation and/or operation of the school facilities cost stabilization program would be impaired by one or more of the rules and regulations prescribed in chapter 180-30 WAC, a waiver of such rules and regulations may be granted by the state board of education for a specific purpose, except when such waiver would be in conflict with statutory requirements.

[Permanent and Emergency Order 14-77, § 180-30-520, filed 12/6/77, effective 12/6/77.]

FEDERAL GRANTS TO SCHOOL DISTRICTS FOR SCHOOL CONSTRUCTION

WAC 180-30-575 Federal grants to school districts for school construction--Relating to certification by state agency. (1) It is the position of the state board of education that prerequisites for a recommendation by the state educational agency with respect to an application by a school district for a grant from federal funds made available by acts of congress for school building construction should include the following provisions: (a) The school building project shall be consistent with over-all state plans for the construction of school facilities, and (b) the applicant school district shall meet requirements established by the state board of education for eligibility for an allotment of state funds for assistance in construction of school facilities of any kind--grades kindergarten through twelve.

(2) The state board of education recommends to the superintendent of public instruction that action by the superintendent on school district applications for grants of federal funds be in conformity with the position of the state board as hereinbefore stated.

[Order 7-69, § 180-30-575, filed 10/31/69.]

PROCEDURAL REGULATIONS GOVERNING ADMINISTRATION OF STATE ASSISTANCE IN PROVIDING SCHOOL PLANT FACILITIES

WAC 180-30-610 Application requirements and procedural regulations governing. All applications for state assistance, allocations of state funds and disbursements of school district and state funds for projects approved for state assistance shall meet the requirements and shall be in conformity with the procedures hereinafter in WAC 180-30-620 through 180-30-740 set forth. The state board of education shall prescribe and furnish forms for the purposes as in this chapter set forth.

[Order 5-75, § 180-30-610, filed 5/27/75; Order 7-69, § 180-30-610, filed 10/31/69.]

WAC 180-30-620 Notice of intent by school district to submit application for state assistance and school housing study prerequisites to filing of application. (1)

[Title 180 WAC--p 70]

To qualify for eligibility and consideration of state assistance in a school building program, the school district shall submit to the state board of education a notice of intent to file an application for each proposed school building project prior to submission of a funding measure for voter approval.

(2) Study of school housing situation.

(a) At the time the notice of intent is filed for an initial school building project, or projects, the school district shall arrange for a cooperative study of its school housing situation by the district and the state board of education under the direction of the superintendent of public instruction. In accordance with statutory provisions, the aforementioned cooperative study shall provide information including but not limited to the following:

(i) Kind and extent of the school plant facilities required and the urgency of need for such facilities;

(ii) Ability of the district to provide capital funds by local effort and estimated amount of proposed funding measure;

(iii) Need for improvement of school administrative units and school attendance areas among or within districts;

(iv) Enrollment trends and racial balance data;

(v) Site;

(vi) Such other data as the state board of education may require to establish preliminary determination of school district housing need; and

(vii) The aforementioned study must be completed prior to school district submittal of any capital funding measure to its voters if it is the intent of the district to seek consideration of state assistance for its proposed school construction program by the state board of education.

(b) Project applications shall be subject to the submittal of additional and/or current data and such further study of the district's school housing situation as the state board of education may require for determination of compliance with pertinent statutory provisions and state board regulations.

[Statutory Authority: Chapter 28A.47 RCW. 79-11-022 (Order 12-79), § 180-30-620, filed 10/10/79; Order 5-75, § 180-30-620, filed 5/27/75; Order 7-69, § 180-30-620, filed 10/31/69.]

WAC 180-30-625 Acknowledgment of notice of intent to file application and instructions for preparation and filing of application and supporting data. Upon determination that the information furnished indicates the school district meets requirements for state assistance consideration, the state board of education will transmit application forms, requesting the school district to submit an application in accordance with provisions of WAC 180-30-630 and such preliminary documents and additional supporting data as may be required: *Provided*, That transmittal of application forms shall not constitute a commitment of state funds.

[Order 5-75, § 180-30-625, filed 5/27/75; Order 7-69, § 180-30-625, filed 10/31/69.]

WAC 180-30-630 Application for state assistance. (1) **Component parts.** An application for state assistance

in school building construction shall be comprised of completed forms prescribed by the state board of education and shall include the supporting documents and data prescribed by said forms and the supporting documents and data set forth below.

(a) Complete set of preliminary (design development phase) drawings.

(b) Signed or certified copy of contract between school district and the architect. (A separate contract is required for each specific project.)

(c) Site documents as follows:

(i) Opinion by prosecuting attorney or other legal counsel relating to fee simple title including legal description of site required under WAC 180-30-055;

(ii) Statement of approval by the state department of health or local health agency having jurisdiction;

(iii) Statement of approval by such local planning commission or authority as may be established within the territory of the school district;

(iv) Statement of approval by state department of ecology when the site and/or building plan is located within a flood plane of a river or major stream (refer to chapter 86.16 RCW);

(v) Statement indicating compliance with the provisions of chapter 197-10 WAC and such other applicable rules of the council on environmental policy as may now or hereafter be adopted; and

(vi) Request for site approval by the state board of education.

(d) Certification of nonhigh school district participative finance funds authorized for construction of a proposed project, when applicable.

(e) Copy of resolution adopted by the school district board of directors certifying full compliance with the provisions of WAC 180-30-040 relating to racial balance and supported by the following data:

(i) An ethnic count for each school in the district as of October 1 immediately preceding the date of application, the extent of the change in ethnic count projected for a five-year period of all schools affected by the project for which state assistance is requested and an estimated five-year enrollment projection by ethnic groups for the district;

(ii) A map indicating present attendance areas and ethnic distribution at all levels and any proposed changes;

(iii) Transportation services proposed, noting any changes as the result of building the project for which state assistance is requested;

(iv) A statement delineating impact and relationship of proposed construction to any federal and state programs, i.e., freeways, urban renewal, model cities program, etc., and

(v) Such additional data as the school district deems pertinent in support of the resolution.

(f) Documentation of compliance with requirements of energy conservation program as in WAC 180-30-406(1) set forth.

(2) **Preparation and filing of application.** The school district shall (a) complete the application for state assistance in accordance with the findings of the cooperative study and consonant with the pertinent rules and regulations of the state board of education; (b) submit the original of each application form with the supporting documents and data as herein in subsection (1) set forth to the superintendent of public instruction and retain one copy of each for the school district files; and (c) forward one copy each of the completed forms to the school district architect and the educational service district superintendent.

[Order 1-76, § 180-30-630, filed 2/3/76; Order 9-75, § 180-30-630, filed 9/9/75; Order 5-75, § 180-30-630, filed 5/27/75; Order 3-74, § 180-30-630, filed 7/23/74; Order 7-69, § 180-30-630, filed 10/31/69.]

WAC 180-30-635 Authorization to prepare final plan and specifications (construction documents). Upon determination that the applicant school district is eligible for state assistance and that the proposed project meets statutory and state board of education requirements, the state board will grant approval of preliminary plan, authorization to the school district to proceed with preparation of final plan and specifications and a provisional reservation of state funds for architectural and engineering services: *Provided*, That such provisional reservation of funds and authorization shall be subject to the following conditions:

(1) The provisional reservation of funds is a guarantee of state participation in the costs of architectural and engineering services incurred in the preparation of preliminary plan and final plan and specifications and any part of aforesaid provisional reservation not required for aforesaid purpose shall revert to the state fund from which the provisional reservation is made.

(2) Prerequisites for payment from the provisional reservation of funds shall be (a) completion of the final plan and specifications and (b) participation in the cost thereof by the school district in local funds eligible for state matching funds in an amount not less than the percentage computed in accordance with statutory provisions and such additional amount from school district local, federal and/or other sources as in the authorization document set forth.

(3) The preparation of final plan and specifications shall be in accordance with the regulations hereinafter in WAC 180-30-640 prescribed.

[Order 5-75, § 180-30-635, filed 5/27/75; Order 4-70, § 180-30-635, filed 3/10/70; Order 7-69, § 180-30-635, filed 10/31/69.]

WAC 180-30-640 Preparation of final plan and specifications (construction documents)—Bid and contract provisions. Upon receipt of authorization as in WAC 180-30-635 provided, the school district shall cause to be prepared final plan and specifications in accordance with the following regulations and such other requirements as may be prescribed by the state board of education:

(1) Separate or combined bids. Separate and/or combined bids may be received for general construction,

mechanical work and electrical work. Separate contracts or a combined contract for the construction of the entire project may be awarded on the basis of whichever is most advantageous to the school district and to the state in accordance with bids received.

(2) Alternate bids or cost breakdown on items to be financed entirely from school district local funds. For the purpose of determining the exact cost thereof, provision must be made for alternate bids, or a cost breakdown by the contractor, on all items included in the plan and specifications which are to be financed entirely from school district local funds.

(3) Cash allowance. A cash allowance item shall not be a part of specifications nor included in any contract which involves state matching funds.

(4) Fire insurance coverage on structure under contract. The general conditions incorporated in the specifications shall provide that the school district and/or the contractor shall effect and maintain fire insurance coverage on the structure under contract equal to one hundred per cent of the insurable value thereof including materials in place or on the premises for use in the construction.

(5) Bidder's guarantee requirements. Each bidder on a project approved for state assistance must submit with his bid a certified check or a cashier's check equivalent to at least five per cent of the amount of the bid, or a bid bond. To facilitate the procuring of a certified check or a cashier's check prior to the determination of the amount of his bid, a contractor may submit a certified check or a cashier's check based on five per cent of the architect's estimated cost of the work on which said contractor proposes to submit a bid.

(6) Governmental agency approvals of final plan and specifications.

(a) The final plan and specifications for the construction of a new school building or any addition to or alteration of an existing building or for any of the utilities connected with the school building shall be subject to the approval of the state fire marshal or his designated representative, the state electrical inspector, the health agency having jurisdiction and, when applicable, the state department of ecology, with respect to compliance with pertinent rules and regulations established by said agencies.

(b) The life cycle cost analysis, when required, shall be subject to approval of the office of energy management and conservation, department of general administration.

(c) The school district shall receive written approval of final plan and specifications by the agencies set forth in (a) above prior to the call for bid. Any exceptions indicated by the aforementioned agencies shall be corrected and so noted on the final plan and specifications or shall be corrected by issuance of addenda to the specifications and/or revised drawings.

(7) Compliance with pertinent public works statutory provisions. Specifications for all projects involving state matching funds shall provide for compliance with statutory provisions relating to public works including but not limited to the following:

(a) Chapter 18.27 RCW relating to registration of contractors.

(b) Chapter 39.08 RCW relating to contractor's bond.

(c) Chapter 39.12 RCW relating to prevailing wages on public works.

(d) Chapter 39.16 RCW relating to resident employees on public works.

(e) Chapter 39.25 RCW relating to offshore items.

(f) Chapter 49.28 RCW relating to hours of labor.

(g) Chapter 49.60 RCW relating to law against discrimination.

(h) Chapter 70.92 RCW relating to provisions for the aged and physically handicapped.

The architect shall certify to the superintendent of public instruction that the final plan and specifications (construction documents) are in full compliance with the aforementioned statutes, provisions of chapter 19.27 RCW, and any and all other pertinent statutes relating to construction of public buildings applicable to school building construction.

[Order 8-76, § 180-30-640, filed 7/19/76; Order 9-75, § 180-30-640, filed 9/9/75; Order 5-75, § 180-30-640, filed 5/27/75; Order 3-74, § 180-30-640, filed 7/23/74; Order 7-71, § 180-30-640, filed 10/13/71; Order 7-69, § 180-30-640, filed 10/31/69.]

WAC 180-30-645 Final plan and specifications (construction documents) to be submitted for review and approval. (1) The school district shall submit one copy of the final plan and specifications to the state board of education for review and approval together with one copy each of the supporting documents listed below:

(a) Form for certification of construction documents and final cost estimate of project, completed and signed by architect.

(b) Signed copy, or photocopy of letters of approval by governmental agencies in accordance with provisions of WAC 180-30-640(6).

(c) Signed statement by architect of analysis of square foot area.

(d) Life cycle cost analysis as in WAC 180-30-406(1) set forth.

(2) The school district shall obtain approval of final plan and specifications by the state board of education prior to the call for bids on any project to be financed with state assistance, as in WAC 180-30-650 provided.

[Order 9-75, § 180-30-645, filed 9/9/75; Order 5-75, § 180-30-645, filed 5/27/75; Order 7-69, § 180-30-645, filed 10/31/69.]

WAC 180-30-650 Preliminary allotment of state funds. When upon review of final plan and specifications, final cost estimates and such up-to-date enrollment and fiscal data as may be necessary for determination of current eligibility under statutory provisions and state board of education regulations, it is found by the state board that the project continues to be eligible for state assistance, that final plan and specifications meet state board requirements and that funds are available for state assistance in construction of the proposed project, the state board will grant approval of final plan and specifications, a preliminary allotment of state funds and authorization to call for bids: *Provided*,

That in the event funds are not available for state assistance in construction of the proposed project or that upon re-evaluation the project is determined ineligible for state participation in financing construction, a preliminary allotment for the state's share of the cost of architectural and engineering services shall be made to the school district from the provisional reservation of state funds authorized pursuant to WAC 180-30-635: *Provided further*, That such allotments and authorizations shall be subject to the following conditions and regulations:

(1) **Preliminary allotment.** The preliminary allotment is a guarantee of state participation in financing (a) construction of school plant facilities and/or (b) architectural and engineering costs for the preparation of preliminary plan and final plan and specifications pursuant to WAC 180-30-635: *Provided*, That any part of a preliminary allotment not required for completion of an approved project in accordance with bids received thereon and/or not required for the aforesaid architectural and engineering services shall revert to the state fund from which the allotment is made.

(2) **Bid specifications.** Bid specifications on a school building project approved by the state board of education for state participation in financing shall be in accordance with the approved final plan and specifications for such project on file in the office of the state board and shall be in conformity with provisions of WAC 180-30-640.

(3) **Advertisement for bids.** An advertisement for bids on any school building project approved by the state board of education for state participation in financing must be published once each week for two consecutive weeks in a journal of general circulation, such as *The Daily Journal of Commerce* or *Northwest Construction News*, and a like number of times in a publication circulated throughout the area.

[Order 5-75, § 180-30-650, filed 5/27/75; Order 4-70, § 180-30-650, filed 3/10/70; Order 7-69, § 180-30-650, filed 10/31/69.]

WAC 180-30-655 Bid data and document requirements following bid opening. (1) After bids have been opened, the board of directors of the school district shall by resolution designate the successful bidder or bidders and transmit to the state board of education one copy each of the documents listed below:

(a) Statement of project cost signed by the chairman of the board of directors and the superintendent of the school district.

(b) Certified copy of recommendation of the board of directors for award of contract or contracts on the basis of bids received, including all accepted alternates.

(c) Certified copy of each advertisement for bids.

(d) Certified tabulated statement of all bids received including bids on alternates, if any, with complete firm names and addresses of bidders. Each alternate listed must be designated by number and descriptive title conforming to the number and title set forth in the specifications. The certification must be made by the architect or authorized representative of the school district.

(e) Certification by school district of amount of local and/or other disburseable funds available specifically for the project, exclusive of state funds, with source of funds identified including identity and amount of nonhigh school district funds when applicable.

(f) Statement of analysis by architect of square foot area and square foot cost, said statement to bear the signature of the architect.

(g) Copies of all addenda to specifications.

(2) **Authorization required for contract award.**

(a) A contract, or contracts, for construction of a school building project approved by the state board of education for state participation in financing from available state funds may not be entered into by the school district until authorization therefor has been received from the state board as in WAC 180-30-660 provided.

(b) A contract, or contracts, for construction of a school building project provisionally approved by the state board of education for state participation in financing pursuant to WAC 180-30-651 and for which state funds have not been made available may not be entered into by the school district until authorization therefor has been received from the state board as in WAC 180-30-661 provided.

[Order 5-75, § 180-30-655, filed 5/27/75; Order 4-70, § 180-30-655, filed 3/10/70; Order 7-69, § 180-30-655, filed 10/31/69.]

WAC 180-30-660 Final allotment of state funds.

Upon analysis of bids received, determination of the amount of state funds allowable under statutory provisions and state board of education regulations governing state participation in financing and determination that funds are available for state assistance in construction of the proposed project, the state board of education will make a final allotment of state funds for participation in costs of construction and architectural and engineering services and authorize the school district to award contracts: *Provided*, That such allotment and authorization shall be subject to the conditions and regulations herein in subsections (1), (2) and (3) set forth: *Provided further*, That in the event state funds are not available for state assistance in construction of the proposed project, the state board of education will make a final allotment of state funds for the state's share of the cost of architectural and engineering services pursuant to authorizations issued under WAC 180-30-635 and 180-30-650.

(1) **Negotiation of school building contracts.** The state board of education shall approve for participative financing only those school building contracts where the original contract price for the construction has been established by competitive bids.

(2) **Final allotment of state funds.**

(a) The final allotment of state funds for construction of a school building project shall be contingent upon financial participation by the applicant school district in accordance with the financial program as set forth in the authorization document.

(b) Any part of a final allotment of state funds not required for completion of a school building project in accordance with the financial program as set forth in

said authorization document shall revert to the state fund from which the allotment was made.

(3) Award of contract or contracts.

(a) Upon receipt of authorization by the state board of education, the board of directors of the school district may proceed with award of contract or contracts for construction of the designated school building project, which contract or contracts shall be in conformity with the analysis of bids as set forth in the aforesaid authorization document and in accordance with the bids received on approved plan and specification for the aforesaid school building project.

(b) Immediately following the awarding of contract or contracts as herein in subsection (a) provided, the board of directors of the school district shall forward one signed or certified copy of each such construction contract to the state board of education.

[Order 5-75, § 180-30-660, filed 5/27/75; Order 4-70, § 180-30-660, filed 3/10/70; Order 7-69, § 180-30-660, filed 10/31/69.]

WAC 180-30-710 Disbursement of funds for construction of school plant facilities—Administration of payments from state funds under direction of state superintendent. (1) The superintendent of public instruction is hereby authorized and directed to administer the disbursement of state funds allotted by the state board of education to school districts for school building construction, said disbursements to be in compliance with procedural regulations established by the state board, pertinent statutory requirements and such other requirements as the state superintendent may determine to be necessary.

(2) The superintendent of public instruction shall keep a complete and accurate record of each allotment of state assistance funds made to a school district by the state board of education and of all disbursements, unpaid balances and other matters connected therewith.

[Order 7-69, § 180-30-710, filed 10/31/69.]

WAC 180-30-715 Disbursement of funds for construction of school plant facilities—Sequence of payments by school district and state. The order in which funds shall be disbursed for school building construction financed with state assistance shall be as follows:

(1) **Initial payments from school district local funds.** Prior to payment of state funds, the school district shall make payments on all claims submitted by architects and contractors until such time as the total amount of school district local funds obligated by the district for its share of the cost of the building project have been expended.

(2) **Subsequent payments from state funds.** After school district local funds have been fully expended as herein in subsection (1) provided, payments from state funds allotted to the district for the state's share of the cost of the project shall be paid on subsequent claims submitted by architects and contractors.

[Order 7-69, § 180-30-715, filed 10/31/69.]

WAC 180-30-720 Disbursement of funds for construction of school plant facilities—General provisions

[Title 180 WAC—p 74]

applicable to payments by school district and/or state. Disbursement of school district local funds and/or state funds in payments to contractors and architects on projects financed with state assistance shall be in accordance with the following provisions:

(1) **Payments to contractors.** Payments to contractors shall be on the basis of work progress. Contractors shall submit monthly estimates of work completed which shall be supported by and paid in accordance with architect's certificate of amount due and payable to contractor for work completed during the period for which payment is claimed.

(2) **Payments to architects.** Payments to architects shall be made in accordance with payment schedule stipulated in agreement between architect and school district.

(3) **Retainage on contract payments.** The provisions of chapter 60.28 RCW as now or hereafter amended, relating to public works contracts, shall govern retainage on contract payments for school building construction.

[Order 4-70, § 180-30-720, filed 3/10/70; Order 7-69, § 180-30-720, filed 10/31/69.]

WAC 180-30-725 Disbursement of funds for construction of school plant facilities—Payments from school district local funds—Requirements and procedures. (1) **General provisions.** Disbursements of school district local funds shall be made in accordance with school district procedures and regulations not inconsistent with applicable rules and regulations of the state board of education, pertinent statutory provisions and regulations of such county officials as have responsibilities in the matter of school district funds.

(2) Certification of total disbursements to be submitted to state superintendent. At such time as the total amount of school district local funds obligated by the district for its share of the cost of the building project has been fully expended, a certified statement of the said disbursements shall be submitted to the superintendent of public instruction, such statement to comprise a listing of all payments to architects, contractors, and when applicable escrow agents, including warrant numbers, dates of payments, names of payees and amounts of payments. The certification for first-class school districts shall be made by the appropriate school district official, and the certification for second- and third-class school districts shall be made by the county auditor: *Provided*, That the certification for second- and third-class school districts shall be made by the appropriate school district official in such districts drawing and issuing warrants pursuant to provisions of RCW 28A.60-328.

[Order 5-75, § 180-30-725, filed 5/27/75; Order 2-73, § 180-30-725, filed 6/13/73; Order 7-71, § 180-30-725, filed 10/13/71; Order 7-69, § 180-30-725, filed 10/31/69.]

WAC 180-30-730 Disbursement of funds for construction of school plant facilities—Payments from state funds—General provisions. All claims for payment from state funds allotted by the state board of education to a school district for school building construction shall be

submitted to the superintendent of public instruction on state invoice vouchers provided by the state superintendent and in accordance with regulations and procedures set forth below and such other procedures as may be prescribed by the state superintendent.

(1) **School district responsibility to submit vouchers.** It shall be the responsibility of the school district to submit state invoice vouchers for payments from state funds allotted to the school district for school building construction.

(2) **State warrants--Payable to and delivery.**

(a) State warrants issued in payment of monthly progress estimates shall be drawn payable to the claimant named in the contract and shall be transmitted to the school district for disposition or delivery to such claimant.

(b) Final payment state warrants shall be drawn payable to the claimant named in the contract provided no taxes are due and no claims from materialmen or laborers have been filed. In the event taxes have not been discharged or the claims, expenses and fees have not been paid, the public body (superintendent of public instruction) shall retain in its fund, or in an interest-bearing account, or retain in escrow, at the option of the contractor, an amount equal to such unpaid taxes and unpaid claims together with a sum sufficient to defray the costs and attorney fees incurred in foreclosing the lien of such claims, and shall pay, or release from escrow, the remainder to the contractor.

[Permanent and Emergency Order 14-77, § 180-30-730, filed 12/6/77, effective 12/6/77; Order 7-69, § 180-30-730, filed 10/31/69.]

WAC 180-30-735 Disbursement of funds for construction of school plant facilities--Progress payments from state funds. Progress payments from state funds allotted to a school district for construction of an approved project shall be made in accordance with provisions of WAC 180-30-720 and upon the presentation of properly executed state invoice vouchers approved by the superintendent of public instruction on the basis of architect's certification of work completed and certification of approval by authorized representatives of the school district.

[Order 7-69, § 180-30-735, filed 10/31/69.]

WAC 180-30-740 Disbursement of funds for construction of school plant facilities--Final payments on contracts. In accordance with provisions of chapter 60.28 RCW as now or hereafter amended, relating to public works contracts, final payment on a contract from retained percentage funds shall not be made until thirty days have elapsed following final acceptance by the school district board of directors of the work as completed.

After the expiration of the aforementioned statutory 30-day period, final payment shall be made contingent upon receipt of properly executed state invoice voucher and supporting documents in accordance with the regulations and procedures as herein in subsections (1) through (3) set forth and such other procedures as may

be prescribed by the superintendent of public instruction in compliance with statutory and state board of education regulations.

(1) **Acceptance of building, improvement or work as completed.**

(a) Upon completion of work by a contractor, or contractors, the architect and the school district officials shall inspect the building, improvement or work to determine compliance with plan and specifications.

(b) The architect, upon determining that the building, improvement or work has been completed satisfactorily, shall recommend through the issuance of a letter of inspection addressed to the school district board of directors acceptance as completed satisfactorily. Separate letters shall be written concerning the work of each contractor.

(c) The school district board of directors, upon determining that the building, improvement or work has been completed satisfactorily, shall through board resolution officially accept such building, improvement or work as completed satisfactorily. A separate resolution shall be made concerning the work of each prime contractor.

(2) **Documents required for final payment.** Final payments on contracts shall be subject to receipt by the superintendent of public instruction of the documents listed below and such other evidence of final completion of contracts as the state superintendent in compliance with pertinent statutory provisions and/or rules and regulations of the state board of education may determine to be necessary.

(a) Documents to be submitted immediately following official final acceptance of building, improvement or work. The original and one copy of each of the following documents shall be submitted immediately following official final acceptance by the school district board of directors of the building, improvement or work:

- (i) Properly executed state invoice voucher;
- (ii) Architect's letter of inspection;
- (iii) School district board of directors' resolution of final acceptance signed by board members or bearing the certification of authorized representatives of the school district;

(iv) Architect's certificate of final amount due and payable to contractor.

(b) Documents to be submitted at anytime during the thirty-day period following official final acceptance by the school district board of directors of the building, improvement or work;

(i) Contractor's final affidavit of wages paid bearing certification of the state department of labor and industries.

(c) Documents to be submitted immediately after the expiration of the 30-day period following final acceptance of building, improvement or work. One copy of each of the following documents shall be submitted immediately after the expiration of the 30-day period following final acceptance by the board of directors of the building, improvement or work:

(i) Certification by the school district officials that no liens have been filed, or a certified list of all valid liens in event liens have been filed; and

(3) **Certification by state department of revenue, state department of employment security and state department of labor and industries of payment of taxes.**

(a) In compliance with statutory provisions, final payment on a contract for public works shall not be made by the disbursing officer until he has received from the state department of revenue, state department of employment security and the state department of labor and industries certification that all taxes due or to become due from the contractor with respect to such contract have been paid in full.

(b) Final payments on construction contracts from state funds allotted to a school district for school building construction shall be contingent upon receipt of aforementioned certification in accordance with the following procedure:

(i) Upon receipt of all documents required immediately following official acceptance of building, improvement or work as in subsection (2) above provided, the superintendent of public instruction (the disbursing officer) shall notify the state department of revenue, state department of employment security and the state department of labor and industries that the construction contract has been completed; and

(ii) As provided by statute, the state department of revenue, state department of employment security and the state department of labor and industries, upon determination that all state taxes due or to become due on the contract have been paid in full, will so certify to the superintendent of public instruction (the disbursing officer) and transmit a copy of such certification to the school district concerned.

[Permanent and Emergency Order 14-77, § 180-30-740, filed 12/6/77, effective 12/6/77; Order 7-71, § 180-30-740, filed 10/13/71; Order 4-70, § 180-30-740, filed 3/10/70; Order 7-69, § 180-30-740, filed 10/31/69.]

WAC 180-30-750 Advancement of project pending availability of appropriated funds and priority rank. If the amount of state assistance applied for, and which may reasonably be expected to be applied for, exceeds the amount appropriated and made available by the legislature and the state board has found it necessary to adopt schedules ranking school building projects on the basis of urgency of need, a district may request consideration by the state board of education for advancement of certain projects at local financial risk pending availability of appropriated funds and priority placement of project.

[Statutory Authority: Chapter 28A.47 RCW. 79-11-022 (Order 12-79), § 180-30-750, filed 10/10/79.]

WAC 180-30-755 Authorization for district to proceed at its own financial risk with advancement of project. Upon determination that the applicant school district has certified that sufficient local funds are available to finance the entire cost of the project and has complied with WAC 180-30-620 and 180-30-630 and that the proposed project meets statutory and state

board of education requirements, the state board of education will grant approval of preliminary plan and authorization to the school district to proceed with preparation of final plan and specifications. Such approvals shall be subject to the following conditions: (1) The approvals shall not constitute a commitment of state funds; and (2) the preparation of final plan and specifications shall be in accordance with WAC 180-30-640.

[Statutory Authority: Chapter 28A.47 RCW. 79-11-022 (Order 12-79), § 180-30-755, filed 10/10/79.]

WAC 180-30-760 Approval of final plan and specifications. When upon review of final plan and specifications, final cost estimates and such up-to-date enrollment and fiscal data as may be necessary for determination of current eligibility under statutory provisions and state board of education regulations, it is found by the state board that the project would be eligible for state assistance if state funds were available, the state board of education may (1) grant approval of final plan and specifications and (2) authorize the school district to call for bids. The aforementioned shall make no commitment of state funds and shall be subject to the following prescribed conditions:

(1) Compliance with rules. The school district shall comply with all rules and regulations of the state board of education applicable to a project approved for financing with available state funds.

(2) School district certification. Prior to the award of contracts, the board of directors of the school district shall certify to the state board of education by resolution in the manner prescribed by the superintendent of public instruction that (a) sufficient local funds are available to finance the entire cost of the project and (b) the school district will assume full financial responsibility for completion of the project.

(3) Approval of final plan and specifications not commitment of state funds. The authorization documents shall contain (a) approval of final plan and specifications, (b) notification of square foot area determined eligible for state support, (c) authorization to call for bids, and (d) shall direct attention to the fact that the approvals and authorizations therein do not constitute a commitment of state funds.

[Statutory Authority: Chapter 28A.47 RCW. 79-11-022 (Order 12-79), § 180-30-760, filed 10/10/79.]

WAC 180-30-765 Bid data and document requirements following bid opening. (1) After bids have been opened, the board of directors of the school district shall by resolution designate the successful bidder or bidders and transmit to the state board of education one copy each of the documents listed below:

(a) Statement of project cost signed by the chairman of the board of directors and the superintendent of the school district.

(b) Certified copy of recommendation of the board of directors for award of contract or contracts on the basis of bids received, including all accepted alternates.

(c) Certified copy of each advertisement for bids.

(d) Certified tabulated statement of all bids received including bids on alternates, if any, with complete firm names and addresses of bidders. Each alternate listed must be designated by number and descriptive title conforming to the number and title set forth in the specifications. The certification must be made by the architect or authorized representative of the school district.

(e) Certification by school district of amount of local and/or other disburseable funds available specifically for the project, with source of funds identified including identity and amount of nonhigh school district funds when applicable. The certification of disburseable funds shall be sufficient to cover the entire cost of the project including equipment allowance.

(f) Statement of analysis by architect of square foot area and square foot cost, said statement to bear the signature of the architect.

(g) Copies of all addenda to specifications.

(2) Authorization required for contract award. A contract, or contracts, for construction of a school building project approved by the state board of education pursuant to WAC 180-30-760 and for which state funds have not been made available may not be entered into by the school district until authorization therefor has been received from the state board as provided in WAC 180-30-770.

[Statutory Authority: Chapter 28A.47 RCW. 79-11-022 (Order 12-79), § 180-30-765, filed 10/10/79.]

WAC 180-30-770 Authorization to award contract. Upon analysis of bids received, determination of project eligibility under statutory provisions and state board of education regulations, the state board of education will authorize the school district to award contracts, subject to the following conditions:

(1) Receipt of certification from the board of directors of the school district as in WAC 180-30-765 (1)(e) shall be a prerequisite for said authorization for contract award.

(2) Compliance with rules. The school district shall comply with the provisions of WAC 180-30-660 relating to negotiation of school building contracts and award of contract or contracts, make payments to contractors and architects in accordance with rules and regulations of the state board governing all projects financed with state assistance and shall comply with such procedural requirements as the superintendent of public instruction may determine necessary.

(3) Authorization to award contracts not a commitment of state funds.

(a) The authorization documents and transmittal letter shall state explicitly that the authorization to award contracts described therein does not constitute a commitment of state funds. The district shall be notified of the square foot area, square foot cost level of state support and state matching ratio in effect for the project at date of bid opening.

(b) Upon receipt of authorization by the state board of education, the board of directors of the school district may proceed with award of contract or contracts for construction of the designated school building project,

which contract or contracts shall be in conformity with the analysis of bids as set forth in the aforesaid authorization document and in accordance with the bids received on approved plan and specifications for the aforesaid school building project.

(c) Immediately following the awarding of contract or contracts as provided in (b) of this subsection, the board of directors of the school district shall forward one signed or certified copy of each such construction contract to the state board of education.

(4) Deferred state participation contingency. State participation in an approved project shall be contingent upon (a) placement or qualification of subject project on the currently approved priority list, (b) availability of funds under the statutory authority or appropriation designation cited in the appropriate authorization documents or the availability of funds appropriated in lieu thereof, and (c) consideration by the state board of education of the proposed financial plan.

(5) Approval of financial participation and payment of state funds. Upon completion of an approved project in accordance with the guidelines in WAC 180-30-775, the school district may request payment of the amount determined allocable as set forth in WAC 180-30-770(4).

[Statutory Authority: Chapter 28A.47 RCW. 79-11-022 (Order 12-79), § 180-30-770, filed 10/10/79.]

WAC 180-30-775 Disbursement of funds for construction of school plant facilities--Final payments on contracts. In accordance with provisions of chapter 60.28 RCW as now existing or hereafter amended, relating to public works contracts, final payment on a contract from retained percentage funds shall not be made until thirty days have elapsed following final acceptance by the school district board of directors of the work as completed.

After the expiration of the aforementioned statutory thirty-day period, final payment shall be made contingent upon receipt of properly executed invoice voucher and supporting documents in accordance with the regulations and procedures as set forth in subsections (1) and (2) of this section and such other procedures as may be prescribed by the superintendent of public instruction in compliance with statutory and state board of education regulations.

(1) Acceptance of building, improvement, or work as completed.

(a) Upon completion of work by a contractor, or contractors, the architect and the school district officials shall inspect the building, improvement, or work to determine compliance with plan and specifications.

(b) The architect, upon determining that the building, improvement, or work has been completed satisfactorily, shall recommend through the issuance of a letter of inspection addressed to the school district board of directors acceptance as completed satisfactorily. Separate letters shall be written concerning the work of each contractor.

(c) The school district board of directors, upon determining that the building, improvement, or work has been

completed satisfactorily, shall through board resolution officially accept such building, improvement, or work as completed satisfactorily. A separate resolution shall be made concerning the work of each prime contractor.

(2) Documents required for final payment. Final payments on contracts shall be subject to receipt of the documents listed below and such other evidence of final completion of contracts as the state superintendent in compliance with pertinent statutory provisions and/or rules and regulations of the state board of education may determine to be necessary.

(a) Documents to be required immediately following official final acceptance of building, improvement, or work. The original and one copy of each of the following documents shall be submitted following official final acceptance by the school district board of directors of the building improvement or work:

- (i) Properly executed invoice voucher;
- (ii) Architect's letter of inspection;
- (iii) School district board of directors' resolution of final acceptance signed by board members or bearing the certification of authorized representatives of the school district;
- (iv) Architect's certificate of final amount due and payable to contractor;
- (v) Contractor's final affidavit of wages paid bearing certification of the state department of labor and industries;
- (vi) Certification by the school district officials that no liens have been filed, or a certified list of all valid liens in event liens have been filed; and
- (vii) Certification by state department of revenue, state department of employment security, and state department of labor and industries of payment of taxes. In compliance with statutory provisions, final payment on a contract for public works shall not be made by the disbursing officer until he has received from the state department of revenue, state department of employment security and the state department of labor and industries certification that all taxes due or to become due from the contractor with respect to such contract have been paid in full.

(b) Final payments on construction contracts by a school district for school building construction shall be contingent upon receipt of aforementioned certification in accordance with the following procedure:

(i) Upon receipt of all documents required immediately following official acceptance of the building, improvement, or work as provided in subsection (2) of this section, the authorized representative of the school district shall notify the state department of revenue, state department of employment security and the state department of labor and industries that the construction contract has been completed; and

(ii) As provided by statute, the state department of revenue, state department of employment security, and the state department of labor and industries, upon determination that all state taxes due or to become due on the contract have been paid in full, will so certify to the school district concerned.

[Statutory Authority: Chapter 28A.47 RCW. 79-11-022 (Order 12-79), § 180-30-775, filed 10/10/79.]

WAC 180-30-780 Deferred payment of state funds. Upon completion of final payment of local funds for a project and submittal of certified copies of final payment documents as set forth in WAC 180-30-775, reimbursement of state funds may be made for the project approved under provisions of WAC 180-30-770.

[Statutory Authority: Chapter 28A.47 RCW. 79-11-022 (Order 12-79), § 180-30-780, filed 10/10/79.]

**PROGRAM FOR BARRIER FREE FACILITIES
PURSUANT TO PROVISIONS OF SECTION 504,
PUBLIC LAW 93-112, REHABILITATION ACT OF
1973, AS AMENDED**

WAC 180-30-800 Program for barrier free facilities. The state board of education hereby establishes policies, rules and regulations governing state assistance in alteration or modification of school facilities pursuant to requirements of section 504, Public Law 93-112, Rehabilitation Act of 1973, as amended, hereinafter referred to in this chapter as section 504.

[Statutory Authority: RCW 28A.47.802 and 28A.47.803. 80-02-145 (Order 1-80), § 180-30-800, filed 2/5/80.]

WAC 180-30-805 Program for barrier free facilities—Basic policies. The state board of education hereby establishes policies, rules, and regulations governing state assistance in alteration or modification of school facilities pursuant to requirements of section 504, Public Law 93-112, Rehabilitation Act of 1973, as amended, hereinafter referred to in this chapter as section 504.

(1) State participation in financing costs necessary for compliance with minimal requirements for accessibility of facilities by the handicapped as specified by section 504 shall be limited to those projects for which modification of existing facilities has been determined necessary for compliance with section 504 and the availability of state funds reserved specifically for such purpose.

(2) A school district having authorized work required by section 504 subsequent to June 30, 1979, but prior to adoption of rules and regulations contained herein may, if otherwise qualified, be considered for a state grant.

(3) Any school district requesting consideration of state funding must submit its transition plan as required by section 504 to the office of the superintendent of public instruction.

(4) Consideration of an allotment of state funds pursuant to provisions of WAC 180-30-800 through 180-30-845 is not conditional upon compliance with provisions of WAC 180-30-035.

[Statutory Authority: RCW 28A.47.060. 80-07-001 (Order 10-80), § 180-30-805, filed 6/5/80. Statutory Authority: RCW 28A.47.802 and 28A.47.803. 80-02-145 (Order 1-80), § 180-30-805, filed 2/5/80.]

WAC 180-30-807 Program for barrier free facilities—Basic state support level. (1) In order to be considered eligible for a state grant any modification project must be included in the district's transition plan. The

grant amount shall be determined by formula established by the superintendent of public instruction. Should the actual total cost of the approved modification project be less than the state grant, the grant shall be reduced accordingly and/or the district shall refund the difference between the amount of the state grant and the actual total cost of the approved modification project.

(2) All costs in excess of the state grant established by the state board of education shall be paid from school district local funds.

[Statutory Authority: RCW 28A.47.060. 80-07-001 (Order 10-80), § 180-30-807, filed 6/5/80. Statutory Authority: RCW 28A.47.802 and 28A.47.803. 80-02-145 (Order 1-80), § 180-30-807, filed 2/5/80.]

WAC 180-30-810 Program for barrier free facilities--Application requirements and procedural regulations. All applications for a state grant, allocations of state funds and disbursement of school district and state funds for approved projects in providing barrier free facilities pursuant to provisions of section 504 shall meet the requirements and shall be in conformity with the procedures set forth in this chapter. The superintendent of public instruction shall prescribe and furnish forms for the purposes as in WAC 180-30-805 through 180-30-845 set forth.

[Statutory Authority: RCW 28A.47.060. 80-07-001 (Order 10-80), § 180-30-810, filed 6/5/80. Statutory Authority: RCW 28A.47.802 and 28A.47.803. 80-02-145 (Order 1-80), § 180-30-810, filed 2/5/80.]

WAC 180-30-815 Program for barrier free facilities--Notice of intent to file application for state assistance. A notice of intent to file an application for state assistance in providing barrier free facilities shall be comprised of completed forms prescribed by the superintendent of public instruction and shall include the supporting documents and data set forth below.

(1) A copy of the district's plan to achieve accessibility for all programs and activities except in those instances which require modification of existing facilities.

(2) A copy of the district's transition plan as outlined by Title 45, Rules and Regulations, Subpart C--Program Accessibility, Section 84.22.

[Statutory Authority: RCW 28A.47.802 and 28A.47.803. 80-02-145 (Order 1-80), § 180-30-815, filed 2/5/80.]

WAC 180-30-820 Program for barrier free facilities--Acknowledgment of notice of intent to file application and instructions for preparation and filing of application and supporting data. Upon determination that the information furnished indicates initial requirements for state assistance consideration are met by the school district, as in WAC 180-30-805(1), the state board of education will transmit application forms requesting the district to submit an application in accordance with provisions of WAC 180-30-825 and such preliminary documents and supporting data as may be required: *Provided*, That transmittal of application forms shall not constitute a commitment of state funds.

In the event the proposed plan does not appear to meet criteria for state funding, the applicant district will be so notified within forty-five days of receipt of said

plan. Notice of rejection shall state reason(s) for rejection and terms on which a plan may be resubmitted. A revised plan may be submitted provided it is received by superintendent of public instruction not more than forty-five days after such rejection notice is deposited in the United States mail by superintendent of public instruction.

[Statutory Authority: RCW 28A.47.802 and 28A.47.803. 80-02-145 (Order 1-80), § 180-30-820, filed 2/5/80.]

WAC 180-30-825 Program for barrier free facilities--Application for state assistance. (1) Upon receipt of notification as in WAC 180-30-820 provided, that the proposed plan appears to qualify for a state grant the district shall cause to be prepared final plans and specifications in accordance with the following regulations, the state bid law, chapter 43.19 RCW, if applicable, and such other requirements as may be prescribed by the state board of education.

(a) Governmental agency approvals of final plan and specifications. The final plan and specifications for modification of facilities to meet provisions of section 504 relating to handicapped accessibility shall be subject to the approval of the fire and health officials having jurisdiction and the state electrical inspector when applicable with respect to compliance with pertinent rules and regulations established by such agencies.

(b) The school district shall submit to the superintendent of public instruction a signed copy of the approvals of final plan and specifications by the agencies set forth above.

Any exceptions indicated by the aforementioned agencies shall be corrected and so noted on the final plan and specifications or shall be corrected by issuance of addenda to the specifications and/or revised drawings.

Final plan and specifications shall be in full compliance with pertinent public works statutory provisions, chapter 19.27 RCW, and any and all other pertinent statutes relating to construction of public buildings applicable to school building construction.

[Statutory Authority: RCW 28A.47.060. 80-07-001 (Order 10-80), § 180-30-825, filed 6/5/80. Statutory Authority: RCW 28A.47.802 and 28A.47.803. 80-02-145 (Order 1-80), § 180-30-825, filed 2/5/80.]

WAC 180-30-830 Program for barrier free facilities--Approval of final plan. When upon review of final plan, final cost estimates and such other data as may be necessary for determination of eligibility, it is found by the state board that the project is eligible for a state grant, that the modification plan meets state board requirements and that state funds are available, the state board will grant approval of the project.

[Statutory Authority: RCW 28A.47.060. 80-07-001 (Order 10-80), § 180-30-830, filed 6/5/80. Statutory Authority: RCW 28A.47.802 and 28A.47.803. 80-02-145 (Order 1-80), § 180-30-830, filed 2/5/80.]

WAC 180-30-845 Program for barrier free facilities--Disbursement of funds for modification of facilities for handicapped accessibility. (1) The superintendent of public instruction is hereby authorized and directed to administer the disbursement of state funds allotted by

the state board of education to school districts for modification of facilities for handicapped accessibility pursuant to provisions of section 504, Public Law 93-112, as amended, said disbursements to be in compliance with procedural regulations established by the state board, pertinent statutory requirements and such other requirements as the state superintendent may determine to be necessary.

(2) The superintendent of public instruction shall keep a complete and accurate record of each allotment of state funds made to a school district by the state board of education and of all disbursements, unpaid balances and other matters connected therewith.

(3) Disbursement of funds shall be in accordance with applicable requirements as set forth in WAC 180-30-740.

[Statutory Authority: RCW 28A.47.060. 80-07-001 (Order 10-80), § 180-30-845, filed 6/5/80. Statutory Authority: RCW 28A.47.802 and 28A.47.803. 80-02-145 (Order 1-80), § 180-30-845, filed 2/5/80.]

Chapter 180-31 WAC

STATE ASSISTANCE IN PROVIDING SCHOOL PLANT FACILITIES--INTERDISTRICT COOPERATION IN FINANCING SCHOOL PLANT CONSTRUCTION

WAC

180-31-005	Authority.
180-31-010	Purpose.
180-31-015	Applicant district defined.
180-31-020	Any cooperative plan subject to state board approval.
180-31-025	Application provisions.
180-31-030	Interdistrict cooperative agreements.
180-31-035	Approval of program or services by superintendent of public instruction.
180-31-040	Dissolution provisions.

WAC 180-31-005 Authority. This chapter is adopted pursuant to RCW 28A.47.830 relating to authority of the state board of education to prescribe rules and regulations governing the administration, control, terms, conditions and disbursements of allotments to school facilities. In accordance with RCW 28A.47.830, the only provisions of chapter 28A.47 RCW currently applicable to state assistance for school plant facilities are RCW 28A.47.073, 28A.47.075, 28A.47.080, and 28A.47.801 through 28A.47.809.

[Statutory Authority: RCW 28A.47.830. 83-21-068 (Order 13-83), § 180-31-005, filed 10/17/83.]

WAC 180-31-010 Purpose. The purpose of this chapter is to set forth provisions applicable to approval of a cooperative financing plan for the construction or modernization of school facilities by two or more school districts.

[Statutory Authority: RCW 28A.47.830. 83-21-068 (Order 13-83), § 180-31-010, filed 10/17/83.]

WAC 180-31-015 Applicant district defined. The board of directors of the school district in which the proposed new school facility is to be located or in which the school facility proposed for modernization is located

shall be the applicant district and it shall be the responsibility of said board of directors to submit the application for financial plan approval.

[Statutory Authority: RCW 28A.47.830. 83-21-068 (Order 13-83), § 180-31-015, filed 10/17/83.]

WAC 180-31-020 Any cooperative plan subject to state board approval. Any interdistrict financial plan for construction or modernization of school facilities, irrespective of whether state moneys are involved in the financing of the proposed project, shall be approved by the state board of education prior to carrying into effect the provisions of such plan.

[Statutory Authority: RCW 28A.47.830. 83-21-068 (Order 13-83), § 180-31-020, filed 10/17/83.]

WAC 180-31-025 Application provisions. Prior to applicant district submitting an application to request state board of education consideration of a proposed project and requesting a study and survey of the districts pursuant to chapter 180-25 WAC, the application as submitted to the superintendent of public instruction shall include but not be limited to the following documents and data:

(1) A joint resolution by the board of directors of all participating school districts which shall:

(a) Confer contractual authority and subsequent ownership on the board of directors in which jurisdiction the school facility is to be located or, in the event of modernization, the board of directors in which jurisdiction the facility is located;

(b) Designate such board of directors as the legal applicant. Evidence shall be submitted that the said resolution has been incorporated in the official record of the board of directors of each participating school district; and

(c) Certify that the facility shall be used for the purpose for which it was constructed unless an exception is granted by the state board of education.

(2) Copy of contract(s) between applicant district and participating school districts prepared in accordance with provisions in WAC 180-31-030.

(3) A statement defining the education program or services to be offered and the number and grade level(s) by district of all students to be housed in the proposed new or modernized facility.

(4) A description of the proposed project including size in terms of square feet and the estimated cost of construction including professional services, sales tax, site acquisition and site development.

(5) An area map indicating location of schools within the participating school districts and the location of the proposed new or modernized school facility.

[Statutory Authority: RCW 28A.47.830. 83-21-068 (Order 13-83), § 180-31-025, filed 10/17/83.]

WAC 180-31-030 Interdistrict cooperative agreements. Interdistrict agreements between applicant and participating districts shall contain and set forth a description of the following elements:

(1) Financial terms by which each cooperating district will participate in the cost of construction or modernization and operation of the school facility;

(2) Administration of the school facility and of the program or services to be offered therein and specific services to be utilized by each participating school district;

(3) Duration of the interdistrict cooperation agreement; and

(4) Procedures for dissolution of cooperative operation of the school facility including but not limited to the following:

(a) Ownership of all capital equipment and school facilities;

(b) Distribution of assets or the payments to be made to the participating districts; and

(c) Minimum period of operation prior to dissolution consideration and approval by the state board of education in accordance with provisions hereinafter in WAC 180-31-040.

[Statutory Authority: RCW 28A.47.830. 83-21-068 (Order 13-83), § 180-31-030, filed 10/17/83.]

WAC 180-31-035 Approval of program or services by superintendent of public instruction. Approval by the superintendent of public instruction of the educational program or services to be offered in the proposed new or modernized facility and the proposed administration of such program or services shall be a prerequisite for approval by the state board of education of an interdistrict cooperative financial plan for construction of new or modernization of facilities.

[Statutory Authority: RCW 28A.47.830. 83-21-068 (Order 13-83), § 180-31-035, filed 10/17/83.]

WAC 180-31-040 Dissolution provisions. (1) Procedures for the dissolution of the operation of school facilities pursuant to an interdistrict cooperative agreement shall not be instituted prior to the expiration of ten years after the date of state board of education approval of the financial plan for the construction of such school facilities: *Provided*, That a request for dissolution prior to such ten-year period may be approved when, in the judgment of the state board of education, there is substantiation of sufficient cause therefor.

(2) Any plan for dissolution as described in subsection (1) of this section shall be submitted to the state board of education for review and approval prior to proceeding with dissolution action.

[Statutory Authority: RCW 28A.47.830. 83-21-068 (Order 13-83), § 180-31-040, filed 10/17/83.]

Chapter 180-32 WAC

STATE ASSISTANCE IN PROVIDING SCHOOL PLANT FACILITIES--INTERDISTRICT TRANSPORTATION COOPERATIVES

WAC

180-32-005 Authority.
180-32-010 Purpose.

(1986 Ed.)

180-32-015	Interdistrict transportation cooperative members--Definition.
180-32-020	Interdistrict transportation cooperative--Cooperative plan subject to state board of education approval.
180-32-025	Application provisions.
180-32-030	Interdistrict agreements.
180-32-035	Approval--State board of education.
180-32-040	Dissolution provisions.
180-32-045	Interdistrict transportation cooperative--Types.
180-32-050	Site conditions--Acceptance criteria.
180-32-055	Site nonacceptance by superintendent of public instruction--Appeal to state board of education.
180-32-060	Design team--Architect/engineering services.
180-32-065	Support level--Furniture and equipment allowances.
180-32-070	Interdistrict transportation cooperatives--State assistance.

WAC 180-32-005 Authority. This chapter is adopted pursuant to RCW 28A.47.830 which authorizes the state board of education to prescribe rules and regulations governing the administration, control, terms, conditions, and disbursements of moneys to school districts to assist them in providing school facilities. In accordance with RCW 28A.47.830, the only provisions of chapter 28A.47 RCW currently applicable to state assistance for school facilities are RCW 28A.47.073, 28A.47.075, 28A.47.080, and 28A.47.801 through 28A.47.809.

[Statutory Authority: RCW 28A.47.830. 83-21-070 (Order 15-83), § 180-32-005, filed 10/17/83.]

WAC 180-32-010 Purpose. The purpose of this chapter is to set forth provisions applicable prior to a district's application for state assistance in the construction of interdistrict transportation cooperative facilities. Except as otherwise noted in this chapter, the rules and regulations which apply to state assistance in financing school facilities set forth below shall apply to the construction of interdistrict transportation cooperatives:

(1) Basic state support: WAC 180-27-040, 180-27-060, and 180-27-070 through 180-27-125.

(2) Procedural regulations: WAC 180-29-055 through 180-29-170.

[Statutory Authority: RCW 28A.47.830. 83-21-070 (Order 15-83), § 180-32-010, filed 10/17/83.]

WAC 180-32-015 Interdistrict transportation cooperative members--Definition. As used in this chapter:

(1) "Participating member" means a district in a cooperative which anticipates making full use of all the services offered by the cooperative and provides its agreed share of matching funds required by the state board of education. A participating member must be a member of the cooperative for at least ten years.

(2) "Contract member" means a district which contracts to use the services of the cooperative as outlined in the initial agreement for at least three years. At a minimum, contracts for service shall include lubrication, oil and filter changes on a regular basis.

(3) "Applicant district" means the school district in which the proposed interdistrict transportation cooperative facility is to be located or in which the facility proposed for modernization is located. It shall be the

responsibility of said applicant district to submit the application for financial plan approval.

[Statutory Authority: RCW 28A.47.830. 83-21-070 (Order 15-83), § 180-32-015, filed 10/17/83.]

WAC 180-32-020 Interdistrict transportation cooperative—Cooperative plan subject to state board of education approval. Any financial plan for construction of an interdistrict transportation cooperative, whether or not state funds are involved in the financing of the proposed project, shall be approved by the state board of education prior to implementing the provisions of such plan.

[Statutory Authority: RCW 28A.47.830. 83-21-070 (Order 15-83), § 180-32-020, filed 10/17/83.]

WAC 180-32-025 Application provisions. The school district shall submit a written application to the superintendent of public instruction which shall include but not be limited to the following documents and data:

(1) A joint resolution by the board of directors of all participating school districts which shall:

(a) Confer contractual authority and subsequent ownership on the board of directors in which jurisdiction the facility is to be located or, in the event of modernization, in which jurisdiction the facility is located;

(b) Designate such board of directors as the legal applicant; and

(c) A copy of the official record of the board of directors of each participating school district indicating that the resolution has been formally adopted.

(2) Copy of contract(s) between districts prepared in accordance with chapter 180-31 WAC.

(3) A written description of services to be offered in the proposed interdistrict transportation cooperative, including number of districts involved and whether or not cooperating members are participating districts or contract districts; the number of buses from each participating and contract district to be serviced, and number of bus miles traveled per year for each participating and contract district.

(4) A description of the proposed project including square footage and the estimated cost of construction including professional services, sales tax, site costs, and site development.

(5) An area map indicating location of the facility in relationship to the participating and contract school districts.

[Statutory Authority: RCW 28A.47.830. 83-21-070 (Order 15-83), § 180-32-025, filed 10/17/83.]

WAC 180-32-030 Interdistrict agreements. Interdistrict agreements between participating and contract districts shall contain and set forth descriptions of the following elements:

(1) Financial terms by each cooperating district shall participate in the cost of construction or modernization and operation of the facility.

(2) The district administering the facility and the program or services to be offered therein and specific

services to be utilized by each participating school district.

(3) Duration of the interdistrict cooperation agreement.

(4) Procedures for dissolution of cooperative operation of the facility including but not limited to the following:

(a) Ownership of all capital equipment and facilities;

(b) Distribution of assets or the payments to be made to the participating districts; and

(c) Minimum period of operation prior to dissolution consideration and approval by the state board of education in accordance with chapter 180-31 WAC.

[Statutory Authority: RCW 28A.47.830. 83-21-070 (Order 15-83), § 180-32-030, filed 10/17/83.]

WAC 180-32-035 Approval—State board of education. Approval by the superintendent of public instruction of services to be offered in the proposed interdistrict transportation cooperative and the proposed district administration of such program or services shall be a prerequisite for approval by the state board of education of an interdistrict cooperative financial plan for construction of new facilities or modernization of existing facilities.

[Statutory Authority: RCW 28A.47.830. 83-21-070 (Order 15-83), § 180-32-035, filed 10/17/83.]

WAC 180-32-040 Dissolution provisions. (1) Procedures for the dissolution of the operation of interdistrict cooperatives under an interdistrict cooperative agreement shall not be instituted prior to the expiration of ten years after the date of state board of education approval of the financial plan for the construction of such school facilities: *Provided*, That a request for dissolution prior to the expiration of ten years may be approved when in the judgment of the state board of education there is substantiation of sufficient cause therefor.

(2) Any plan for dissolution as described in subsection (1) of this section shall be submitted to the state board of education for review and written approval prior to proceeding with dissolution action.

[Statutory Authority: RCW 28A.47.830. 83-21-070 (Order 15-83), § 180-32-040, filed 10/17/83.]

WAC 180-32-045 Interdistrict transportation cooperative—Types. Except as otherwise noted, the amount of the final allocation of state funds in the construction of an approved interdistrict transportation cooperative facility shall be based on the number of buses in actual service and the number of buses for which the cooperative has contracted from other districts at the time of application and in accordance with the following cooperative types and square footage allowances:

Type	Number of Buses	Square Footage	
		Minimum	Maximum
One	96 or more	21,000	Negotiable
Two	46-95	15,000	20,999
Three	0-45	10,000	14,999

[Statutory Authority: RCW 28A.47.830. 83-21-070 (Order 15-83), § 180-32-045, filed 10/17/83.]

WAC 180-32-050 Site conditions--Acceptance criteria. The superintendent of public instruction shall conduct an on-site review and evaluation of a proposed site and shall accept a site that meets the following conditions:

(1) The property upon which the facility is or will be located is free and clear of all encumbrances that would detrimentally interfere with the construction and operation or useful life of the interdistrict transportation cooperative.

(2) The minimum acreage of type one shall be seven acres; type two, five acres, and type three, three acres.

(3) The applicant district has retained the services of a geotechnical engineer for the purpose of conducting a limited subsurface investigation to gather basic information regarding potential foundation performance and a report has been reviewed by the cooperative.

(4) The on-site review by the superintendent of public instruction has determined that:

(a) The site accessibility is convenient and efficient for participating and contract school districts with the least amount of disturbance to the area in which it is located; and

(b) The site topography is conducive to desired site development.

(5) The site has been approved by the following agencies:

- (a) The health agency having jurisdiction;
- (b) The local planning commission or authority; and
- (c) The state department of ecology.

[Statutory Authority: RCW 28A.47.830. 83-21-070 (Order 15-83), § 180-32-050, filed 10/17/83.]

WAC 180-32-055 Site nonacceptance by superintendent of public instruction--Appeal to state board of education. For any site not accepted, the superintendent of public instruction shall state the reasons in writing to the board of directors affected. Such board may appeal the decision of the superintendent of public instruction to the state board of education but the acceptance criteria specified in WAC 180-32-050 shall not be waived.

[Statutory Authority: RCW 28A.47.830. 83-21-070 (Order 15-83), § 180-32-055, filed 10/17/83.]

WAC 180-32-060 Design team--Architect/engineering services. Architect/engineering service fees for matching purposes shall be determined pursuant to WAC 180-27-070.

[Statutory Authority: RCW 28A.47.830. 83-21-070 (Order 15-83), § 180-32-060, filed 10/17/83.]

WAC 180-32-065 Support level--Furniture and equipment allowances. An allowance for furniture and equipment purchases shall be added to the total construction costs of a project determined eligible for state matching assistance. The equipment allowance shall be determined by multiplying the approved square foot area of the project by the prevailing area cost allowance of state support at time of bid and that product multiplied by seven percent.

(1986 Ed.)

[Statutory Authority: RCW 28A.47.830. 83-21-070 (Order 15-83), § 180-32-065, filed 10/17/83.]

WAC 180-32-070 Interdistrict transportation cooperatives--State assistance. In the financing of an approved interdistrict transportation cooperative, the state board of education shall provide ninety percent of the total approved project cost determined eligible for state matching purposes.

[Statutory Authority: RCW 28A.47.830. 83-21-070 (Order 15-83), § 180-32-070, filed 10/17/83.]

Chapter 180-33 WAC

STATE ASSISTANCE IN PROVIDING SCHOOL PLANT FACILITIES--MODERNIZATION

WAC

180-33-005	Authority.
180-33-007	Purpose.
180-33-010	Definitions.
180-33-015	Eligibility for state financial assistance.
180-33-020	Formula for determining the amount of state assistance.
180-33-025	Space eligible for state financial assistance in modernization.
180-33-030	Certification of continued use.
180-33-035	Minimum project--Forty percent of replacement costs.
180-33-040	Maximum costs eligible for state matching purposes--Eighty percent of replacement cost.
180-33-042	Replacement option.
180-33-043	Exceptions to prospective application of WAC 180-33-040.
180-33-045	Architect and engineering services.
180-33-050	Study and survey of school district as prerequisite.
180-33-055	Regulations governing.
180-33-060	Procedural requirements.

WAC 180-33-005 Authority. This chapter is adopted pursuant to RCW 28A.47.830 which authorizes the state board of education to prescribe rules and regulations governing the administration, control, terms, conditions, and disbursements of moneys to school districts to assist them in providing school facilities. In accordance with RCW 28A.47.830, the only provisions of chapter 28A.47 RCW currently applicable to state assistance for school facilities are RCW 28A.47.073, 28A.47.075, and 28A.47.801 through 28A.47.809.

[Statutory Authority: RCW 28A.47.830. 83-21-071 (Order 16-83), § 180-33-005, filed 10/17/83. Statutory Authority: RCW 28A.47.073. 81-24-049 (Order 13-81), § 180-33-005, filed 12/1/81.]

WAC 180-33-007 Purpose. The purpose of this chapter is to set forth provisions applicable to basic state support and assistance in the modernization of existing school facilities.

[Statutory Authority: RCW 28A.47.830. 83-21-071 (Order 16-83), § 180-33-007, filed 10/17/83.]

WAC 180-33-010 Definitions. As used in this chapter: "Modernization" shall mean the making of major structural changes in such facilities and may include as incidental thereto the replacement of fixtures, fittings, furnishings, and service systems of a school facility in order to bring it up to a contemporary state consistent

[Title 180 WAC--p 83]

with the needs of changing educational programs and applicable codes.

"Major structural change" shall mean major components of a school facility contributing to the basic structure and shall not include those components such as portable partitions, free-standing panels and screens, portable equipment, and furnishings that do not contribute to the basic structure.

[Statutory Authority: RCW 28A.47.830. 83-21-071 (Order 16-83), § 180-33-010, filed 10/17/83. Statutory Authority: RCW 28A.47.073. 81-24-049 (Order 13-81), § 180-33-010, filed 12/1/81.]

WAC 180-33-015 Eligibility for state financial assistance. (1) In order to be eligible for state financial assistance, a modernization project shall have as its principal purpose one or more of the following:

(a) Bringing a facility into compliance with current building and health codes when so required by state or local health or safety officials;

(b) Changing the grade span grouping by facility by the addition, deletion, or combination thereof of two or more grades within the affected facility; or

(c) The reduction of the number of operating school facilities in a district by combining the remaining school facilities through modernization and new capital construction so as to achieve more cost effective and efficient operation in the combined school facility or facilities. In order to be eligible for state financial assistance, such a project shall result in additional space for at least 100 additional pupils and the following enrollment in any combined facility:

(i) Elementary school facility — 500 pupils;

(ii) Middle or junior high school facility — 700 pupils;

(iii) Senior high school facility — 850 pupils;

Provided, That modernization projects in school districts with a high school enrollment of less than 850 pupils need not comply with the enrollment figures set forth above: *Provided further*, That unless the district meets an exception provided in WAC 180-33-043 or demonstrates the existence of unhoused students, state financial assistance for the new construction component of a combined modernization and new construction project shall be limited to the provision of WAC 180-33-040.

(2) School districts shall certify that a proposed modernization project will extend the life of the modernized school facility by at least twenty years.

(3) School districts shall be ineligible for state assistance where the principal purpose of a modernization project is to:

(a) Solve delayed maintenance problems;

(b) Perform piecemeal work on one section or system of a school facility;

(c) Modernize a facility or any section thereof which has been constructed within the previous twenty years;

(d) Modernize a facility or any section thereof which has received state assistance under the authority of this chapter within the previous twenty years;

(e) To modernize a senior high school facility in a district with a senior high school where there is existing

space available to serve the students involved or affected in a neighboring senior high school without, in the judgment of the state board of education, an undue increase in the cost of transporting the students to and from school, decrease in educational opportunity, or proportional increase in the cost of instruction pursuant to chapter 180-25 WAC.

[Statutory Authority: RCW 28A.47.830. 85-24-049 (Order 26-85), § 180-33-015, filed 11/27/85; 85-09-060 (Order 8-85), § 180-33-015, filed 4/17/85; 83-21-071 (Order 16-83), § 180-33-015, filed 10/17/83. Statutory Authority: RCW 28A.47.073. 81-24-049 (Order 13-81), § 180-33-015, filed 12/1/81.]

WAC 180-33-020 Formula for determining the amount of state assistance. State assistance in an approved modernization project shall be derived by applying the percentage of state assistance determined pursuant to provisions of RCW 28A.47.803 and WAC 180-27-025 to the eligible cost which shall be calculated by multiplying the approved square foot area of the modernization project by the area cost allowance for state support by the factor in WAC 180-33-040 set forth, any cost in excess thereof shall be financed entirely by the school district.

[Statutory Authority: RCW 28A.47.830. 83-21-071 (Order 16-83), § 180-33-020, filed 10/17/83. Statutory Authority: RCW 28A.47.073. 81-24-049 (Order 13-81), § 180-33-020, filed 12/1/81.]

WAC 180-33-025 Space eligible for state financial assistance in modernization. Space allowance and enrollment projection provision for state matching purposes.

(1) In planning for modernization in any school facility, under the provisions of WAC 100-33-015 (1)(a) and (b), a school district shall estimate capacity needs on the basis of a cohort survival enrollment as per WAC 180-27-045. Any space above and beyond a school district's estimated capacity needs as calculated on the basis of a five-year cohort survival or adjusted cohort survival enrollment shall not be eligible for state financial assistance in modernization with the exception as stated in subsection (2) below.

(2) In computing the amount of eligible space for modernization, the state will match the entire facility if 3/4 of the overall square footage of the facility is eligible for state financial assistance. If less than 3/4 of the overall square footage of the facility is eligible for state financial assistance, the district shall pay the entire cost of modernizing any additional space: *Provided*, That this subsection shall not be applicable to new construction in lieu of modernization facility projects authorized by this chapter.

(3) In determining the eligible space for modernizing vocational-technical institutes, enrollment data furnished by the school district will be reviewed by the superintendent of public instruction or his or her designee.

(4) In planning for modernization in any combined facility as per WAC 180-33-015 (3)(c) a school district shall estimate enrollment in the district on the basis of a cohort survival enrollment as per WAC 180-27-045.

[Statutory Authority: RCW 28A.47.830. 85-24-049 (Order 26-85), § 180-33-025, filed 11/27/85; 83-21-071 (Order 16-83), § 180-33-

025, filed 10/17/83. Statutory Authority: RCW 28A.47.073. 81-24-049 (Order 13-81), § 180-33-025, filed 12/1/81.]

WAC 180-33-030 Certification of continued use.

Any school facilities modernized under WAC 180-33-015 must be used for at least five years beyond the completion of modernization. School directors will pass a resolution and submit it to the state board of education that the modernized facility will be used for instructional purposes for five years after the completion of the project. If the school facility is not used for instructional purposes during this five-year period, the amount of state money allocated and spent for the modernization project must be returned to the state school building construction fund. The five-year use requirement and the five year prohibition against additional modernization funding shall be waived in the event that a facility is rendered permanently unusable before the end of the five-year period by an unforeseen natural event. The definition of "unforeseen natural event" shall be as set forth in RCW 28A.41.170.

[Statutory Authority: RCW 28A.47.830. 85-24-049 (Order 26-85), § 180-33-030, filed 11/27/85; 83-21-071 (Order 16-83), § 180-33-030, filed 10/17/83. Statutory Authority: RCW 28A.47.073. 81-24-049 (Order 13-81), § 180-33-030, filed 12/1/81.]

WAC 180-33-035 Minimum project--Forty percent of replacement costs. State assistance in modernization of school facilities shall be limited to projects which may include an entire facility or one or more complete buildings within a facility for which the estimated cost of major structural change is not less than forty percent of the estimated cost of replacement. Said replacement cost shall be derived from multiplication of the total square foot area of the facility or facilities proposed for modernization by the area cost allowance of state support at projected time of bid as in WAC 180-27-045 set forth.

[Statutory Authority: RCW 28A.47.830. 85-24-049 (Order 26-85), § 180-33-035, filed 11/27/85; 83-21-071 (Order 16-83), § 180-33-035, filed 10/17/83. Statutory Authority: RCW 28A.47.073. 81-24-049 (Order 13-81), § 180-33-035, filed 12/1/81.]

WAC 180-33-040 Maximum costs eligible for state matching purposes--Eighty percent of replacement cost. The cost of an approved modernization project in excess of eighty percent of the estimated cost of replacement with a comparable school facility computed on the basis of the prevailing square foot cost level of state support as in chapter 180-27 WAC set forth shall be paid from school district local funds in excess of such local funds applied toward the modernization cost in accordance with the statutory formula and state board of education regulations governing basic support level as in chapter 180-27 WAC set forth.

[Statutory Authority: RCW 28A.47.830. 83-21-071 (Order 16-83), § 180-33-040, filed 10/17/83. Statutory Authority: RCW 28A.47.073. 81-24-049 (Order 13-81), § 180-33-040, filed 12/1/81.]

WAC 180-33-042 Replacement option. A district with space eligible for modernization pursuant to WAC 180-33-015 and 180-33-025 may elect to replace such space through new construction in lieu of modernization. In such case, the district shall apply for a new school

facility in accordance with applicable rules and regulations pertaining to new school plant facilities. Except as otherwise provided in WAC 180-33-043, districts exercising this election shall be limited in state assistance to the provision of WAC 180-33-040. In the event the district elects to replace a facility and construct a new facility with more space than the facility being replaced, the additional space, in order to be eligible for state assistance shall meet the eligibility requirements for new construction or the new construction component requirement of WAC 180-33-015 (1)(c): *Provided*, That no new construction in lieu of modernization project may qualify for additional state assistance pursuant to WAC 180-27-115 unless the facility being replaced would have qualified pursuant to such section for additional state assistance as a modernization project.

[Statutory Authority: RCW 28A.47.830. 85-09-060 (Order 8-85), § 180-33-042, filed 4/17/85.]

WAC 180-33-043 Exceptions to prospective application of WAC 180-33-040. Any district with a proposed project involving the replacement option of WAC 180-33-042 or the new construction component of WAC 180-33-015 (1)(c) which was approved by the state board of education pursuant to WAC 180-29-025 (i.e., Form C-2) prior to April 13, 1985, and which has obtained local capital funding pursuant to WAC 180-25-050(3) for projects identified within the Form C-2 by such date shall receive state assistance for such projects in accordance with the provisions otherwise applicable to new construction and, therefore, shall not be limited by the provision of WAC 180-33-040.

[Statutory Authority: RCW 28A.47.830. 85-09-060 (Order 8-85), § 180-33-043, filed 4/17/85.]

WAC 180-33-045 Architect and engineering services. In the allocation of state funds for an approved modernization project, architectural and engineering services eligible for state matching purposes shall not exceed one and one-half times the architectural and engineering services as in chapter 180-27 WAC set forth.

[Statutory Authority: RCW 28A.47.830. 83-21-071 (Order 16-83), § 180-33-045, filed 10/17/83. Statutory Authority: RCW 28A.47.073. 81-24-049 (Order 13-81), § 180-33-045, filed 12/1/81.]

WAC 180-33-050 Study and survey of school district as prerequisite. A survey of facilities proposed for modernization conducted under the direction of the superintendent of public instruction as per chapter 180-25 WAC shall be a prerequisite for consideration of an application for state participation in financing of a modernization project.

[Statutory Authority: RCW 28A.47.830. 83-21-071 (Order 16-83), § 180-33-050, filed 10/17/83. Statutory Authority: RCW 28A.47.073. 81-24-049 (Order 13-81), § 180-33-050, filed 12/1/81.]

WAC 180-33-055 Regulations governing. In addition to the regulations hereinbefore in chapter 180-33 WAC prescribed; all regulations governing the basic assistance program prescribed in chapters 180-25, 180-26, 180-27, and 180-29 WAC shall govern administration of state participation in financing modernization of

school facilities: *Provided*, That compliance with those regulations not pertinent to modernization projects as determined by the superintendent of public instruction shall not be required.

[Statutory Authority: RCW 28A.47.830. 83-21-071 (Order 16-83), § 180-33-055, filed 10/17/83. Statutory Authority: RCW 28A.47.073. 81-24-049 (Order 13-81), § 180-33-055, filed 12/1/81.]

WAC 180-33-060 Procedural requirements. The superintendent of public instruction shall determine procedures and forms for the administration of state participation in financing modernization of school facilities, such procedures and forms to be in addition to or in lieu of procedural requirements prescribed in chapter 180-29 WAC.

[Statutory Authority: RCW 28A.47.830. 83-21-071 (Order 16-83), § 180-33-060, filed 10/17/83. Statutory Authority: RCW 28A.47.073. 81-24-049 (Order 13-81), § 180-33-060, filed 12/1/81.]

Chapter 180-34 WAC REAL PROPERTY SALES CONTRACTS

WAC

180-34-005	Authority and purpose.
180-34-010	General conditions.
180-34-015	Payments—Interest—Duration.
180-34-020	Down payment.
180-34-025	Title to property—Transfer upon satisfaction of contract.

WAC 180-34-005 Authority and purpose. The purpose of this chapter is to establish the terms and conditions governing sales of school district surplus real property pursuant to real estate sales contracts as authorized by RCW 28A.58.045.

[Order 3-76, § 180-34-005, filed 3/23/76.]

WAC 180-34-010 General conditions. When in the judgment of the board of directors of a school district a greater amount may be received for surplus real property and the sale facilitated by selling pursuant to a real estate sales contract, the board of directors may do so consistent with the provisions of this chapter. Any school district that sells real property pursuant to a real estate sales contract shall have the proposed contract approved in advance by the county prosecuting attorney or a private attorney as to legal propriety and compliance with (1) the laws of the state of Washington including, but not limited to, RCW 28A.58.045 and (2) the provisions of this chapter.

[Order 3-76, § 180-34-010, filed 3/23/76.]

WAC 180-34-015 Payments—Interest—Duration. Each real estate sales contract shall provide for equal periodic payments. The time between each periodic payment shall be no longer than six months. Such payments shall include interest at not less than the prevailing market rate. Such contracts shall not exceed fifteen years in length.

[Order 3-76, § 180-34-015, filed 3/23/76.]

[Title 180 WAC—p 86]

WAC 180-34-020 Down payment. Each real estate sales contract shall provide for a cash down payment by the purchaser upon execution of the contract which payment shall be no less than fifteen percent of the total purchase price exclusive of interest.

[Order 3-76, § 180-34-020, filed 3/23/76.]

WAC 180-34-025 Title to property—Transfer upon satisfaction of contract. Title to all property sold pursuant to a real estate sales contract shall be retained by the seller school district until the terms of the contract, including the payment of principal and interest, have been performed in full by the purchaser.

[Order 3-76, § 180-34-025, filed 3/23/76.]

Chapter 180-36 WAC CENTRAL PURCHASING

WAC

180-36-005	Authority and purpose.
180-36-010	Definitions.
180-36-015	Conditions to purchases of property and conveyances of a purchase money security interest therein.

WAC 180-36-005 Authority and purpose. The purposes of this chapter are to implement RCW 28A.58.0401 and establish the conditions pursuant to which certain associations established by school districts may purchase real and personal property and create a purchase money security interest therein.

[Statutory Authority: RCW 28A.03.030. 83-13-001 (Order 2-83), § 180-36-005, filed 6/2/83; Order 5-76, § 180-36-005, filed 6/1/76.]

WAC 180-36-010 Definitions. As used in this chapter:

(1) "Association" shall mean and be limited to a legal entity established by two or more public school districts pursuant to the Inter-local Cooperation Act (chapter 39.34 RCW) for the sole purpose of jointly and cooperatively purchasing school supplies, materials and equipment.

(2) Purchase money security interest: A purchase money security interest is defined as (a) an interest taken by the seller of real or personal property of every kind, character or description or any interest in such real or personal property to secure all or part of its price, or (b) an interest taken by a person who by making advances or incurring an obligation gives value to enable the association to acquire rights in or the use of real or personal property of every kind, character or description or any interest in such real or personal property, to secure all or part of the obligation owed such person: *Provided*, That for real property or any interest in real property, the term "purchase money security interest" shall include, but is not limited to, a mortgage and a deed of trust: *Provided further*, That for real property or any interest in real property, a purchase money security interest shall not include a conditional sales contract.

[Order 5-76, § 180-36-010, filed 6/1/76.]

WAC 180-36-015 Conditions to purchases of property and conveyances of a purchase money security interest therein. An association may purchase real and personal property and may convey a purchase money security interest on the following conditions:

(1) The real or personal property shall be purchased for actual use by the association consistent with its lawful and established purposes, and not be for purposes of investment.

(2) The real or personal property shall be necessary for the efficient maintenance and operation of the lawful activities of the association.

(3) Every purchase money security interest shall be in writing and shall set forth substantially the following in bold face type: (a) That the creditor of the association does not by virtue of its purchase money security interest acquire any rights or interests whatsoever against any property, properties or assets of any kind or nature of the school districts which establish and/or participate in the association; and (b) that the creditor shall be entitled to and agrees to look solely to the assets and properties of the association for payment of any obligation incurred by the association.

(4) An authorized representative of the association shall certify in writing to the secretary of the state board of education that: (a) Each proposed purchase of real or personal property and conveyance of a purchase money security interest therein shall be in compliance with this chapter; and (b) the association possesses sufficient income and a reasonable assurance of a continuation of such income to meet previously incurred debt obligations, current and foreseeable maintenance and operation expenses and the debt about to be incurred.

[Order 5-76, § 180-36-015, filed 6/1/76.]

Chapter 180-38 WAC

PUPILS--IMMUNIZATION REQUIREMENT

WAC

180-38-005	Authority.
180-38-010	Purpose.
180-38-020	Definition--Student.
180-38-025	Definition--Chief administrator.
180-38-030	Definition--Full immunization.
180-38-035	Definition--Schedule of immunization.
180-38-040	Definition--Certificate of exemption.
180-38-045	Attendance condition upon compliance.
180-38-050	Notice prior to exclusions from school.
180-38-055	Public schools--Content of written notice.
180-38-060	Private schools--Content of written notice.
180-38-065	Exclusion of students for failure to comply.
180-38-070	Supplementing rules of SPI.

WAC 180-38-005 Authority. The authority for this chapter is RCW 28A.31.118 which authorizes the state board of education to adopt rules which establish the procedural and substantive due process requirements governing the exclusion of students from public and private schools for failure to comply with the immunization requirement of the state of Washington.

[Statutory Authority: RCW 28A.31.118. 85-20-040 (Order 20-85), § 180-38-005, filed 9/25/85.]

WAC 180-38-010 Purpose. The purpose of this chapter is to establish the procedural and substantive due process requirements governing the exclusion of students from public and private schools for failure to comply with the immunization requirement of the state of Washington.

[Statutory Authority: RCW 28A.31.118. 85-20-040 (Order 20-85), § 180-38-010, filed 9/25/85.]

WAC 180-38-020 Definition--Student. As used in this chapter, the term "student" shall mean the same as defined for "child" in WAC 248-100-163 (1)(f) by the state board of health.

[Statutory Authority: RCW 28A.31.118. 85-20-040 (Order 20-85), § 180-38-020, filed 9/25/85.]

WAC 180-38-025 Definition--Chief administrator. As used in this chapter, the term "chief administrator" shall mean the same as defined in RCW 28A.31.102(1), to wit: "'Chief administrator' shall mean the person with the authority and responsibility for the immediate supervision of the operation of a school . . . or, in the alternative, such other person as may hereafter be designated in writing for the purposes of . . . [this chapter] by the statutory or corporate board of directors of the school district, school . . . or, if none, such other persons or person with the authority and responsibility for the general supervision of the operation of the school district, [or] school" This definition of chief administrator is unique to this chapter and in application may or may not include the principal or headmaster of a school depending on the degree of authority delegated to such principal or headmaster and whether the responsibility has been delegated to another school official.

[Statutory Authority: RCW 28A.31.118. 85-20-040 (Order 20-85), § 180-38-025, filed 9/25/85.]

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

WAC 180-38-030 Definition--Full immunization. As used in this chapter, the term "full immunization" shall mean the same as defined in RCW 28A.31.102(2), to wit: "'Full immunization' shall mean immunization against certain vaccine-preventable diseases in accordance with schedules and with immunizing agents approved by the state board of health." This definition of full immunization is unique to this chapter and includes immunization only against diseases as required by rules of the state board of health.

[Statutory Authority: RCW 28A.31.118. 85-20-040 (Order 20-85), § 180-38-030, filed 9/25/85.]

WAC 180-38-035 Definition--Schedule of immunization. For the purpose of this chapter, the term "schedule of immunization" shall mean the beginning or continuing of a course of immunization prescribed by the state board of health.

[Statutory Authority: RCW 28A.31.118. 85-20-040 (Order 20-85), § 180-38-035, filed 9/25/85.]

WAC 180-38-040 Definition--Certificate of exemption. As used in this chapter, the term "certificate of exemption" shall mean the filing with the chief administrator of the school, on a form prescribed by the department of social and health services, which complies with RCW 28A.31.106, to wit:

"(1) A written certification signed by any physician licensed to practice medicine pursuant to chapter 18.71 or 18.57 RCW that a particular vaccine required by rule of the state board of health is, in his or her judgment, not advisable for the . . . [student]: *Provided*, That when it is determined that this particular vaccine is no longer contraindicated, the . . . [student] will be required to have the vaccine; or

(2) A written certification signed by any parent or legal guardian of the . . . [student] or any adult in loco parentis to the . . . [student] that the religious beliefs of the signator are contrary to the required immunization measures; or

(3) A written certification signed by any parent or legal guardian of the . . . [student] or any adult in loco parentis to the . . . [student] that the signator has either a philosophical or personal objection to the immunization of the . . . [student]."

[Statutory Authority: RCW 28A.31.118. 85-20-040 (Order 20-85), § 180-38-040, filed 9/25/85.]

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

WAC 180-38-045 Attendance condition upon compliance. It is the public policy of this state, as codified in RCW 28A.31.104, that "[t]he attendance of every . . . [student] in the state . . . shall be conditioned upon the presentation before or on each . . . [student's] first day of attendance at a particular school . . ., of proof of . . . [.] (1) full immunization, (2) the initiation of and compliance with a schedule of immunization, as required by rules of the state board of health, or (3) a certificate of exemption as provided for in RCW 28A-31.106. [See WAC 180-38-040]"

The statutory scheme requires exclusion from school prior to a termination hearing on the implied basis that such students are an immediate and continuing danger to themselves or others—i.e., the constitutional basis for an emergency expulsion from public schools and the exemption from providing a pretermination due process hearing.

[Statutory Authority: RCW 28A.31.118. 85-20-040 (Order 20-85), § 180-38-045, filed 9/25/85.]

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

WAC 180-38-050 Notice prior to exclusions from school. It is the public policy of this state, as codified in RCW 28A.31.114, that "each school . . . shall provide written notice to the parent(s) or legal guardian(s) of each . . . [student] or to the adult(s) in loco parentis to each . . . [student] who is not in compliance with . . .

[Title 180 WAC—p 88]

[the public policy stated in WAC 180-38-045]," prior to the exclusion of such student.

[Statutory Authority: RCW 28A.31.118. 85-20-040 (Order 20-85), § 180-38-050, filed 9/25/85.]

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

WAC 180-38-055 Public schools--Content of written notice. The written notice for public school students shall:

(1) Comply with the emergency expulsion notice requirements of WAC 180-40-300 except that the notice must be received prior to the emergency expulsion of the student.

(2) Advise the appropriate party of the applicable law and provide copies of such laws and implementing rules, including procedural due process rules prescribed by the state board of education for emergency expulsion.

(3) Advise regarding immunization services that are available from or through the local health department and other public agencies.

(4) Order an emergency expulsion of the student from school and state that such order is effective immediately upon receipt of the notice.

[Statutory Authority: RCW 28A.31.118. 85-20-040 (Order 20-85), § 180-38-055, filed 9/25/85.]

WAC 180-38-060 Private schools--Content of written notice. The written notice for private school students shall:

(1) Advise the appropriate party of the applicable law and provide copies of such law and implementing rules.

(2) Advise regarding immunization services that are available from or through the local health department or other public agencies.

(3) Order the exclusion of the student from school and state that such order is effective upon receipt of the notice.

[Statutory Authority: RCW 28A.31.118. 85-20-040 (Order 20-85), § 180-38-060, filed 9/25/85.]

WAC 180-38-065 Exclusion of students for failure to comply. The chief administrator of each public or private school shall exclude from such school all students who fail to comply with the public policy stated within WAC 180-38-045: *Provided*, That if the chief administrator did not provide written notice as required in WAC 180-38-050 prior to the student's first day of attendance at such school, the emergency expulsion or exclusion shall be stayed until the notice is received.

[Statutory Authority: RCW 28A.31.118. 85-20-040 (Order 20-85), § 180-38-065, filed 9/25/85.]

WAC 180-38-070 Supplementing rules of SPI. Chapter 392-183 WAC contains rules of the superintendent of public instruction which supplement this chapter.

[Statutory Authority: RCW 28A.31.118. 85-20-040 (Order 20-85), § 180-38-070, filed 9/25/85.]

Chapter 180-39 WAC

PUPILS—UNIFORM ENTRY QUALIFICATIONS

WAC

180-39-005	Authority and purpose.
180-39-010	Uniform entry age for kindergarten.
180-39-015	Uniform entry age for first grade.
180-39-020	Kindergarten experience qualification for first grade.
180-39-025	Local option exceptions to uniform entry qualification.
180-39-027	Fees.
180-39-028	Fee waivers.
180-39-030	Early entry nondiscrimination.
180-39-035	Appeal process.

WAC 180-39-005 Authority and purpose. This chapter is adopted pursuant to authority vested in the state board of education by RCW 28A.58.190 which authorizes the state board of education to establish uniform entry qualifications.

[Statutory Authority: RCW 28A.58.190. 83-13-004 (Order 5-83), § 180-39-005, filed 6/2/83.]

WAC 180-39-010 Uniform entry age for kindergarten. Except as provided in WAC 180-39-025, a child must be five years of age as of midnight August 31 of the year of entry to be entitled to enter kindergarten.

[Statutory Authority: RCW 28A.58.190. 83-13-004 (Order 5-83), § 180-39-010, filed 6/2/83.]

WAC 180-39-015 Uniform entry age for first grade. Except as provided in WAC 180-39-020 and 180-39-025, a child must be six years of age as of midnight August 31 of the year of entry to be entitled to enter first grade.

[Statutory Authority: RCW 28A.58.190. 83-13-004 (Order 5-83), § 180-39-015, filed 6/2/83.]

WAC 180-39-020 Kindergarten experience qualification for first grade. Any child not otherwise eligible for entry to first grade who successfully has completed a kindergarten program in a public or private school shall be permitted entry to the school program: *Provided*, That the kindergarten program standards substantially equaled or exceeded the applicable basic education program requirements of RCW 28A.58.754 and WAC 180-16-200 through 180-16-220, each as now or hereafter amended: *Provided further*, That if the district of entry has reason to believe that an individual child so qualified may not succeed in the district's first grade program, the district shall have the option of placing the child in either kindergarten or the first grade for evaluation in the areas specified in WAC 180-39-025 and a final determination of the child's appropriate grade level placement no later than the thirtieth calendar day following the child's first day of attendance.

[Statutory Authority: RCW 28A.58.190. 83-13-004 (Order 5-83), § 180-39-020, filed 6/2/83.]

WAC 180-39-025 Local option exceptions to uniform entry qualification. School districts may adopt regulations that provide for individual exceptions to the uniform entry qualifications established by this chapter.

Such regulations shall provide for a screening process and/or instrument(s) which measure the ability or the need, or both, of an individual student to succeed in earlier entry. Such process and/or instrument(s) shall include, but not be limited to, the following areas:

- (1) Mental ability;
- (2) Gross motor skills;
- (3) Fine motor skills;
- (4) Visual discrimination;
- (5) Auditory discrimination; and
- (6) Emotional/social development.

[Statutory Authority: RCW 28A.58.190. 83-13-004 (Order 5-83), § 180-39-025, filed 6/2/83.]

WAC 180-39-027 Fees. A school district, that conducts a screening process to identify individual exceptions to the uniform entry qualifications, may collect fees not to exceed seventy-five dollars per preadmission student to cover expenses incurred in the administration of such a screening process: *Provided*, That such fees shall not be charged for children who are being assessed or reassessed for entry to the first grade in accordance with the provision of WAC 392-171-384.

[Statutory Authority: RCW 28A.58.190. 87-01-017 (Order 16-86), § 180-39-027, filed 12/10/86.]

WAC 180-39-028 Fee waivers. Any school district that collects fees for screening processes, pursuant to WAC 180-39-027, shall adopt regulations for waiving and reducing such fees in the cases of those persons whose families, by reason of their low income, would have difficulty in paying the entire amount of such fees.

[Statutory Authority: RCW 28A.58.190. 87-01-017 (Order 16-86), § 180-39-028, filed 12/10/86.]

WAC 180-39-030 Early entry nondiscrimination. Any school district that adopts regulations pursuant to WAC 180-39-025, 180-39-027, and 180-39-028, providing for individual exceptions to the uniform entry qualifications, the charging of screening fees, and the waiver of screening fees, is governed by the nondiscrimination provisions of WAC 180-40-215(1).

[Statutory Authority: RCW 28A.58.190. 87-01-017 (Order 16-86), § 180-39-030, filed 12/10/86; 83-13-004 (Order 5-83), § 180-39-030, filed 6/2/83.]

WAC 180-39-035 Appeal process. Any school district that adopts regulations pursuant to WAC 180-39-025, 180-39-027, and 180-39-028, providing for individual exceptions to the uniform entry qualifications, the charging of screening fees, and the waiver of screening fees, shall provide, by regulation, for an internal district appeal process for parents or guardians to seek review of the decision made by the administrator responsible for the screening process, and the charging of screening fees, and waiving of screening fees, authorized by WAC 180-39-025, 180-39-027, and 180-39-028.

[Statutory Authority: RCW 28A.58.190. 87-01-017 (Order 16-86), § 180-39-035, filed 12/10/86; 83-13-004 (Order 5-83), § 180-39-035, filed 6/2/83.]

Chapter 180-40 WAC

PUPILS

WAC

- 180-40-200 Purpose and application.
 180-40-205 Definitions.
 180-40-210 Student responsibilities and duties.
 180-40-215 Student rights.
 180-40-220 Student disciplinary boards—Establishment at option of school district—Functions.
 180-40-225 School district rules defining misconduct—Distribution of rules.
 180-40-227 School district rules defining students religious rights.
 180-40-230 Persons authorized to impose discipline, suspension, expulsion, or emergency removal upon students.

DISCIPLINE

- 180-40-235 Discipline—Conditions and limitations.
 180-40-240 Discipline—Grievance procedure.

SHORT-TERM SUSPENSION

- 180-40-245 Short-term suspension—Conditions and limitations.
 180-40-250 Short-term suspension—Prior conference required—Notice to parent.
 180-40-255 Short-term suspension—Grievance procedure.

LONG-TERM SUSPENSION

- 180-40-260 Long-term suspension—Conditions and limitations.
 180-40-265 Long-term suspension—Notice of hearing—Waiver of hearing.
 180-40-270 Long-term suspension—Prehearing and hearing process.

EXPULSION

- 180-40-275 Expulsion—Conditions and limitations.
 180-40-280 Expulsion—Notice of hearing—Waiver of hearing.
 180-40-285 Expulsion—Prehearing and hearing process.

EMERGENCY ACTIONS

- 180-40-290 Emergency removal from a class, subject, or activity.
 180-40-295 Emergency expulsion—Limitations.
 180-40-300 Emergency expulsion—Notice of hearing—Waiver of hearing right.
 180-40-305 Emergency expulsion—Prehearing and hearing process.

APPEALS

- 180-40-310 Appeals—Long-term suspension and expulsion.
 180-40-315 Appeals—Hearing before school board—Procedures.
 180-40-320 School board decisions.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

- 180-40-005 Regulatory provisions relating to RCW 28A.04.120(6), 28A.04.132 and 28A.58.101. [Order 1-72, § 180-40-005, filed 1/28/72; SBE 40-4-1, filed 3/29/65, effective 4/29/65.] Repealed by Order 6-77, filed 6/2/77, effective 8/1/77.
 180-40-007 Rules applicable to grades K-12. [Order 2-74, § 180-40-007, filed 5/23/74; Order 1-72, § 180-40-007, filed 1/28/72; SBE 40-4-2, filed 3/29/65, effective 4/29/65.] Repealed by Order 6-77, filed 6/2/77, effective 8/1/77.
 180-40-010 Attendance and adherence to district rules. [SBE 40-4-20, filed 3/29/65, effective 4/29/65.] Repealed by Order 6-77, filed 6/2/77, effective 8/1/77.
 180-40-020 Regulatory provisions relating to RCW 28.04.120(7) and 28.58.100(2)—Cause for suspension or expulsion. [SBE 40-4-21, filed 3/29/65, effective 4/29/65.] Repealed by Order 1-72, filed 1/28/72.
 180-40-030 Regulatory provisions relating to RCW 28.04.120(7) and 28.58.100(2)—Personal cleanliness and grooming. [SBE 40-4-22, filed 3/29/65, effective 4/29/65.] Repealed by Order 1-72, filed 1/28/72.

- 180-40-040 Use of motor vehicles. [SBE 40-4-23, filed 3/29/65, effective 4/29/65.] Repealed by Order 6-77, filed 6/2/77, effective 8/1/77.
 180-40-050 Detaining of pupils. [SBE 40-4-24, filed 3/29/65, effective 4/29/65.] Repealed by Order 6-77, filed 6/2/77, effective 8/1/77.
 180-40-060 Rights and responsibilities of pupils and due process guarantees—Basic policies. [Order 1-72, § 180-40-060, filed 1/28/72.] Repealed by Order 6-77, filed 6/2/77, effective 8/1/77.
 180-40-065 Rights and responsibilities of pupils and due process guarantees—School district board of directors to adopt written rules. [Order 1-72, § 180-40-065, filed 1/28/72.] Repealed by Order 6-77, filed 6/2/77, effective 8/1/77.
 180-40-070 Rights and responsibilities of pupils and due process guarantees—Terms defined—Limitations prescribed. [Order 2-74, § 180-40-070, filed 5/23/74; Order 1-72, § 180-40-070, filed 1/28/72.] Repealed by Order 6-77, filed 6/2/77, effective 8/1/77.
 180-40-075 Rights and responsibilities of pupils and due process guarantees—Attendance right and responsibility. [Order 1-72, § 180-40-075, filed 1/28/72.] Repealed by Order 6-77, filed 6/2/77, effective 8/1/77.
 180-40-080 Rights and responsibilities of pupils and due process guarantees—Pupils to comply with written rules and submit to disciplinary action—Refusal cause for discipline and suspension. [Order 1-72, § 180-40-080, filed 1/28/72.] Repealed by Order 6-77, filed 6/2/77, effective 8/1/77.
 180-40-085 Rights and responsibilities of pupils and due process guarantees—Refusal to comply with written rules cause for expulsion under certain conditions—Conditions prescribed. [Order 1-72, § 180-40-085, filed 1/28/72.] Repealed by Order 6-77, filed 6/2/77, effective 8/1/77.
 180-40-090 Rights and responsibilities of pupils and due process guarantees—Disorderly conduct cause for disciplinary action—Conditions prescribed. [Order 1-72, § 180-40-090, filed 1/28/72.] Repealed by Order 6-77, filed 6/2/77, effective 8/1/77.
 180-40-095 Rights and responsibilities of pupils and due process guarantees—Substantive rights enumerated. [Order 1-72, § 180-40-095, filed 1/28/72.] Repealed by Order 6-77, filed 6/2/77, effective 8/1/77.
 180-40-100 Rights and responsibilities of pupils and due process guarantees—Enumerated rights applicable to all pupils—School district to make related rules. [Order 1-72, § 180-40-100, filed 1/28/72.] Repealed by Order 6-77, filed 6/2/77, effective 8/1/77.
 180-40-105 Rights and responsibilities of pupils and due process guarantees—Constitutional and citizenry rights recognized. [Order 1-72, § 180-40-105, filed 1/28/72.] Repealed by Order 6-77, filed 6/2/77, effective 8/1/77.
 180-40-110 Rights and responsibilities of pupils and due process guarantees—Expulsion, suspension and discipline restricted to school-related matters. [Order 1-72, § 180-40-110, filed 1/28/72.] Repealed by Order 6-77, filed 6/2/77, effective 8/1/77.
 180-40-115 Rights and responsibilities of pupils and due process guarantees—Readmission provisions. [Order 1-72, § 180-40-115, filed 1/28/72.] Repealed by Order 6-77, filed 6/2/77, effective 8/1/77.
 180-40-120 Rights and responsibilities of pupils and due process guarantees—Pupil disciplinary boards—Establishment option of school districts—Functions prescribed. [Order 1-72, § 180-40-120, filed 1/28/72.] Repealed by Order 6-77, filed 6/2/77, effective 8/1/77.
 180-40-123 Discipline involving a denial of attendance—Informal due process conference required. [Emergency and Permanent Order 10-76, § 180-40-123, filed 8/30/76.] Repealed by Order 6-77, filed 6/2/77, effective 8/1/77.

- 180-40-125 Rights and responsibilities of pupils and due process guarantees—Rights of person aggrieved by disciplinary action to informal conference and formal protest—Procedure prescribed. [Order 1-72, § 180-40-125, filed 1/28/72.] Repealed by Order 6-77, filed 6/2/77, effective 8/1/77.
- 180-40-130 Rights and responsibilities of pupils and due process guarantees—Interim suspension in emergency situation—Conditions defined—Procedure prescribed. [Order 2-74, § 180-40-130, filed 5/23/74; Order 1-72, § 180-40-130, filed 1/28/72.] Repealed by Order 6-77, filed 6/2/77, effective 8/1/77.
- 180-40-135 Rights and responsibilities of pupils and due process guarantees—Delegation of authority to suspend or expel. [Order 1-72, § 180-40-135, filed 1/28/72.] Repealed by Order 6-77, filed 6/2/77, effective 8/1/77.
- 180-40-140 Rights and responsibilities of pupils and due process guarantees—Board of directors to adopt rules for expulsion or suspension hearing before delegated authority—Provisions for protection of pupil rights and appeal prescribed. [Order 2-74, § 180-40-140, filed 5/23/74; Order 1-72, § 180-40-140, filed 1/28/72.] Repealed by Order 6-77, filed 6/2/77, effective 8/1/77.
- 180-40-145 Rights and responsibilities of pupils and due process guarantees—Appeal to board of directors from expulsion decision of delegated hearing authority—Procedure prescribed. [Order 2-74, § 180-40-145, filed 5/23/74; Order 1-72, § 180-40-145, filed 1/28/72.] Repealed by Order 6-77, filed 6/2/77, effective 8/1/77.
- 180-40-150 Rights and responsibilities of pupils and due process guarantees—Expulsion or suspension hearing directly before board of directors—Procedure prescribed. [Order 1-72, § 180-40-150, filed 1/28/72.] Repealed by Order 6-77, filed 6/2/77, effective 8/1/77.
- 180-40-155 Rights and responsibilities of pupils and due process guarantees—Appeal to superior court from action by board of directors regarding discipline, suspension or expulsion—Procedure prescribed. [Order 2-74, § 180-40-155, filed 5/23/74; Order 1-72, § 180-40-155, filed 1/28/72.] Repealed by Order 6-77, filed 6/2/77, effective 8/1/77.
- 180-40-160 Severability. [Order 1-72, § 180-40-160, filed 1/28/72.] Repealed by Order 6-77, filed 6/2/77, effective 8/1/77.

WAC 180-40-200 Purpose and application. The purpose of this chapter is to implement RCW 28A.04-.132 by prescribing the substantive and procedural due process rights of students served by any program or activity conducted by or in behalf of a common school district: *Provided*, That the enforcement of rules promulgated by the Washington interscholastic activity association and like organizations that govern the participation of students in interschool activities, and appeals in connection therewith, shall be governed by rules of the organization that have been adopted pursuant to RCW 28A.58.125 and approved by the state board of education—not by this chapter. The procedures and standards set forth in this chapter and those adopted by a school district in conformance with this chapter shall govern the imposition of corrective action or punishment (i.e., discipline, suspension, and expulsion) upon any student by a school district and its agents.

The provisions of this chapter are intended to establish the minimum procedural and substantive due process rights of students. School districts are free to

establish additional due process requirements and limitations and shall do so as necessary to accommodate the constitutional rights of students as now or hereafter established.

For rules regarding student conduct which supplement this chapter see chapter 392-145 WAC governing the operation of school buses, particularly WAC 392-145-015(4) regarding the responsibility of bus drivers and certificated staff members who accompany students for the behavior of students, and WAC 392-145-035 regarding the duty to adopt and post rules, including rules of conduct, governing school bus passengers.

[Statutory Authority: RCW 28A.04.132. 82-20-052 (Order 4-82), § 180-40-200, filed 10/1/82; Order 6-77, § 180-40-200, filed 6/2/77, effective 8/1/77.]

WAC 180-40-205 Definitions. As used in this chapter the term: (1) "Discipline" shall mean all forms of corrective action or punishment other than suspension and expulsion and shall include the exclusion of a student from a class by a teacher or administrator for a period of time not exceeding the balance of the immediate class period: *Provided*, That the student is in the custody of a school district employee for the balance of such period. Discipline shall also mean the exclusion of a student from any other type of activity conducted by or in behalf of a school district.

(2) "Suspension" shall mean a denial of attendance (other than for the balance of the immediate class period for "discipline" purposes) at any single subject or class, or at any full schedule of subjects or classes for a stated period of time. A suspension also may include a denial of admission to or entry upon real and personal property that is owned, leased, rented, or controlled by the school district.

(3) "Short-term suspension" shall mean a suspension for any portion of a calendar day up to and not exceeding five consecutive school days.

(4) "Long-term suspension" shall mean a suspension which exceeds a "short-term suspension" as defined in subsection (3) of this section.

(5) "Expulsion" shall mean a denial of attendance at any single subject or class or at any full schedule of subjects or classes for an indefinite period of time. An expulsion also may include a denial of admission to or entry upon real and personal property that is owned, leased, rented, or controlled by the school district.

(6) "School business day" shall mean any calendar day, exclusive of Saturdays, Sundays, and any federal and school holidays, upon which the office of the superintendent of the school district is open to the public for the conduct of business. A school business day shall be concluded or terminated upon the closure of said office for the calendar day.

[Statutory Authority: 1979 1st ex.s. c 173 and c 201. 79-11-049 (Order 14-79), § 180-40-205, filed 10/16/79; Order 6-77, § 180-40-205, filed 6/2/77, effective 8/1/77.]

WAC 180-40-210 Student responsibilities and duties. The mission of the common school system is to provide learning experience which will assist all students

to develop skills, competencies, and attitudes that are fundamental to an individual's achievement as a responsible, contributing citizen. In order to maintain and advance this mission, it shall be the responsibility and duty of each student to pursue his/her course of studies, comply with written rules of a common school district which are adopted pursuant to and in compliance with WAC 180-40-225 and RCW 28A.58.101, and submit to reasonable corrective action or punishment imposed by a school district and its agents for violation(s) of such rules. The provisions of this chapter do not lessen the foregoing responsibilities and duties of each student. This chapter is intended to assure that corrective action or punishment is imposed for just cause and in a fair and just manner.

[Order 6-77, § 180-40-210, filed 6/2/77, effective 8/1/77.]

WAC 180-40-215 Student rights. In addition to other rights established by law, each student served by or in behalf of a common school district shall possess the following substantive rights, and no school district shall limit these rights except for good and sufficient cause:

(1) No student shall be unlawfully denied an equal educational opportunity or be unlawfully discriminated against because of national origin, race, religion, economic status, sex, pregnancy, marital status, previous arrest, previous incarceration, or a physical, mental or sensory handicap.

(2) All students possess the constitutional right to freedom of speech and press, the constitutional right to peaceably assemble and to petition the government and its representatives for a redress of grievances, the constitutional right to the free exercise of religion and to have their schools free from sectarian control or influence, subject to reasonable limitations upon the time, place, and manner of exercising such right.

(3) All students possess the constitutional right to be secure in their persons, papers, and effects against unreasonable searches and seizures.

(4) All students shall have the right to be free from unlawful interference in their pursuit of an education while in the custody of a common school district.

(5) No student shall be deprived of the right to an equal educational opportunity in whole or in part by a school district without due process of law.

The foregoing enumeration of rights shall not be construed to deny or disparage other rights set forth in the constitution and the laws of the state of Washington or the rights retained by the people.

[Statutory Authority: RCW 28A.04.132. 85-04-009 (Order 3-85), § 180-40-215, filed 1/25/85; Order 6-77, § 180-40-215, filed 6/2/77, effective 8/1/77.]

WAC 180-40-220 Student disciplinary boards--Establishment at option of school district--Functions. The board of directors of any school district may authorize the establishment of one or more student disciplinary boards composed of students, teachers, administrators, or parents, or any combination thereof.

[Title 180 WAC--p 92]

Disciplinary boards may be authorized to prescribe reasonable discipline and may recommend, but not prescribe, suspension or expulsion to the appropriate school authority. Such school authority shall be granted the power to set aside or modify any such prescription or recommendation. In addition, disciplinary boards may be authorized to periodically review rules of the school district defining the types of misconduct for which corrective action or punishment may be imposed and to recommend amendments thereto to the board of directors.

[Order 6-77, § 180-40-220, filed 6/2/77, effective 8/1/77.]

WAC 180-40-225 School district rules defining misconduct--Distribution of rules. (1) It shall be the responsibility and duty of each school district to adopt, publish, and make available to all students and parents written rules which state with reasonable clarity the types of misconduct for which discipline, suspension, and expulsion may be imposed. In addition, written procedures for administering corrective action shall be developed and reviewed periodically as follows:

(a) Each school district shall provide for the development with parent and community participation of written procedures for administering corrective action at each school as required by RCW 28A.58.1011(3).

(b) In a manner consistent with the district procedures developed pursuant to (a) above, the principal and certificated employees in each school building shall confer at least annually for the purpose of developing, or reviewing, or both, building discipline standards and the uniform enforcement of those standards, as required by RCW 28A.58.201.

(2) Rules that establish types of misconduct pursuant to this section must have a real and substantial relationship to the lawful maintenance and operation of the school district including, but not limited to, the preservation of the health and safety of students and employees and the preservation of an educational process which is conducive to learning.

(3) The rules set forth in this chapter, the rules of a school district that establish types of misconduct pursuant to subsection (1) above, and the written procedures of a district for administering corrective action adopted pursuant to subsection (1)(a) above, shall be published and made available to all students and parents on an annual basis. If a school district chooses not to distribute such rules to all students and parents, then notice which describes the contents of such rules and specifies the person(s) to contact for a copy thereof shall be provided to students and parents on an annual basis in a manner reasonably calculated to come to their attention.

[Statutory Authority: 1980 c 171. 80-10-030 (Order 11-80), § 180-40-225, filed 8/4/80; Order 6-77, § 180-40-225, filed 6/2/77, effective 8/1/77.]

WAC 180-40-227 School district rules defining students religious rights. It shall be the responsibility and duty of each school district to adopt policies of the district for implementation of students' rights to freedom of religion and to have their schools free from sectarian

control or influence while they are participating in any school district conducted or sponsored activity or while they are otherwise subject to school district supervision and control. Such rules shall be adopted by December 1, 1985 and shall be transmitted to the superintendent of public instruction by December 10, 1985.

[Statutory Authority: RCW 28A.04.132, 85-09-049 (Order 6-85), § 180-40-227, filed 4/16/85; 85-04-009 (Order 3-85), § 180-40-227, filed 1/25/85.]

WAC 180-40-230 Persons authorized to impose discipline, suspension, expulsion, or emergency removal upon students. (1) Each certificated teacher, each school administrator, each school bus driver, and any other school employee designated by the board of directors of a school district shall possess the authority to impose discipline upon a student for misconduct which violates rules of the school district established pursuant to WAC 180-40-225 and to impose an emergency removal from a class, subject, or activity upon a student pursuant to WAC 180-40-290.

(2) The board of directors of any school district may delegate to the superintendent and/or his or her designee(s) the authority to impose suspensions and expulsions upon students for misconduct which violates rules of the school district established pursuant to WAC 180-40-225. Each certificated teacher and each administrator shall possess the authority to recommend suspensions and expulsions for such misconduct.

(3) Any board of directors which chooses not to delegate the authority to impose suspensions and/or expulsions, nevertheless, shall be subject to the requirements set forth in this chapter when it imposes a suspension or expulsion.

(4) Notwithstanding any provision of this section to the contrary, each teacher is empowered to exclude any student who creates a disruption of the educational process in violation of the building disciplinary standards while under the teacher's immediate supervision from his or her individual classroom and instructional or activity area for all or any portion of the balance of the school day or until the principal or designee and teacher have conferred, whichever occurs first: *Provided*, That except in emergency circumstances as provided for in WAC 180-40-290, the teacher shall have first attempted one or more alternative forms of corrective action: *Provided further*, That in no event without the consent of the teacher shall an excluded student be returned during the balance of the particular class or activity period from which the student was initially excluded.

[Statutory Authority: 1980 c 171, 80-10-030 (Order 11-80), § 180-40-230, filed 8/4/80; Order 6-77, § 180-40-230, filed 6/2/77, effective 8/1/77.]

DISCIPLINE

WAC 180-40-235 Discipline--Conditions and limitations. Discipline may be imposed upon any student for violation of the rules of the school district that have been established pursuant to WAC 180-40-225, subject to

the following limitations and conditions and the grievance procedure set forth in WAC 180-40-240: (1) No form of discipline shall be enforced in such a manner as to prevent a student from accomplishing specific academic grade, subject, or graduation requirements.

(2) A student's academic grade or credit in a particular subject or course may be adversely affected by reason of tardiness or absences only to the extent and upon the basis that:

(a) The student's attendance and/or participation is related to the instructional objectives or goals of the particular subject or course, and

(b) The student's attendance and/or participation has been identified by the teacher pursuant to policy of the school district as a basis for grading, in whole or in part, in the particular subject or course.

(3) Corporal punishment shall be administered only in an office or some other area outside the view of other students and only by a certificated employee in the presence of and witnessed by another school district employee. Such witness shall be informed beforehand and in the student's presence of the reason(s) for the infliction of corporal punishment.

(4) No cruel and unusual form of corporal punishment shall be inflicted upon any student.

(5) Only reasonable and moderate force shall be applied to a student and no form of corporal punishment shall be inflicted upon the head of a student.

(6) Parents or guardians, upon their request, shall be provided a written explanation of the reason(s) for the infliction of corporal punishment and the name of the witness who was present at the time corporal punishment was administered.

[Order 6-77, § 180-40-235, filed 6/2/77, effective 8/1/77.]

WAC 180-40-240 Discipline--Grievance procedure. Any student, parent, or guardian who is aggrieved by the imposition of discipline shall have the right to an informal conference with the building principal or his or her designee for the purpose of resolving the grievance. The employee whose action is being grieved shall be notified of the initiation of a grievance as soon as reasonably possible. During such conference the student, parent, or guardian shall be subject to questioning by the building principal or his or her designee and shall be entitled to question school personnel involved in the matter being grieved. Subsequent to the building level grievance meeting, the student, parent, or guardian, upon two school business days' prior notice, shall have the right to present a written and/or oral grievance to the superintendent of the district or his/her designee. If the grievance is not resolved the student, parent, or guardian, upon two school business days' prior notice, shall have the right to present a written and/or oral grievance to the board of directors during the board's next regular meeting. The board shall notify the student, parent, or guardian of its response to the grievance within ten school business days after the date of the meeting. The discipline action shall continue notwithstanding the implementation of the grievance procedure

set forth in this section unless the principal or his or her designee elects to postpone such action.

[Order 6-77, § 180-40-240, filed 6/2/77, effective 8/1/77.]

SHORT-TERM SUSPENSION

WAC 180-40-245 Short-term suspension--Conditions and limitations. A short-term suspension may be imposed upon a student for violation of school district rules adopted pursuant to WAC 180-40-225, subject to the following limitations or conditions, the prior informal conference procedures set forth in WAC 180-40-250, and the grievance procedures set forth in WAC 180-40-255:

(1) The nature and circumstances of the violation must be considered and must reasonably warrant a short-term suspension and the length of the suspension imposed. This requirement does not preclude school districts (that is, the boards of directors of school districts) from establishing the nature and extent of the corrective actions and/or punishments which, as a general rule, must be imposed as a consequence of proscribed misconduct. Such advance notice to students is advisable, and the imposition of such preestablished corrective action and/or punishment is permissible as long as (a) disciplinarians and hearing officers are allowed to grant exceptions in cases involving extenuating and/or exceptional circumstances, and (b) short-term suspension is not established as the corrective action or punishment for a student's first time offense other than for offenses involving exceptional misconduct as defined in subsection (2) of this section.

(2) As a general rule, no student shall be suspended for a short term unless another form of corrective action or punishment reasonably calculated to modify his or her conduct has previously been imposed upon the student as a consequence of misconduct of the same nature. A school district may, however, elect to adopt rules providing for the immediate resort to short-term suspension in cases involving exceptional misconduct as long as disciplinarians and hearing officers may grant exceptions in cases involving extenuating and/or exceptional circumstances, notwithstanding the fact prior alternative corrective action or punishment has not been imposed upon the student(s) involved. For the purpose of this rule, "exceptional misconduct" means misconduct other than absenteeism which a school district has judged following consultation with an ad hoc citizens committee to (a) be of such frequent occurrence, notwithstanding past attempts of district personnel to control such misconduct through the use of other forms of corrective action and/or punishment, as to warrant an immediate resort to short-term suspension, and/or (b) be so serious in nature and/or so serious in terms of the disruptive effect upon the operation of the school(s) as to warrant an immediate resort to short-term suspension (for example, misconduct judged by a school district to be the same or of the same nature as a violation of the state's drug or controlled substances laws). The ad hoc citizens committee required by this section shall be composed of

three or more persons chosen by the school district or the administrative designee(s) of the district, and shall be constituted with the intent and purpose of representing various socio economic, minority and majority populations of the school district to the extent deemed practical.

(3) No student subject to compulsory attendance pursuant to chapter 28A.27 RCW, as now or hereafter amended, shall be suspended by reason, in whole or part, of one or more unexcused absences unless the school district has first imposed an alternative corrective action or punishment reasonably calculated to modify his or her conduct and, in addition:

(a) Provided notice to the student's parent(s) or guardian(s) or custodial parent(s) in writing in English or, if different, the primary language of the parent(s), guardian(s) or custodial parent(s) that the student has failed to attend school without valid justification, and by other means reasonably necessary to achieve notice of such fact;

(b) Scheduled a conference or conferences with the parent(s) or guardian(s) or custodial parent(s) and the student at a time and place reasonably convenient to all persons included to analyze the causes for the student's absence, the analysis to determine by appropriate means whether the student should be made a focus of concern for placement in a special education or other special program designed for his/her educational success; and

(c) Taken steps to reduce the student's absence which include, where appropriate in the judgment of local school officials and where possible, discussed with the student, parent(s), guardian(s) or custodial parent(s), adjustments of the student's school program or school or course assignment or assisting the student or parent to obtain supplementary services that might ameliorate the cause(s) for the student's absence from school.

(4) Kindergarten through grade four—No student in grades kindergarten through four shall be subject to short-term suspensions for more than a total of five school days during any single semester or trimester as the case may be, and no loss of academic grades or credit shall be imposed by reason of the suspension of such a student.

(5) Grade five and above program—No student in the grade five and above program shall be subjected to short-term suspensions for more than a total of fifteen school days during any single semester or ten school days during any single trimester, as the case may be.

(6) Any student subject to a short-term suspension shall be provided the opportunity upon his or her return to make up assignments and tests missed by reason of the short-term suspension if:

(a) Such assignments or tests have a substantial effect upon the student's semester or trimester grade or grades, or

(b) Failure to complete such assignments or tests would preclude the student from receiving credit for the course or courses.

(7) Any student who has been suspended shall be allowed to make application for readmission at any time.

Each school district board of directors shall adopt written rules which provide for such an application for readmission and set forth the procedures to be followed.

[Statutory Authority: RCW 28A.04.132. 85-12-042 (Order 14-85), § 180-40-245, filed 6/5/85. Statutory Authority: 1979 1st ex.s. c 173 and c 201. 79-11-049 (Order 14-79), § 180-40-245, filed 10/16/79; Order 13-77, § 180-40-245, filed 10/18/77; Order 6-77, § 180-40-245, filed 6/2/77, effective 8/1/77.]

WAC 180-40-250 Short-term suspension--Prior conference required--Notice to parent. (1) Prior to the short-term suspension of any student a conference shall be conducted with the student as follows:

(a) An oral or written notice of the alleged misconduct and violation(s) of school district rules shall be provided to the student,

(b) An oral or written explanation of the evidence in support of the allegation(s) shall be provided to the student,

(c) An oral or written explanation of the corrective action or punishment which may be imposed shall be provided to the student, and

(d) The student shall be provided the opportunity to present his/her explanation.

(2) In the event a short-term suspension is to exceed one calendar day the parent(s) or guardian(s) of the student shall be notified of the reason for the student's suspension and the duration of the suspension orally and/or by letter deposited in the United States mail as soon as reasonably possible. The notice shall also inform the parent or guardian of the right to an informal conference pursuant to WAC 180-40-255 and that the suspension may possibly be reduced as a result of such conference.

(3) All short-term suspensions and the reasons therefor shall be reported in writing to the superintendent of the school district or his or her designee within twenty-four hours after the imposition of the suspension.

[Order 6-77, § 180-40-250, filed 6/2/77, effective 8/1/77.]

WAC 180-40-255 Short-term suspension--Grievance procedure. Any student, parent, or guardian who is aggrieved by the imposition of a short-term suspension shall have the right to an informal conference with the building principal or his or her designee for the purpose of resolving the grievance. The employee whose action is being grieved shall be notified of the initiation of a grievance as soon as reasonably possible. During such conference the student, parent, or guardian shall be subject to questioning by the building principal or his or her designee and shall be entitled to question school personnel involved in the matter being grieved. Subsequent to the building level grievance meeting, the student, parent, or guardian, upon two school business days' prior notice, shall have the right to present a written and/or oral grievance to the superintendent of the district or his/her designee. If the grievance is not resolved, the student, parent, or guardian, upon two school business days' prior notice, shall have the right to present a written and/or oral grievance to the board of directors during the board's next regular meeting. The board shall notify the

student, parent, or guardian of its response to the grievance within ten school business days after the date of the meeting. The short-term suspension shall continue notwithstanding the implementation of the grievance procedure set forth in this section unless the principal or his or her designee elects to postpone such action.

[Order 6-77, § 180-40-255, filed 6/2/77, effective 8/1/77.]

LONG-TERM SUSPENSION

WAC 180-40-260 Long-term suspension--Conditions and limitations. A long-term suspension may be imposed upon a student for violation of school district rules adopted pursuant to WAC 180-40-225, subject to the following limitations or conditions and the notice requirements set forth in WAC 180-40-265 and the hearing requirements set forth in WAC 180-40-270:

(1) The nature and circumstances of the violation must be considered and must reasonably warrant a long-term suspension and the length of the suspension imposed. This requirement does not preclude school districts (that is, the boards of directors of school districts) from establishing the nature and extent of the corrective actions and/or punishments which, as a general rule, must be imposed as a consequence of proscribed misconduct. Such advance notice to students is advisable, and the imposition of such preestablished corrective action and/or punishment is permissible as long as (a) disciplinarians and hearing officers are allowed to grant exceptions in cases involving extenuating and/or exceptional circumstances, and (b) long-term suspension is not established as the corrective action or punishment for a student's first time offense other than for offenses involving exceptional misconduct as defined in subsection (2) of this section.

(2) As a general rule, no student shall be suspended for a long term unless another form of corrective action or punishment reasonably calculated to modify his or her conduct has previously been imposed upon the student as a consequence of misconduct of the same nature. A school district may, however, elect to adopt rules providing for the immediate resort to long-term suspension in cases involving exceptional misconduct as long as disciplinarians and hearing officers are allowed to grant exceptions in cases involving extenuating and/or exceptional circumstances, notwithstanding the fact prior alternative corrective action or punishment has not been imposed upon the student(s) involved. For the purpose of this rule, "exceptional misconduct" means misconduct other than absenteeism which a school district has judged following consultation with an ad hoc citizens committee to (a) be of such frequent occurrence, notwithstanding past attempts of district personnel to control such misconduct through the use of other forms of corrective action and/or punishment, as to warrant an immediate resort to long-term suspension, and/or (b) be so serious in nature and/or so serious in terms of the disruptive effect upon the operation of the school(s) as to warrant an immediate resort to long-term suspension (for example, misconduct judged by a school district to

be the same or of the same nature as a violation of the state's drug or controlled substances laws). The ad hoc citizens committee required by this section shall be composed of three or more persons chosen by the school district or the administrative designee(s) of the district, and shall be constituted with the intent and purpose of representing various socio economic, minority and majority populations of the school district to the extent deemed practical.

(3) No student subject to compulsory attendance pursuant to chapter 28A.27 RCW, as now or hereafter amended, shall be suspended by reason, in whole or part, of one or more unexcused absences unless the school district has first imposed an alternative corrective action or punishment reasonably calculated to modify his or her conduct and, in addition:

(a) Provided notice to the student's parent(s) or guardian(s) or custodial parent(s) in writing in English or, if different, the primary language of the parent(s), guardian(s) or custodial parent(s) that the student has failed to attend school without valid justification, and by other means reasonably necessary to achieve notice of such fact;

(b) Scheduled a conference or conferences with the parent(s) or guardian(s) or custodial parent(s) and the student at a time and place reasonably convenient to all persons included to analyze the causes for the student's absence, the analysis to determine by appropriate means whether the student should be made a focus of concern for placement in a special education or other special program designed for his/her educational success; and

(c) Taken steps to reduce the student's absence which include, where appropriate in the judgment of local school officials and, where possible, discussed with the student, parent(s), guardian(s) or custodial parent(s), adjustments of the student's school program or school or course assignment or assisting the student or parent to obtain supplementary services that might ameliorate the cause(s) for the student's absence from school.

(4) Kindergarten through grade four—No student in grades kindergarten through four shall be subject to short-term and long-term suspensions for more than a total of ten school days during any single semester or trimester, as the case may be, and no loss of academic grades or credit shall be imposed by reason of the suspension of such a student.

(5) Grade five and above program—No single long-term suspension shall be imposed upon a student in the grade five and above program in a manner which causes the student to lose academic grades or credit for in excess of one semester or trimester, as the case may be, during the same school year.

(6) Any student who has been suspended shall be allowed to make application for readmission at any time. Each school district board of directors shall adopt written rules which provide for such an application for readmission and set forth the procedures to be followed.

(7) All long-term suspensions and the reasons therefor shall be reported in writing to the superintendent of the school district or his or her designee within twenty-four hours after the imposition of the suspension.

[Statutory Authority: RCW 28A.04.132. 85-12-042 (Order 14-85), § 180-40-260, filed 6/5/85. Statutory Authority: 1979 1st ex.s. c 173 and c 201. 79-11-049 (Order 14-79), § 180-40-260, filed 10/16/79; Order 6-77, § 180-40-260, filed 6/2/77, effective 8/1/77.]

WAC 180-40-265 Long-term suspension--Notice of hearing--Waiver of hearing. (1) Prior to the long-term suspension of a student, written notice of an opportunity for a hearing shall be delivered in person or by certified mail to the student and to his or her parent(s) or guardian(s). The notice shall:

(a) Be provided in the predominant language of a student and/or a parent(s) or guardian(s) who predominantly speak a language other than English, to the extent feasible,

(b) Specify the alleged misconduct and the school district rule(s) alleged to have been violated,

(c) Set forth the corrective action or punishment proposed,

(d) Set forth the right of the student and/or his or her parent(s) or guardian(s) to a hearing for the purpose of contesting the allegation(s), and

(e) Set forth the facts that:

(i) A written (or "oral" if provided for by school district policy) request for a hearing must be received by the school district employee designated, or by his or her office, on or before the expiration of the third school business day after receipt of the notice of opportunity for a hearing, and

(ii) If such a request is not received within the prescribed period of time, then the right to a hearing may be deemed to have been waived and the proposed long-term suspension may be imposed by the school district without any further opportunity for the student or his or her parent(s) or guardian(s) to contest the matter. A schedule of "school business days" potentially applicable to the exercise of such hearing right should be included with the notice.

(2) The student and/or his or her parent(s) or guardian(s) shall reply to the notice of opportunity for a hearing and request a hearing within three school business days after the date of receipt of notice. A request for a hearing shall be provided to the school district employee specified in the notice of opportunity for a hearing, or to his or her office. A request for a hearing shall be accepted if in writing and may be accepted orally if expressly provided for and allowed by rule of the school district.

(3) If a request for a hearing is not received within the required three school business day period, the school district may deem the student and his or her parent(s) or guardian(s) to have waived the right to a hearing and the proposed long-term suspension may be imposed.

[Order 6-77, § 180-40-265, filed 6/2/77, effective 8/1/77.]

WAC 180-40-270 Long-term suspension--Pre-hearing and hearing process. (1) If a request for a hearing is received pursuant to WAC 180-40-265 within the required three school business days, the school district shall schedule a hearing to commence within three school business days after the date upon which the request for a hearing was received.

(2) The student and his or her parent(s) or guardian(s) shall have the right to:

(a) Inspect in advance of the hearing any documentary and other physical evidence which the school district intends to introduce at the hearing,

(b) Be represented by legal counsel,

(c) Question and confront witnesses,

(d) Present his or her explanation of the alleged misconduct, and

(e) Make such relevant showings by way of witnesses and the introduction of documentary and other physical evidence as he or she desires.

(3) The designee(s) of the school district assigned to present the district's case shall have the right to inspect in advance of the hearing any documentary and other physical evidence which the student and his or her parent(s) or guardian(s) intend to introduce at the hearing.

(4) The person(s) hearing the case shall not be a witness and the guilt or innocence of the student shall be determined solely on the basis of the evidence presented at the hearing.

(5) Either a tape-recorded or verbatim record of the hearing shall be made.

(6) A written decision setting forth the findings of fact, conclusions, and the nature and duration of the long-term suspension or lesser form or corrective action or punishment to be imposed, if any, shall be provided to the student's legal counsel or, if none, to the student and his or her parent(s) or guardian(s).

[Order 6-77, § 180-40-270, filed 6/2/77, effective 8/1/77.]

EXPULSION

WAC 180-40-275 Expulsion--Conditions and limitations. A student may be expelled for violation of school district rules adopted pursuant to WAC 180-40-225, subject to the following limitations or conditions, the notice requirements set forth in WAC 180-40-280, and the hearing requirements set forth in WAC 180-40-285:

(1) The nature and circumstances of the violation must reasonably warrant the harshness of expulsion.

(2) No student shall be expelled unless other forms of corrective action or punishment reasonably calculated to modify his or her conduct have failed or unless there is good reason to believe that other forms of corrective action or punishment would fail if employed.

(3) In addition to the alternative corrective action requirement of subsection (2) of this section, no student subject to compulsory attendance pursuant to chapter 28A.27 RCW, as now or hereafter amended, shall be expelled by reason, in whole or part, of one or more unexcused absences unless the school district has also first:

(a) Provided notice to the student's parent(s) or guardian(s) or custodial parent(s) in writing in English or, if different, the primary language of the parent(s), guardian(s) or custodial parent(s) that the student has failed to attend school without valid justification, and by other means reasonably necessary to achieve notice of such fact;

(b) Scheduled a conference or conferences with the parent(s) or guardian(s) or custodial parent(s) and the student at a time and place reasonably convenient to all persons included to analyze the causes for the student's absence, the analysis to determine by appropriate means whether the student should be made a focus of concern for placement in a special education or other special program designed for his/her educational success; and

(c) Taken steps to reduce the student's absence which include, where appropriate in the judgment of local school officials and, where possible, discussed with the student, parent(s), guardian(s) or custodial parent(s), adjustments of the student's school program or school or course assignment or assisting the student or parent to obtain supplementary services that might ameliorate the cause(s) for the student's absence from school.

(4) Once a student has been expelled in compliance with this chapter the expulsion shall be brought to the attention of appropriate local and state authorities including, but not limited to, juvenile authorities acting pursuant to chapter 13.04 RCW in order that such authorities may address the student's educational needs.

(5) Any student who has been expelled shall be allowed to make application for readmission at any time. Each school district board of directors shall adopt written rules which provide for such an application for readmission and set forth the procedures to be followed.

(6) All expulsions and the reasons therefor shall be reported in writing to the superintendent of the school district or his or her designee within twenty-four hours after the imposition of the expulsion.

[Statutory Authority: 1979 1st ex.s. c 173 and c 201. 79-11-049 (Order 14-79), § 180-40-275, filed 10/16/79; Order 6-77, § 180-40-275, filed 6/2/77, effective 8/1/77.]

WAC 180-40-280 Expulsion--Notice of hearing--Waiver of hearing. (1) Prior to the expulsion of a student, written notice of an opportunity for a hearing shall be delivered in person or by certified mail to the student and to his or her parent(s) or guardian(s). The notice shall:

(a) Be provided in the predominant language of a student and/or a parent(s) or guardian(s) who predominantly speak a language other than English, to the extent feasible,

(b) Specify the alleged misconduct and the school district rule(s) or policy alleged to have been violated,

(c) Set forth the corrective action or punishment proposed,

(d) Set forth the right of the student and/or his or her parent(s) or guardian(s) to a hearing for the purpose of contesting the allegation(s), and

(e) Set forth the facts that:

(i) A written (or "oral" if provided for by school district policy) request for a hearing must be received by the school district employee designated, or by his or her office, on or before the expiration of the third school business day after receipt of the notice of opportunity for a hearing, and

(ii) If such a request is not received within the prescribed period of time, then the right to a hearing may

be deemed to have been waived and the proposed expulsion may be imposed by the school district without any further opportunity for the student or his or her parent(s) or guardian(s) to contest the matter. A schedule of "school business days" potentially applicable to the exercise of such hearing right should be included with the notice.

(2) The student and/or his or her parent(s) or guardian(s) shall reply to the notice of opportunity for a hearing and request a hearing within three school business days after the date of receipt of the notice. A request for a hearing shall be provided to the school district employee specified in the notice of opportunity for a hearing, or to his or her office. A request for a hearing shall be accepted if in writing and may be accepted orally if expressly provided for and allowed by rule or policy of the school district.

(3) If a request for a hearing is not received within the required three school business day period, the school district may deem the student and his or her parent(s) or guardian(s) to have waived the right to a hearing and the proposed expulsion may be imposed.

[Order 6-77, § 180-40-280, filed 6/2/77, effective 8/1/77.]

WAC 180-40-285 Expulsion--Prehearing and hearing process. (1) If a request for a hearing is received pursuant to WAC 180-40-280 within the required three school business days, the school district shall schedule a hearing to commence within three school business days after the date upon which the request for a hearing was received.

(2) The student and his or her parent(s) or guardian(s) shall have the right to:

(a) Inspect in advance of the hearing any documentary and other physical evidence which the school district intends to introduce at the hearing,

(b) Be represented by legal counsel,

(c) Question and confront witnesses,

(d) Present his or her explanation of the alleged misconduct, and

(e) Make such relevant showings by way of witnesses and the introduction of documentary and other physical evidence as he or she desires.

(3) The designee(s) of the school district assigned to present the district's case shall have the right to inspect in advance of the hearing any documentary and other physical evidence which the student and his or her parent(s) or guardian(s) intend to introduce at the hearing.

(4) The person(s) hearing the case shall not be a witness and the guilt or innocence of the student shall be determined solely on the basis of the evidence presented at the hearing.

(5) Either a tape-recorded or verbatim record of the hearing shall be made.

(6) A written decision setting forth the findings of fact, conclusions, and the expulsion or lesser form of corrective action or punishment to be imposed, if any, shall be provided to the student's legal counsel or, if none, to the student and his or her parent(s) or guardian(s).

[Title 180 WAC—p 98]

[Order 6-77, § 180-40-285, filed 6/2/77, effective 8/1/77.]

EMERGENCY ACTIONS

WAC 180-40-290 Emergency removal from a class, subject, or activity. (1) Notwithstanding any other provision of this chapter, a student may be removed immediately from a class, subject, or activity by a certificated teacher or an administrator and sent to the building principal or a designated school authority: *Provided*, That the teacher or administrator has good and sufficient reason to believe that the student's presence poses an immediate and continuing danger to the student, other students, or school personnel or an immediate and continuing threat of substantial disruption of the class, subject, activity, or educational process of the student's school. The removal from classes, subjects, or activities shall continue only until:

(a) The danger or threat ceases, or

(b) The principal or designated school authority acts to impose discipline, impose a short-term suspension, initiate a long-term suspension or an expulsion, or impose an emergency expulsion, pursuant to this chapter.

(2) The principal or school authority shall meet with the student as soon as reasonably possible following the student's removal and take or initiate appropriate corrective action or punishment. In no case shall the student's opportunity for such meeting be delayed beyond the commencement of the next school day. Prior to or at the time any such student is returned to the class(es), subject(s), or activity(ies), the principal or school authority shall notify the teacher or administrator who removed the student therefrom of the action which has been taken or initiated.

[Order 6-77, § 180-40-290, filed 6/2/77, effective 8/1/77.]

WAC 180-40-295 Emergency expulsion--Limitations. Notwithstanding any other provision of this chapter, a student may be expelled immediately by a school district superintendent or a designee of the superintendent in emergency situations: *Provided*, That the superintendent or designee has good and sufficient reason to believe that the student's presence poses an immediate and continuing danger to the student, other students, or school personnel or an immediate and continuing threat of substantial disruption of the educational process. An emergency expulsion shall continue until rescinded by the superintendent or his or her designee, or until modified or reversed pursuant to the hearing provisions set forth in WAC 180-40-305 or the appeal provisions set forth in WAC 180-40-315.

[Order 6-77, § 180-40-295, filed 6/2/77, effective 8/1/77.]

WAC 180-40-300 Emergency expulsion--Notice of hearing--Waiver of hearing right. (1) The student and his or her parent(s) or guardian(s) shall be notified of the emergency expulsion of the student and of their opportunity for a hearing either (a) by hand delivering written notice to the student's parent(s) or guardian(s)

within twenty-four hours of the expulsion and documenting delivery by obtaining his or her signature acknowledging receipt or the written certification of the person making the delivery, or (b) by certified letter(s) deposited in the United States mail, within twenty-four hours of the expulsion: *Provided*, That if the emergency expulsion is based upon a failure to comply with the state immunization law (see chapter 180-38 WAC), the notice must be received by the student's parent(s) or guardian(s) prior to the emergency expulsion of the student regardless of the method of delivery. In addition, if the notice is by certified letter, reasonable attempts shall be made to notify the student and his or her parent(s) or guardian(s) by telephone or in person as soon as reasonably possible. Such written and oral notice shall:

(a) Be provided in the predominant language of a student and/or a parent(s) or guardian(s) who predominantly speak a language other than English, to the extent feasible,

(b) Specify the alleged reason(s) for the emergency expulsion,

(c) Set forth the corrective action or punishment taken and proposed,

(d) Set forth the right of the student and/or his or her parent(s) or guardian(s) to a hearing for the purpose of contesting the allegation(s) as soon as reasonably possible, and

(e) Set forth the facts that:

(i) A written (or "oral" if provided for by school district policy) request for a hearing must be received by the school district employee designated, or by his or her office, on or before the expiration of the tenth school business day after receipt of the notice of opportunity for a hearing, and

(ii) If such a request is not received within the prescribed period of time, then the right to a hearing may be deemed to have been waived and the emergency expulsion may be continued as deemed necessary by the school district without any further opportunity for the student or his or her parent(s) or guardian(s) to contest the matter. A schedule of "school business days" potentially applicable to the exercise of such hearing right should be included with the notice.

(2) The student and/or his or her parent(s) or guardian(s) shall reply to the notice of opportunity for a hearing and request a hearing within ten school business days after the date of receipt of the notice. A request for a hearing shall be provided to the school district employee specified in the notice of opportunity for a hearing, or to his or her office. A request for a hearing shall be accepted if in writing and may be accepted orally if expressly provided for and allowed by rule of the school district.

(3) If a request for a hearing is not received within the required ten school business day period, the school district may deem the student and his or her parent(s) or guardian(s) to have waived the right to a hearing and the emergency expulsion may be continued as deemed necessary by the school district.

[Statutory Authority: RCW 28A.04.132. 86-20-055 (Order 13-86), § 180-40-300, filed 9/29/86; Order 6-77, § 180-40-300, filed 6/2/77, effective 8/1/77.]

WAC 180-40-305 Emergency expulsion--Prehearing and hearing process. (1) If a request for a hearing within the required ten school business days is received pursuant to WAC 180-40-300, the school district shall immediately schedule and give notice of a hearing to commence as soon as reasonably possible and in no case later than the third school business day after receipt of the request for hearing.

(2) The student and his or her parent(s) or guardian(s) shall have the right to:

(a) Inspect in advance of the hearing any documentary and other physical evidence which the school district intends to introduce at the hearing,

(b) Be represented by legal counsel,

(c) Question and confront witnesses,

(d) Present his or her explanation of the alleged misconduct, and

(e) Make such relevant showings by way of witnesses and the introduction of documentary and other physical evidence as he or she desires.

(3) The designee(s) of the school district assigned to present the district's case shall have the right to inspect in advance of the hearing any documentary and other physical evidence that the student and his or her parent(s) or guardian(s) intend to introduce at the hearing.

(4) The person(s) hearing the case shall not be a witness and the guilt or innocence of the student shall be determined solely on the basis of the evidence presented at the hearing.

(5) Either a tape-recorded or verbatim record of the hearing shall be made.

(6) Within one school business day after the date upon which the hearing concludes, a decision as to whether or not the expulsion shall be continued shall be rendered, and the student's legal counsel or, if none, the student and his or her parent(s) or guardian(s) shall be notified thereof by depositing a certified letter in the United States mail. The decision shall set forth the findings of fact, the conclusions (including a conclusion as to whether or not the emergency situation giving rise to the emergency expulsion continues), and whether or not the emergency expulsion shall be continued or a lesser form of corrective action or punishment is to be imposed.

(7) An emergency expulsion may be continued following the hearing on the basis that the emergency situation continues and/or as corrective action or punishment for the action(s) giving rise to the emergency expulsion in the first instance.

[Order 6-77, § 180-40-305, filed 6/2/77, effective 8/1/77.]

APPEALS

WAC 180-40-310 Appeals--Long-term suspension and expulsion. Appeals from decision rendered pursuant to WAC 180-40-270, 180-40-285 and 180-40-305

which impose either a long-term suspension or an expulsion upon a student shall be governed as follows:

(1) If the case was not heard and decided by the school district board of directors, the student and his or her parent(s) or guardian(s) shall have the right to appeal the decision to the board of directors. Notice indicating that the student or his parent(s) or guardian(s) desire to appeal the decision shall be provided to either the office of the school district superintendent or to the office of the person who rendered the decision within three school business days after the date of receipt of the decision. The notice of appeal shall be accepted if in writing and may be accepted orally if expressly provided for and allowed by rule or policy of the district.

(2) If an appeal is not taken to the board of directors within the required three school business day period, the suspension or expulsion decided upon may be imposed as of the calendar day following expiration of the three school business day period.

(3) If a timely appeal is taken to the board of directors, the imposition of the suspension or expulsion shall not be imposed until the appeal is decided: *Provided*, That an emergency expulsion that is continued pursuant to WAC 180-40-305 need not be either interrupted or stayed if the decision rendered includes a conclusion that the student continues to pose an immediate and continuing danger to the student, other students, or school personnel or an immediate and continuing threat of substantial disruption of the educational process of the student's school.

(4) An appeal from any decision of a school board to impose or to affirm the imposition of a long-term suspension or an expulsion shall be to the courts. Whether or not the decision of a school board shall be postponed pending an appeal to superior court shall be discretionary with the school board except as ordered otherwise by a court.

[Order 13-77, 180-40-310, filed 10/18/77; Order 6-77, § 180-40-310, filed 6/2/77, effective 8/1/77.]

WAC 180-40-315 Appeals--Hearing before school board--Procedures. (1) If a notice of appeal to the school board of directors is received pursuant to WAC 180-40-310(1) within the required three school business days, the board shall schedule and hold an informal conference to review the matter within ten school business days after the date of receipt of such appeal notice. The purpose of the meeting shall be to meet and confer with the parties in order to decide upon the most appropriate means of disposing of the appeal as provided for in this section. At that time the student or the student's parent(s) or guardian(s) or legal counsel shall be given the right to be heard and shall be granted the opportunity to present such witnesses and testimony as the board deems reasonable. The board shall agree to one of the following procedures prior to adjournment or recess:

(a) Study the hearing record or other material submitted and render its decision within ten school business days after the date of the informal conference, or

(b) Schedule and hold a meeting to hear further arguments based on the record before the board and

render its decision within fifteen school business days after the date of the informal conference, or

(c) Schedule and hold a meeting within ten school business days after the date of the informal conference for the purpose of hearing the case de novo.

(2) In the event the school board of directors elects to hear the appeal de novo, the following rights and procedures shall govern the proceedings:

(a) The student and his or her parent(s) or guardian(s) shall have the right to:

(i) Inspect in advance of the hearing any documentary and other physical evidence which the school district intends to introduce at the hearing,

(ii) Question and confront witnesses,

(iii) Present his or her explanation of the alleged misconduct, and

(iv) Make such relevant showings by way of witnesses and the introduction of documentary and other physical evidence as he or she desires,

(b) The designee(s) of the school district assigned to present the district's case shall have the right to inspect in advance of the hearing any documentary and other physical evidence that the student and his or her parent(s) or guardian(s) intend to introduce at the hearing, and

(c) Either a tape-recorded or verbatim record of the hearing shall be made.

[Statutory Authority: 1979 1st ex.s. c 173 and c 201. 79-11-049 (Order 14-79), § 180-40-315, filed 10/16/79; Order 6-77, § 180-40-315, filed 6/2/77, effective 8/1/77.]

WAC 180-40-320 School board decisions. Any decision by a school board of directors pursuant to this chapter to impose or to affirm, reverse, or modify the imposition of discipline, suspension, or expulsion upon a student shall be made:

(1) Only by those board members who have heard or read the evidence.

(2) Only by those board members who have not acted as a witness in the matter.

(3) Only at a meeting at which a quorum of the board is present and by majority vote.

[Order 6-77, § 180-40-320, filed 6/2/77, effective 8/1/77.]

Chapter 180-41 WAC PUPIL SAFETY

WAC

180-41-010	Evacuation of buildings in sudden emergency—Regulatory provisions relating to RCW 28A.04.120(11).
180-41-015	Evacuation of buildings in sudden emergency—Responsibilities of school authorities.
180-41-020	Evacuation of buildings in sudden emergency—Classroom instruction.
180-41-025	Evacuation of buildings in sudden emergency—Out-of-class traffic.
180-41-030	Evacuation of buildings in sudden emergency—School personnel.
180-41-035	Evacuation of buildings in sudden emergency—Emergency exit drills.
180-41-040	Evacuation of buildings in sudden emergency—Exit alarm and recall signal systems.

WAC 180-41-010 Evacuation of buildings in sudden emergency—Regulatory provisions relating to RCW 28A.04.120(11). Pursuant to RCW 28A.04.120(11), all pupils in the public and private schools of the state carrying out a kindergarten through twelve program, or any part thereof, shall receive instruction so that in case of sudden emergency they shall be able to leave their particular building in the shortest possible time, or take such other steps as the particular emergency demands, and without confusion or panic. Instruction of pupils, training of school personnel and preparatory measures with respect to the building and equipment shall include but not be limited to the provisions hereinafter in WAC 180-41-015 through 180-41-040 set forth.

[Order 10-70, § 180-41-010, filed 10/22/70.]

WAC 180-41-015 Evacuation of buildings in sudden emergency—Responsibilities of school authorities. It shall be the responsibility of school district boards of directors and governing bodies of private schools, respectively, (1) to provide for the instruction of pupils and develop specific plans and procedures for their schools consistent with the rules and regulations hereinafter in WAC 180-41-020 through 180-41-040 set forth and in accordance with guidelines to be provided by the superintendent of public instruction and (2) to ensure compliance with the plans and procedures so established. It is recognized that procedures for the sudden evacuation of a school building may vary according to the situation, circumstances and/or conditions existing in a particular school or school system.

[Order 10-70, § 180-41-015, filed 10/22/70.]

WAC 180-41-020 Evacuation of buildings in sudden emergency—Classroom instruction. Safety education programs at all grade levels should provide opportunity for each pupil to develop a foundation for a sense of security in orderly and safe exit in emergency situations.

[Order 10-70, § 180-41-020, filed 10/22/70.]

WAC 180-41-025 Evacuation of buildings in sudden emergency—Out-of-class traffic. Areas where pupils congregate before school and at noon should be properly supervised to assure safe conditions at all times and a minimum of confusion and consternation in the event of an emergency exit drill or actual emergency situation necessitating immediate evacuation.

Reasonable regulations governing traffic in halls, on stairways and elsewhere on school premises should be cooperatively established and kept up-to-date by student and faculty representatives.

[Order 10-70, § 180-41-025, filed 10/22/70.]

WAC 180-41-030 Evacuation of buildings in sudden emergency—School personnel. Periodically, all school personnel—teachers, clerks, custodial staff, engineers and others—shall have orientation in procedures and instructions as to specific responsibilities in emergency situations necessitating immediate evacuation of the building.

(1986 Ed.)

In addition to specific instruction relating to emergency exit drills, the principal should provide opportunity for an objective evaluation of the practice following each such drill.

Staff personnel, assigned to act in the absence of the principal, should be thoroughly familiar with emergency exit drill procedures.

[Order 10-70, § 180-41-030, filed 10/22/70.]

WAC 180-41-035 Evacuation of buildings in sudden emergency—Emergency exit drills. Alarm for all emergency exit drills shall be by the appropriate school building administrator or his designee without advance announcement to building occupants. Exit drills shall be held as frequently as may be necessary to assure rapid and orderly evacuation of the building in the event of an emergency. Drills should be executed at irregular times of day or evening so as to eliminate any possible distinction between a drill and an actual emergency situation.

Plans and procedures for exit drills shall include but not be limited to the following provisions:

(1) Emergency evacuation directions shall be posted in each room of the building.

(2) Special provision shall be made for removal of disabled and physically handicapped persons from the building.

(3) All occupants of the building—pupils, teachers and other school personnel without exception—shall, at the beginning of each school year, be given full and explicit instructions on exit drills in order that they have a clear working knowledge of exit drill directions and rules.

(4) Instruction and practice in ways to meet such emergencies as blocked exits and blocked stairways during exit drills shall be provided teachers and pupils.

Attention is directed to the *Guide for Adoption of Uniform School Exit Drill* prepared and published by the state fire marshal for the assistance of school administrators.

[Order 10-70, § 180-41-035, filed 10/22/70.]

WAC 180-41-040 Evacuation of buildings in sudden emergency—Exit alarm and recall signal systems. (1) Exit alarm system.

(a) The exit alarm system is to be used only for emergency exit drills and in the case of an actual emergency necessitating evacuation of the building. The exit alarm should be sounded on an independent signal system and not on the signal system used to dismiss classes.

(b) A substitute device readily available for manually sounding the alarm should be provided for use in the event the electric alarm system fails to operate.

(c) Signal or alarm stations should be located at readily accessible points in the building and there should be a minimum of one on each floor.

(d) All occupants of the building—pupils, teachers and other personnel—should be familiar with the location of the nearest public fire alarm box.

(e) The exit alarm as prescribed by the state fire marshal shall be the continuous ringing of all sounding devices in the signal system.

(2) **Recall signal.** In order that pupils will not be returned to a building hazardous to life, the recall signal shall be one that is separate and distinct from and cannot be mistaken for any other signal.

[Order 10-70, § 180-41-040, filed 10/22/70.]

Chapter 180-43 WAC INTERSCHOLASTIC ACTIVITIES

WAC

180-43-005	Purpose and application.
180-43-010	Annual report.
180-43-015	Rules and policies.

WAC 180-43-005 Purpose and application. The purpose of this chapter is to establish rules and regulations which implement RCW 28A.58.125 (1) and (3).

[Statutory Authority: RCW 28A.58.125. 80-02-146 (Order 2-80), § 180-43-005, filed 2/5/80.]

WAC 180-43-010 Annual report. The Washington interscholastic activities association and any other voluntary nonprofit entities which have been delegated powers by a school district pursuant to RCW 28A.58.125, shall submit an annual report to the state board of education of student appeal determinations, assets, and financial receipts and disbursements.

(1) The annual report shall be delivered to the secretary of the board not later than November 1 of each calendar year.

(2) The annual report shall include the standard financial statement for the preceding fiscal year of the association or entity, prepared in accordance with generally accepted accounting principles. The financial statements shall include adequate information to inform the state board of education of the activities of the interscholastic activities association during the year reported upon. At a minimum, the certified financial statements as prepared by a certified public accountant or licensed public accountant shall list all assets and liabilities in a statement of financial position; a statement of cash receipts and disbursements; and other exhibits detailing salary expenses, office expenses, state tournament finances, and the basis for distributing profits to the school districts.

(3) The annual report shall include a section summarizing student eligibility appeal cases by local interscholastic activities association districts for the preceding school year (September 1 through August 31). Details of the summary shall include student's first name and surname initial, school, the rule and factual issue involved, interscholastic activities association district disposition and date, and if ruled ineligible at the district level, interscholastic activities association executive board disposition and date.

[Statutory Authority: RCW 28A.58.125. 80-02-146 (Order 2-80), § 180-43-010, filed 2/5/80.]

WAC 180-43-015 Rules and policies. All rules and policies applied by the Washington interscholastic activities association and any other voluntary nonprofit entities which have been delegated powers by a school district pursuant to RCW 28A.58.125 and which govern student participation in any interschool activity, shall be written and subject to the annual review and approval of the state board of education.

No such rule or policy shall be valid and enforceable during any school year unless first approved by the state board for that particular school year. All such rules shall be submitted annually by the association and other nonprofit entities to the state board office on or before March 1 for initial review at the board's March meeting and, if subsequently revised, again on or before May 1 for final action by the board at its May meeting. The state board may modify the foregoing schedule of submissions and actions in its discretion at the request of the association or other nonprofit entity.

[Statutory Authority: RCW 28A.58.125. 80-02-146 (Order 2-80), § 180-43-015, filed 2/5/80.]

Chapter 180-44 WAC TEACHERS' RESPONSIBILITIES

WAC

180-44-005	Regulatory provisions relating to RCW 28A.04.120(6) and 28A.58.101.
180-44-007	Regulatory provisions relating to RCW 28A.04.120(6) and 28A.58.101—Application.
180-44-010	Regulatory provisions relating to RCW 28A.04.120(6) and 28A.58.101—Responsibilities related to instruction.
180-44-020	Regulatory provisions relating to RCW 28A.04.120(6) and 28A.58.101—Responsibilities related to discipline of pupils.
180-44-040	Regulatory provisions relating to RCW 28A.04.120(6) and 28A.58.101—Classroom—Physical environment.
180-44-050	Regulatory provisions relating to RCW 28A.04.120(6) and 28A.58.101—School day as related to the teacher.
180-44-060	Regulatory provisions relating to RCW 28A.04.120(6) and 28A.58.101—Drugs and alcohol—Use of as cause for dismissal.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

180-44-030	Regulatory provisions relating to RCW 28A.04.120(6) and 28A.58.101—Excuse for pupil absence required. [SBE 44-4-22, filed 3/29/65, effective 4/29/65.] Repealed by 81-12-022 (Order 4-81), filed 6/1/81. Statutory Authority: RCW 28A.04.120 and 28A.58.101.
------------	--

WAC 180-44-005 Regulatory provisions relating to RCW 28A.04.120(6) and 28A.58.101. Pursuant to authority vested in the state board of education under provisions of RCW 28A.04.120(6) and 28A.58.101 to prescribe rules and regulations for the government of the common schools, pupils and teachers, the state board of education hereby adopts rules and regulations provided in WAC 180-44-007 through 180-44-060 relating to teachers.

[Order 7-77, § 180-44-005, filed 6/1/77; SBE 44-4-1, filed 3/29/65, effective 4/29/65.]

WAC 180-44-007 Regulatory provisions relating to RCW 28A.04.120(6) and 28A.58.101--Application. The rules and regulations provided for in WAC 180-44-010 through 180-44-060 shall be applicable to all teachers and other certificated personnel of grades kindergarten through twelve of the common schools.

[SBE 44-4-2, filed 3/29/65, effective 4/29/65.]

WAC 180-44-010 Regulatory provisions relating to RCW 28A.04.120(6) and 28A.58.101--Responsibilities related to instruction. (1) It shall be the responsibility of the teacher to follow the prescribed courses of study and to enforce the rules and regulations of the school district, the state superintendent of public instruction and the state board of education, maintaining and rendering the appropriate records and reports.

(2) Teachers shall have the right, and it shall be their duty, to direct and control within reasonable limits the studies of their pupils, taking into consideration individual differences among pupils: *Provided*, That all pupils shall receive instruction in such prescribed courses of study as are required by law and regulations.

(3) Teachers shall be responsible for the evaluation of each pupil's educational growth and development and for making periodic reports to parents or guardian and to the designated school administrator.

(4) Teachers are required to make daily preparation for their duties, preparation to include attendance at teachers' meetings and such other professional work contributing to efficient school service as may be required by the principal, superintendent or board of directors.

[Order 7-77, § 180-44-010, filed 6/1/77; SBE 44-4-20, filed 3/29/65, effective 4/29/65.]

WAC 180-44-020 Regulatory provisions relating to RCW 28A.04.120(6) and 28A.58.101--Responsibilities related to discipline of pupils. (1) Teachers shall maintain good order and discipline in their classrooms at all times, and any neglect of this requirement shall constitute sufficient cause for dismissal.

[Order 7-77, § 180-44-020, filed 6/1/77; SBE 44-4-21, filed 3/29/65, effective 4/29/65.]

WAC 180-44-040 Regulatory provisions relating to RCW 28A.04.120(6) and 28A.58.101--Classroom--Physical environment. Every teacher shall give careful attention to the maintenance of a healthful atmosphere in the classroom, reporting to the principal or his designated representative any shortcomings in lighting, heating or ventilation.

[SBE 44-4-23, filed 3/29/65, effective 4/29/65.]

WAC 180-44-050 Regulatory provisions relating to RCW 28A.04.120(6) and 28A.58.101--School day as related to the teacher. Teachers and other certificated personnel are required to be at their respective schools for the benefit of pupils and patrons at least thirty minutes

before the opening of school in the morning and at least thirty minutes after the closing of school in the afternoon.

[SBE 44-4-24, filed 3/29/65, effective 4/29/65.]

WAC 180-44-060 Regulatory provisions relating to RCW 28A.04.120(6) and 28A.58.101--Drugs and alcohol--Use of as cause for dismissal. Use by any certificated person of habit-forming drugs, without pharmaceutical prescription by a duly licensed practitioner of medicine and/or dentistry licensed doctor of medicine, or any unauthorized use of alcoholic beverage on school premises, or at a school-sponsored activity off the school premises, shall constitute sufficient cause for dismissal or nonrenewal of contract.

[Order 7-77, § 180-44-060, filed 6/1/77; SBE 44-4-25, filed 3/29/65, effective 4/29/65.]

Chapter 180-46 WAC LEARNING RESOURCES CENTERS

WAC

180-46-005	Purpose.
180-46-010	Learning resources centers.
180-46-015	Learning resources.
180-46-020	Learning resources programs.
180-46-025	Services.
180-46-030	Equipment and materials.
180-46-035	Production.
180-46-040	Facilities.
180-46-045	Staff.
180-46-050	Access.
180-46-055	Other sources.
180-46-065	Program evaluation.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

180-46-060 Measurement. [Order 15-75, § 180-46-060, filed 12/11/75.] Repealed by 81-12-023 (Order 5-81), filed 6/1/81. Statutory Authority: RCW 28A.04.134.

WAC 180-46-005 Purpose. The purpose of this chapter is to implement RCW 28A.04.134, through the adoption of rules and regulations establishing minimum standards for integrating school district library and media services into learning resources centers.

[Order 1-76, § 180-46-005, filed 2/3/76; Order 15-75, § 180-46-005, filed 12/11/75.]

WAC 180-46-010 Learning resources centers. Audiovisual centers, libraries and media centers shall be integrated into a learning resources center and may consist of other designated space(s) within each school building or campus.

[Order 15-75, § 180-46-010, filed 12/11/75.]

WAC 180-46-015 Learning resources. Instructional materials, the library collections and audiovisual equipment shall be integrated as learning resources which are defined as, but not limited to, those organized collections of books, filmstrips, slide sets, newspapers, educational

radio programs, educational television programs, periodicals, microforms, audio and video formats, records, vertical file collections, pamphlets, study prints, maps, charts, globes, overhead transparencies, dioramas, realia, models, and other materials and equipment that provide instructional value.

[Statutory Authority: RCW 28A.04.134. 81-12-023 (Order 5-81), § 180-46-015, filed 6/1/81; Order 15-75, § 180-46-015, filed 12/11/75.]

WAC 180-46-020 Learning resources programs. Audiovisual, library and media programs shall be integrated as learning resources programs. These programs in each school district are to be directed toward the implementation of the district's instructional goals and objectives and consistent with the goals for Washington common schools, as adopted by the state board of education. These programs are to include strategies for implementation and a system for continuing evaluation.

[Order 15-75, § 180-46-020, filed 12/11/75.]

WAC 180-46-025 Services. Each school district shall provide services relevant to and integrated with the district's educational program and directed toward meeting the creative and informational needs of each student.

[Order 15-75, § 180-46-025, filed 12/11/75.]

WAC 180-46-030 Equipment and materials. Each school district shall provide learning and teaching resources in each school which are adequate in quality, quantity and variety, and organized so as to enable students and professional staff to select materials necessary to achieve the district's instructional objectives.

[Statutory Authority: RCW 28A.04.134. 81-12-023 (Order 5-81), § 180-46-030, filed 6/1/81; Order 15-75, § 180-46-030, filed 12/11/75.]

WAC 180-46-035 Production. Each school district shall provide the opportunity for every student and teacher to design and produce a variety of media as a part of the learning and teaching process.

[Order 15-75, § 180-46-035, filed 12/11/75.]

WAC 180-46-040 Facilities. Each school district shall provide in each school learning resources facilities so arranged as to encourage individualized and group learning through a wide variety of experiences.

[Order 15-75, § 180-46-040, filed 12/11/75.]

WAC 180-46-045 Staff. Each school district shall provide for a sufficient number of qualified certificated and supportive learning resources staff to meet the identified needs of students and teachers in each school.

[Statutory Authority: RCW 28A.04.134. 81-12-023 (Order 5-81), § 180-46-045, filed 6/1/81; Order 15-75, § 180-46-045, filed 12/11/75.]

WAC 180-46-050 Access. Each school district shall provide in each school a learning resources program

which provides maximum access by students and teachers throughout the school year.

[Order 15-75, § 180-46-050, filed 12/11/75.]

WAC 180-46-055 Other sources. When it is not feasible to provide resources at the building level, the use of sources beyond the building must be considered as an alternate way of meeting standards.

[Order 15-75, § 180-46-055, filed 12/11/75.]

WAC 180-46-065 Program evaluation. The guidelines adopted by the state board of education, which were developed by the superintendent of public instruction as required by RCW 28A.03.095, shall be made available to school districts for use in assessing their learning resources programs and school districts shall be subject to continuing evaluation for such programs pursuant to WAC 180-16-240 (2)(e).

[Statutory Authority: RCW 28A.04.134. 81-12-023 (Order 5-81), § 180-46-065, filed 6/1/81.]

Chapter 180-50 WAC

COURSES OF STUDY AND EQUIVALENCIES

WAC

180-50-100	Authority.
180-50-105	Purposes.
180-50-110	Prospective application of amendments to this chapter.
180-50-115	Mandatory areas of study in the common school.
180-50-120	Washington state history and government requirements.
180-50-125	United States history—High school requirement.
180-50-130	Social studies course—High school requirement.
180-50-135	Physical education—Grade school and high school requirement.
180-50-140	Sex education—Definition—Optional course or subject matter—Excusal of students.
180-50-300	Equivalency course of study—Credit for learning experiences conducted away from school or by persons not employed by the school district.
180-50-310	Equivalency course of study—Credit for correspondence courses and college courses.
180-50-315	Equivalency course of study—Credit for work experience.
180-50-320	Equivalency course of study—National Guard high school career training—Approval procedures.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

180-50-005	Authority, scope—Board approval of superintendent's action as compliance. [SBE 48-4-1, filed 3/29/65, effective 4/29/65.] Repealed by Order 1-77, filed 3/24/77.
180-50-010	Washington state history and government. [Order 1-77, § 180-50-010, filed 3/24/77; SBE 48-4-22, 48-4-220 and 48-4-221, filed 3/29/65, effective 4/29/65; Rules filed 6/27/61, effective 7/28/61; Rules (part), filed 3/24/60.] Repealed by 84-21-004 (Order 12-84), filed 10/4/84. Statutory Authority: RCW 28A.04.120 (6) and (8).
180-50-020	United States history and government. [Order 1-77, § 180-50-020, filed 3/24/77; SBE 48-4-23, 48-4-230 and 48-4-231, filed 3/29/65, effective 4/29/65.] Repealed by 84-21-004 (Order 12-84), filed 10/4/84. Statutory Authority: RCW 28A.04.120 (6) and (8).

- 180-50-030 Contemporary world history, geography and problems—High school requirement. [Order 1-77, § 180-50-030, filed 3/24/77; SBE 48-4-24 and 48-4-241, filed 3/29/65, effective 4/29/65.] Repealed by 84-21-004 (Order 12-84), filed 10/4/84. Statutory Authority: RCW 28A.04.120 (6) and (8).
- 180-50-040 Study of constitutions. [Order 1-77, § 180-50-040, filed 3/24/77; SBE 48-4-20, filed 3/29/65, effective 4/29/65.] Repealed by 84-21-004 (Order 12-84), filed 10/4/84. Statutory Authority: RCW 28A.04.120 (6) and (8).
- 180-50-050 Physical education. [Order 1-77, § 180-50-050, filed 3/24/77; SBE 48-4-21, filed 3/29/65, effective 4/29/65.] Repealed by 84-21-004 (Order 12-84), filed 10/4/84. Statutory Authority: RCW 28A.04.120 (6) and (8).
- 180-50-060 National defense units. [SBE 48-4-25, filed 3/29/65, effective 4/29/65.] Repealed by Order 1-77, filed 3/24/77.
- 180-50-070 Sex education. [Order 1-77, § 180-50-070, filed 3/24/77; Order 9-69, § 180-50-070, filed 12/5/69.] Repealed by 84-21-004 (Order 12-84), filed 10/4/84. Statutory Authority: RCW 28A.04.120 (6) and (8).

WAC 180-50-100 Authority. The general authority for this chapter is RCW 28A.04.120(6) which authorizes the state board of education to prepare an outline of study for the common schools and RCW 28A.04.120(8) which authorizes the state board of education to adopt rules and regulations to meet the educational needs of students. Where applicable, specific statutory authority is cited within sections of this chapter.

[Statutory Authority: RCW 28A.04.120 (6) and (8). 84-21-004 (Order 12-84), § 180-50-100, filed 10/4/84.]

WAC 180-50-105 Purposes. The purposes of this chapter are to:

- (1) Implement RCW 28A.04.120 (6) and (8) by prescribing state requirements for a course of study in the common schools;
- (2) Implement courses of study specifically required by statutes;
- (3) Establish procedural and substantive requirements for the granting of credit for equivalent courses of study which may be in conjunction with or as a substitution for courses of study in common schools.

[Statutory Authority: RCW 28A.04.120 (6) and (8). 84-21-004 (Order 12-84), § 180-50-105, filed 10/4/84.]

WAC 180-50-110 Prospective application of amendments to this chapter. Pursuant to WAC 180-51-035, high school students shall be entitled to incorporate into their graduation requirements the provisions of this chapter as written and effective for the applicable year. Amendments to this chapter shall apply prospectively to the school year which commences subsequent to the adoption of amendments.

[Statutory Authority: RCW 28A.04.120 (6) and (8). 84-21-004 (Order 12-84), § 180-50-110, filed 10/4/84.]

WAC 180-50-115 Mandatory areas of study in the common school. (1) Pursuant to RCW 28A.05.010 all school districts shall provide instruction in reading, penmanship, spelling, mathematics, geography, English

grammar, physiology, hygiene, and history of the United States.

(2) Pursuant to RCW 28A.05.015, unless instruction in a language other than English will aid the educational advancement of the student, all students shall be taught in English.

(3) Pursuant to RCW 28A.05.070, after July 1, 1986, each school district offering a high school program shall provide a course of study which includes the preparation for uniform college and university entrance requirements as published by the council of postsecondary education.

(4) In addition to the requirements in the above subsections, each such school district shall offer all required courses for a high school diploma as provided in chapter 180-51 WAC and shall provide an opportunity for high school students to take at least one course in the following areas of study:

- (a) Art;
- (b) Career education;
- (c) Computer education;
- (d) Consumer education;
- (e) Economics;
- (f) Environmental education;
- (g) Foreign language;
- (h) Health education;
- (i) Home and family life;
- (j) Music;
- (k) Remedial education, including at least, remedial education in reading, language arts, and mathematics.

(5) Districts shall make available to all high school students enrolled therein the areas of study enumerated above either within the district or by alternative means which shall include equivalent education programs set forth in this chapter, interdistrict cooperative programs as permitted by RCW 28A.58.240, and/or the full-time or part-time release of such students to attend nonresident districts pursuant to chapter 392-137 WAC.

[Statutory Authority: RCW 28A.04.120 (6) and (8). 84-21-004 (Order 12-84), § 180-50-115, filed 10/4/84.]

WAC 180-50-120 Washington state history and government requirements. (1) Grades 1-6. A one semester course—i.e., 90 (50 minute) hours of instruction—or its equivalent in Washington state history and government shall be required in the common schools in grades one through six.

(2) Grades 7-12. A one semester course—i.e., 90 (50 minute) hours of instruction—or its equivalent in Washington state history and government shall be required in the common schools in grades seven through twelve. Such course shall include a study of the Washington state Constitution. Pursuant to RCW 28A-.02.080, 28A.05.050, and 28A.05.060 this course also shall be required for high school graduation unless waived pursuant to WAC 180-51-075.

[Statutory Authority: RCW 28A.04.120 (6) and (8) and 28A.05.060. 85-12-037 (Order 13-85), § 180-50-120, filed 6/3/85. Statutory Authority: RCW 28A.04.120 (6) and (8). 85-04-007 (Order 1-85), § 180-50-120, filed 1/25/85; 84-21-004 (Order 12-84), § 180-50-120, filed 10/4/84.]

WAC 180-50-125 United States history--High school requirement. A one year course—i.e., 180 (50 minute) hours of instruction—or its equivalent in United States history shall be required in the common schools in the high school (grades 9–12) program. Such course shall include a study of the United States Constitution. Pursuant to RCW 28A.02.080, 28A.05.050, and 28A.05.060 this course also shall be required for high school graduation.

[Statutory Authority: RCW 28A.04.120 (6) and (8), 84-21-004 (Order 12-84), § 180-50-125, filed 10/4/84.]

WAC 180-50-130 Social studies course--High school requirement. A one year course—i.e., 180 (50 minute) hours of instruction—or its equivalent in contemporary world history, geography and problems and/or specific course in economics, sociology, civics, political science, international relations, or related social studies with emphasis on current problems shall be required in the common schools in the high school (grades 9–12). Pursuant to RCW 28A.05.060 this course also shall be required for high school graduation.

[Statutory Authority: RCW 28A.04.120 (6) and (8), 84-21-004 (Order 12-84), § 180-50-130, filed 10/4/84.]

WAC 180-50-135 Physical education--Grade school and high school requirement. (1) Grades 1–8. An average of at least twenty instructional minutes per day per year in physical education shall be required of all pupils in the common schools in the grade school (grades 1–8) program unless waived pursuant to RCW 28A.05.030.

(2) Grades 9–12. A one year course—i.e., 180 (50 minute) hours of instruction—or its equivalent shall be offered in physical education for each grade (grades 9–12) in the high school program. Pursuant to RCW 28A.05.040 and 28A.05.060, two credits in physical education also shall be required for high school graduation unless waived pursuant to RCW 28A.05.040.

[Statutory Authority: RCW 28A.04.120 (6) and (8) and 28A.05.060, 85-20-026 (Order 19-85), § 180-50-135, filed 9/24/85. Statutory Authority: RCW 28A.04.120 (6) and (8), 84-21-004 (Order 12-84), § 180-50-135, filed 10/4/84.]

WAC 180-50-140 Sex education--Definition--Optional course or subject matter--Excusal of students. (1) Local option. The decision as to whether or not a program about sex education or human sexuality is to be introduced into the common schools is a matter for determination at the district level by the local school board, the duly elected representatives of the people of the community.

(2) Definition(s).

(a) Sex education for the purpose of this regulation is defined as the study of the anatomy and the physiology of human reproduction.

(b) Human sexuality for the purpose of this regulation is defined as the characteristics or qualities that distinguish between maleness and femaleness. It includes the physiological, psychological, and sociological processes experienced by an individual.

(3) Development of instruction in sex education and human sexuality. School districts shall involve parents and school district community groups in the planning, development, evaluation, and revision of any instruction in sex education and human sexuality offered as a part of the school program.

(4) Excusal of students—Alternative studies. Any parent or legal guardian who wishes to have his/her child excused from any planned instruction in sex education or human sexuality may do so upon filing a written request with the school district board of directors or its designee and the board of directors shall make available the appropriate forms for such requests. Alternative educational opportunities shall be provided for those excused.

[Statutory Authority: RCW 28A.04.120 (6) and (8), 84-21-004 (Order 12-84), § 180-50-140, filed 10/4/84.]

WAC 180-50-300 Equivalency course of study--Credit for learning experiences conducted away from school or by persons not employed by the school district. Credit, including high school graduation credit, may be granted for school planned learning experiences primarily conducted away from the facilities owned, operated, or supervised by the district or conducted primarily by individuals not employed by the district. School planned learning experiences such as, but not limited to, travel study, work study, private lessons, and educational programs sponsored by governmental agencies may be accepted for credit upon compliance with procedures established by the district. Rules which permit the granting of credit for such out-of-school learning activities shall be adopted by the district board of directors and shall be available to students, parents, the public, and representatives of the superintendent of public instruction upon request. Such rules shall include at least the following provisions:

(1) A proposal for approval of credit for such learning experiences shall be submitted prior to the experience and shall include at least the following information:

- (a) Name of program;
- (b) Length of time for which approval is desired;
- (c) Objectives of the program;
- (d) Description of how credits shall be determined;
- (e) Content outline of the program and/or major learning activities and instructional materials to be used;
- (f) Description of how student performance will be assessed;
- (g) Qualifications of instructional personnel; and
- (h) Plans for evaluation of program.

(2) The proposal shall be presented to the personnel designated by the district board of directors for review, revision, and approval or disapproval.

(3) The reasons for approval or disapproval shall be communicated to the students, parents, or guardians.

[Statutory Authority: RCW 28A.04.120 (6) and (8), 84-21-004 (Order 12-84), § 180-50-300, filed 10/4/84.]

WAC 180-50-310 Equivalency course of study--Credit for correspondence courses and college courses. Each common school district board of directors shall

adopt rules governing the acceptance of correspondence or college courses for credit, including high school graduation credit. Such rules shall limit acceptance to courses from approved schools or institutions and shall be available upon request for review by students, parents, the public, and representatives of the superintendent of public instruction. The following are approved schools:

(1) Schools approved by the National University Extension Association or the National Home Study Council;

(2) Community colleges, vocational-technical institutes, four-year colleges and universities, and approved private schools in Washington state; and

(3) Other schools or institutions which are approved, after evaluation of a particular course offering, by the school district.

[Statutory Authority: RCW 28A.04.120 (6) and (8). 84-21-004 (Order 12-84), § 180-50-310, filed 10/4/84.]

WAC 180-50-315 **Equivalency course of study—Credit for work experience.** School districts may accept work experience training in lieu of either required or elective high school credits if such experience training meets the following standards:

(1) The work program shall be supervised by the school;

(2) The work experience shall be definitely related to the school program of the student;

(3) Credit given for work experience shall represent growth in the student and the type of work done should have definite educational value;

(4) The job in which experience is gained shall provide varied experiences;

(5) A work experience program shall be supplemented by an adequate program of guidance, placement, follow-up and coordination between job and school;

(6) Work experience as a planned part of a school subject may be included in the credit given for that subject;

(7) One credit may be granted for not less than four hundred five hours of work experience related to a student's school program;

(8) A student participating shall be legally employed and must have passed his sixteenth birthday;

(9) An employer's report of the student's work record, indicating satisfactory progress on the job, shall be filed with the school; and

(10) The regular state apprenticeship program, in which the training is worked out cooperatively with the school and meets the standards for high school graduation, is acceptable.

[Statutory Authority: RCW 28A.04.120 (6) and (8) and 28A.05.060. 85-12-037 (Order 13-85), § 180-50-315, filed 6/3/85. Statutory Authority: RCW 28A.04.120 (6) and (8). 84-21-004 (Order 12-84), § 180-50-315, filed 10/4/84.]

WAC 180-50-320 **Equivalency course of study—National Guard high school career training—Approval procedures.** School districts may accept National Guard high school career training in lieu of either required or

elective high school credits. Students who are enrolled in such a National Guard program with the approval of the school district of last attendance shall be considered enrolled in such district for state equalization apportionment and other appropriate purposes.

Approval by the district shall be obtained prior to a student's participation in a National Guard career training program as follows:

(1) MIL Form 115 or an equivalent form now or hereafter provided by the National Guard shall be completed and filed with the school district; and

(2) The number of credits toward high school graduation to be granted shall be calculated, agreed upon by the student and an authorized representative of the school district, and such agreement noted on MIL Form 115 or such equivalent form.

Credit toward high school graduation may be granted by the school district upon certification by a National Guard training unit commander on the completion component of MIL Form 115 or such equivalent form that the student has met all program requirements.

[Statutory Authority: RCW 28A.04.120 (6) and (8). 84-21-004 (Order 12-84), § 180-50-320, filed 10/4/84.]

Chapter 180-51 WAC

HIGH SCHOOL GRADUATION REQUIREMENTS

WAC

180-51-005	Authority.
180-51-010	Purpose.
180-51-015	Application of chapter to approved private schools and community colleges.
180-51-020	Additional local standards.
180-51-025	Local application of state requirements.
180-51-030	No high school credit for courses taken prior to admission to ninth grade.
180-51-035	Applicable standards for graduation—Amendments to this chapter.
180-51-040	Copies of graduation requirements for each year.
180-51-045	Notice to students, parents, and guardians.
180-51-050	High school credit—Definition.
180-51-055	Minimum credits for high school graduation.
180-51-060	Minimum subject areas for high school graduation.
180-51-062	Fine, visual, or performing arts requirement.
180-51-065	Sequential requirement for English, mathematics, and science—Exception for transfer students from without the state, for students who fail a required course, and special accommodations.
180-51-070	Laboratory science requirement.
180-51-075	Social studies requirement—Mandatory courses—Equivalencies.
180-51-080	Occupational education requirement.
180-51-085	Physical education requirement—Excuse.
180-51-100	Temporary exemption from 1985 course and credit requirements.
180-51-105	Exceptions to graduation requirements for former educational clinic students.
180-51-110	Equivalency credit for alternative learning experiences, nonhigh school courses, work experience, and challenges.
180-51-115	Procedures for granting high school graduation credits for students with special educational needs.

WAC 180-51-005 **Authority.** The authority for this chapter is RCW 28A.05.062 which authorizes the state board of education to establish high school graduation

requirements or equivalencies for students who commence the ninth grade subsequent to July 1, 1985.

[Statutory Authority: RCW 28A.05.062, 86-20-053 (Order 11-86), § 180-51-005, filed 9/29/86. Statutory Authority: Chapter 28A.05 RCW. 84-11-049 (Order 7-84), § 180-51-005, filed 5/17/84.]

WAC 180-51-010 Purpose. The purpose of this chapter is to establish high school graduation requirements, including policies and procedures for equivalencies, for students who commence the ninth grade subsequent to July 1, 1985. Graduation requirements and policies and procedures for equivalencies for students who commence the ninth grade prior to July 1, 1985, are codified in chapter 180-56 WAC and, pursuant to WAC 180-51-035, shall remain in effect for such students even though such provisions in chapter 180-56 WAC are repealed.

[Statutory Authority: Chapter 28A.05 RCW. 84-11-049 (Order 7-84), § 180-51-010, filed 5/17/84.]

WAC 180-51-015 Application of chapter to approved private schools and community colleges. High school diplomas granted by approved private schools and by community colleges shall meet the requirements of this chapter. References in this chapter to the board of directors of a school district shall apply to the governing board of the approved private school or the community college district affected. References within this chapter to school district shall refer to the approved private school or community college district. References within this chapter to high school shall refer to each approved private school or each community college.

[Statutory Authority: Chapter 28A.05 RCW. 84-11-049 (Order 7-84), § 180-51-015, filed 5/17/84.]

WAC 180-51-020 Additional local standards. Nothing within this chapter shall preclude the board of directors of any district offering a high school diploma from establishing such additional course, credit, and test requirements as deemed desirable. A district may not adopt any policy which requires enrollment for either (a) a minimum number of semesters or trimesters or (b) a minimum number of courses in a semester or trimester which exceeds the enrollment time or courses necessary for a student to meet established course, credit, and test requirements for high school graduation.

[Statutory Authority: Chapter 28A.05 RCW. 84-11-049 (Order 7-84), § 180-51-020, filed 5/17/84.]

WAC 180-51-025 Local application of state requirements. The content of courses and the determination of which courses satisfy particular subject area requirements and whether a particular course may satisfy more than one subject area requirement for different students shall be determined locally in accordance with rules adopted by boards of directors of districts.

[Statutory Authority: Chapter 28A.05 RCW. 84-11-049 (Order 7-84), § 180-51-025, filed 5/17/84.]

WAC 180-51-030 No high school credit for courses taken prior to admission to ninth grade. No high school

credit may be granted for any course taken prior to admission to the high school program as a ninth grade student.

[Statutory Authority: Chapter 28A.05 RCW. 84-11-049 (Order 7-84), § 180-51-030, filed 5/17/84.]

WAC 180-51-035 Applicable standards for graduation--Amendments to this chapter. A student shall have the right to graduate in accordance with the standards in effect for the school of graduation for any year since such student commenced the ninth grade unless more than ten years has passed since such entry. In such case, the student shall have the right to graduate in accordance with the standards in effect for the school of graduation for any year within the last ten years. All subsequent amendment to this chapter and all subsequent local standards shall apply prospectively to the students who enter the ninth grade subsequent to the amendment.

[Statutory Authority: Chapter 28A.05 RCW. 84-11-049 (Order 7-84), § 180-51-035, filed 5/17/84.]

WAC 180-51-040 Copies of graduation requirements for each year. Each high school shall keep on file for student and public inspection a copy of the state board of education rules and regulations regarding high school graduation requirements and procedures for equivalencies applicable for the school year, including the preceding ten years. Any locally adopted high school graduation requirements and procedures for equivalencies shall also be kept on file with such state requirements. Copies of state requirements by year also shall be kept on file in the office of superintendent of public instruction.

[Statutory Authority: Chapter 28A.05 RCW. 84-11-049 (Order 7-84), § 180-51-040, filed 5/17/84.]

WAC 180-51-045 Notice to students, parents, and guardians. Commencing with the beginning of the ninth grade and each year thereafter, each high school shall provide each student and his or her parents or guardians with a copy of the high school graduation requirements applicable to each student and a progress report at the close of each school year thereafter of each individual student's progress toward meeting those requirements. If a student is not making normal progress toward such requirements, the high school shall notify the student and parents or guardians of alternative education experiences, including summer school opportunities available in the community, if any, or in close proximity.

[Statutory Authority: Chapter 28A.05 RCW. 84-11-049 (Order 7-84), § 180-51-045, filed 5/17/84.]

WAC 180-51-050 High school credit--Definition. As used in this chapter the term "high school credit," the equivalency of one year of study, shall mean:

(1) At the high school level, 180 (50 minute) hours of planned in-school instruction or 9,000 minutes (i.e., 150 hours equal one high school credit);

(2) At the adult education level, 180 (50 minute) hours of planned in-school instruction or 9,000 minutes

or, in lieu thereof, 90 (50 minute) hours or more of planned in-school instruction with three hours of planned individual study (homework) substituted for each 50 minute hour of in-school instruction less than 180 (i.e., equal one high school credit); and

(3) At the college or university level, five quarter or three semester hour credits (i.e., equal one high school credit).

[Statutory Authority: RCW 28A.05.060. 85-12-041 (Order 12-85), § 180-51-050, filed 6/5/85. Statutory Authority: Chapter 28A.05 RCW. 84-11-049 (Order 7-84), § 180-51-050, filed 5/17/84.]

WAC 180-51-055 Minimum credits for high school graduation. The minimum credits for high school graduation shall be eighteen credits.

[Statutory Authority: RCW 28A.05.060. 85-12-041 (Order 12-85), § 180-51-055, filed 6/5/85. Statutory Authority: Chapter 28A.05 RCW. 84-11-049 (Order 7-84), § 180-51-055, filed 5/17/84.]

WAC 180-51-060 Minimum subject areas for high school graduation. The minimum subject areas and credits therein shall be:

SUBJECT	CREDIT
English	3
Mathematics	2
Science	2
Social Studies	2 1/2
United States History and Government	(1)
Washington State History and Government	(1/2)*
Contemporary World History, Geography, and Problems	(1)*
Occupational Education	1
Physical Education	2
*See WAC 180-51-075 for equivalencies.	
Electives	5 1/2
Total	18

The minimum elective credits shall be met by additional courses in the required subject areas, by specific local district requirements, or by any course offered pursuant to WAC 180-50-115.

[Statutory Authority: RCW 28A.05.060. 85-12-041 (Order 12-85), § 180-51-060, filed 6/5/85. Statutory Authority: Chapter 28A.05 RCW. 84-11-049 (Order 7-84), § 180-51-060, filed 5/17/84.]

WAC 180-51-062 Fine, visual, or performing arts requirement. Notice is given that section 4, chapter 384, Laws of 1985, has established an additional one credit graduation requirement for students commencing the ninth grade subsequent to July 1, 1987. Students shall fulfill the one credit requirement from fine, visual, or performing arts, any of the subject areas as set forth in RCW 28A.05.060 or any combination thereof. Appropriate amendments to chapter 180-51 WAC will be made prior to July 1, 1987.

[Statutory Authority: RCW 28A.05.060. 85-12-041 (Order 12-85), § 180-51-062, filed 6/5/85.]

WAC 180-51-065 Sequential requirement for English, mathematics, and science—Exception for transfer students from without the state, for students who fail a required course, and special accommodations. English, mathematics, and science credit shall not be applied toward the subject area requirements in WAC 180-51-060 at a rate exceeding one credit per year. High schools may make exceptions to this sequential requirement for high school students:

(1) Who transfer from without the state who have already earned five or more credits but who will not be able to make normal progress toward graduation with their class without an exception; or

(2) Who fail a course and jointly enroll in the failed course and another course in the same subject area if such other course does not require the failed course as a prerequisite and the students are not able to make normal progress toward graduation with their class without an exception.

Additional credits in these subjects in excess of the one credit per year rate of accumulation shall be counted toward the minimum state credit requirement or local requirements if applicable.

Special accommodations may be provided for an individual student, or in lieu thereof, exemption from any requirement in this section, if such requirement impedes the student's progress toward graduation and there is a direct relationship between the failure to meet the requirement and the student's ability.

[Statutory Authority: RCW 28A.05.060. 85-12-041 (Order 12-85), § 180-51-065, filed 6/5/85. Statutory Authority: Chapter 28A.05 RCW. 84-11-049 (Order 7-84), § 180-51-065, filed 5/17/84.]

WAC 180-51-070 Laboratory science requirement. At least one credit of the two science credits shall be in a laboratory science.

[Statutory Authority: RCW 28A.05.060. 85-12-041 (Order 12-85), § 180-51-070, filed 6/5/85. Statutory Authority: Chapter 28A.05 RCW. 84-11-049 (Order 7-84), § 180-51-070, filed 5/17/84.]

WAC 180-51-075 Social studies requirement—Mandatory courses—Equivalencies. The social studies requirement in WAC 180-51-060 shall consist of the following mandatory courses or equivalencies:

(1) Pursuant to the provisions of RCW 28A.02.080, 28A.05.050, and 28A.05.060, one credit shall be required in United States history and government which shall include study of the Constitution of the United States. No other course content may be substituted as an equivalency for this requirement;

(2) Pursuant to the provisions of RCW 28A.02.080, 28A.05.050, and 28A.05.060, one-half credit shall be required in Washington state history and government which shall include study of the Constitution of the state of Washington. The provisions of WAC 180-51-030 notwithstanding, the Washington state history and government course requirement may be fulfilled by students in grades seven or eight or both. Credits earned in grades seven or eight shall not be applied toward the minimum number of credits required for high school graduation. For students who transfer from without the

state, northwest history and government may serve as an equivalent course for Washington state history and government in grades seven through twelve if such course included the study of the Constitution of the state of Washington pursuant to RCW 28A.02.080 or if this statutory requirement is fulfilled through an alternative learning experience. The Washington state history and government requirement for twelfth grade students who transfer from without the state who have or will have earned two credits in social studies at graduation but who will not be able to make normal progress toward graduation with their class without an exception may have this requirement waived by their principal;

(3) Pursuant to the provision of chapter 28A.05 RCW, one credit shall be required in contemporary world history, geography, and problems. Courses in economics, sociology, civics, political science, international relations, or related courses with emphasis on current problems may be accepted as equivalencies.

[Statutory Authority: RCW 28A.05.060. 85-12-041 (Order 12-85), § 180-51-075, filed 6/5/85. Statutory Authority: Chapter 28A.05 RCW. 84-11-049 (Order 7-84), § 180-51-075, filed 5/17/84.]

WAC 180-51-080 Occupational education requirement. The one credit occupational education requirement may be met by any approved vocational education course or any course which qualifies as a work skill pursuant to RCW 28A.58.754 (1)(b).

[Statutory Authority: RCW 28A.05.060. 85-12-041 (Order 12-85), § 180-51-080, filed 6/5/85. Statutory Authority: Chapter 28A.05 RCW. 84-11-049 (Order 7-84), § 180-51-080, filed 5/17/84.]

WAC 180-51-085 Physical education requirement—Excuse. The two credit physical education requirement shall be met by physical education courses. The content of courses shall be determined locally pursuant to WAC 180-51-025. Students shall be excused from physical education pursuant to RCW 28A.05.040. Such excused students shall be required to substitute equivalency credits in accordance with policies of boards of directors of districts.

[Statutory Authority: RCW 28A.05.060. 85-12-041 (Order 12-85), § 180-51-085, filed 6/5/85. Statutory Authority: Chapter 28A.05 RCW. 84-11-049 (Order 7-84), § 180-51-085, filed 5/17/84.]

WAC 180-51-100 Temporary exemption from 1985 course and credit requirements. The board of directors of any school district may petition the state board of education for temporary exemption from the course requirements specified in RCW 28A.05.060:

(1) A delay of one year may be granted if such board states within its petition that the high school affected has fewer than four hundred students and does not have within its staff certified persons qualified to teach the additional courses required by the 1985 graduation requirements;

(2) A delay of one year may be granted if such board states within its petition that the implementation of the 1985 requirements would be disruptive to the scheduling of classes and the assignment of teachers due to a reorganization of the district's grade configuration from a

grade ten through twelve high school program to a grade nine through twelve program;

(3) The state board of education may grant annual exemptions to the definition of an annualized high school credit upon the request of a public or approved private school which offers evidence that delineates content, time, or competency assessments which are substantially equivalent to the definition stated in WAC 180-51-050.

[Statutory Authority: RCW 28A.05.060. 85-12-041 (Order 12-85), § 180-51-100, filed 6/5/85. Statutory Authority: Chapter 28A.05 RCW. 84-11-049 (Order 7-84), § 180-51-100, filed 5/17/84.]

WAC 180-51-105 Exceptions to graduation requirements for former educational clinic students. Pursuant to the provisions of RCW 28A.97.030 and chapter 392-184 WAC, the provisions of this chapter are modified in order to provide for the exemptions required by RCW 28A.97.030 for former educational clinic students.

[Statutory Authority: Chapter 28A.05 RCW. 84-11-049 (Order 7-84), § 180-51-105, filed 5/17/84.]

WAC 180-51-110 Equivalency credit for alternative learning experiences, nonhigh school courses, work experience, and challenges. The board of directors of a district offering a high school diploma shall adopt rules providing for the granting of high school graduation credit for alternative learning experiences, nonhigh school courses, work experience, and challenges. High school credits may be given for, but not limited to, the following:

(1) Planned learning experiences conducted away from the school under the supervision or with the approval of the school;

(2) Work experience on the basis that four hundred five hours of work experience equals one credit;

(3) National guard high school career training;

(4) Postsecondary courses in accredited colleges and universities;

(5) Courses in accredited or approved vocational-technical institutes;

(6) Correspondence courses from accredited colleges and universities or schools approved by the National University Extension Association or the National Home Study Council;

(7) Other courses offered by any school or institution if specifically approved for credit by the district; and

(8) Credit based on competency testing, in lieu of enrollment or taking specific courses, may be granted by the district.

[Statutory Authority: RCW 28A.05.060. 85-12-041 (Order 12-85), § 180-51-110, filed 6/5/85. Statutory Authority: Chapter 28A.05 RCW. 84-11-049 (Order 7-84), § 180-51-110, filed 5/17/84.]

WAC 180-51-115 Procedures for granting high school graduation credits for students with special educational needs. No student shall be denied the opportunity to earn a high school diploma solely because of limitations on the student's ability. The board of directors of districts granting high school diplomas shall develop rules, including procedures, for meeting the unique

limitations of each student. Such procedures may provide for:

(1) The extension of time the student remains in school up to and including the school year in which such student reaches twenty-one years of age;

(2) A special education program in accordance with chapter 28A.13 RCW if the student is eligible; and

(3) Special accommodations for individual students, or in lieu thereof, exemption from any requirement in this chapter, if such requirement impedes the student's progress toward graduation and there is a direct relationship between the failure to meet the requirement and the student's limitation.

[Statutory Authority: Chapter 28A.05 RCW. 84-11-049 (Order 7-84), § 180-51-115, filed 5/17/84.]

**Chapter 180-52 WAC
PUPIL PERSONNEL SERVICES**

WAC	
180-52-015	Pupil tests and records—Authority.
180-52-020	Pupil tests and records—Tests—School district policy in writing.
180-52-025	Pupil tests and records—Pupil personnel records—School district policy in writing.
180-52-030	Pupil tests and records—Certain tests, questionnaires, etc.—Limitations.
180-52-035	Pupil tests and records—Diagnostic personality tests—Parental permission required.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

180-52-040	Purpose. [Statutory Authority: RCW 28A.04.120 and 28A.31.118. 83-16-049 (Order 7-83), § 180-52-040, filed 8/1/83. Statutory Authority: Chapter 28A.31 RCW. 79-11-067 (Order 16-79), § 180-52-040, filed 10/18/79.] Repealed by 85-20-041 (Order 21-85), filed 9/25/85. Statutory Authority: RCW 28A.04.120, 28A.31.118 and chapter 28A.31 RCW.
180-52-045	Definitions. [Statutory Authority: Chapter 28A.31 RCW. 79-11-067 (Order 16-79), § 180-52-045, filed 10/18/79.] Repealed by 85-20-041 (Order 21-85), filed 9/25/85. Statutory Authority: RCW 28A.04.120, 28A.31.118 and chapter 28A.31 RCW.
180-52-050	Determination, order of exclusion and notice. [Statutory Authority: RCW 28A.04.120 and 28A.31.118. 83-16-049 (Order 7-83), § 180-52-050, filed 8/1/83. Statutory Authority: Chapter 28A.31 RCW. 79-11-067 (Order 16-79), § 180-52-050, filed 10/18/79.] Repealed by 85-20-041 (Order 21-85), filed 9/25/85. Statutory Authority: RCW 28A.04.120, 28A.31.118 and chapter 28A.31 RCW.
180-52-055	Right to a hearing—Notice to school official. [Statutory Authority: Chapter 28A.31 RCW. 79-11-067 (Order 16-79), § 180-52-055, filed 10/18/79.] Repealed by 85-20-041 (Order 21-85), filed 9/25/85. Statutory Authority: RCW 28A.04.120, 28A.31.118 and chapter 28A.31 RCW.
180-52-060	Prehearing and hearing rights—Decision and notice thereof. [Statutory Authority: RCW 28A.04.120 and 28A.31.118. 83-16-049 (Order 7-83), § 180-52-060, filed 8/1/83. Statutory Authority: Chapter 28A.31 RCW. 79-11-067 (Order 16-79), § 180-52-060, filed 10/18/79.] Repealed by 85-20-041 (Order 21-85), filed 9/25/85. Statutory Authority: RCW 28A.04.120, 28A.31.118 and chapter 28A.31 RCW.
180-52-065	Issues to be decided. [Statutory Authority: RCW 28A.04.120 and 28A.31.118. 83-16-049 (Order 7-

83), § 180-52-065, filed 8/1/83. Statutory Authority: Chapter 28A.31 RCW. 79-11-067 (Order 16-79), § 180-52-065, filed 10/18/79.] Repealed by 85-20-041 (Order 21-85), filed 9/25/85. Statutory Authority: RCW 28A.04.120, 28A.31.118 and chapter 28A.31 RCW.

WAC 180-52-015 Pupil tests and records—Authority. Pursuant to authority under provisions of RCW 28A.04.120, the state board of education, hereby prescribes the rules and regulations relating to pupil tests and records hereinafter in WAC 180-52-020, 180-52-025, 180-52-030 and 180-52-035 set forth.

[Statutory Authority: RCW 28A.04.120 and 28A.31.118. 83-16-049 (Order 7-83), § 180-52-015, filed 8/1/83; Order 10-69, § 180-52-015, filed 12/5/69.]

WAC 180-52-020 Pupil tests and records—Tests—School district policy in writing. School districts shall develop and adopt written policies relative to testing, kindergarten through grade twelve, which policies shall include an outline of procedures by which parents or legal guardians of a student may become acquainted with the nature of tests and their uses in helping children.

[Order 10-69, § 180-52-020, filed 12/5/69.]

WAC 180-52-025 Pupil tests and records—Pupil personnel records—School district policy in writing. School districts shall develop and adopt written policies relating to (a) the type of pupil personnel records which are to be kept and the manner in which data is to be recorded; and (b) procedures by which a parent or legal guardian may upon written request examine school records pertaining to his child with professionally competent personnel present to interpret and assist in the analysis of such records.

[Order 10-69, § 180-52-025, filed 12/5/69.]

WAC 180-52-030 Pupil tests and records—Certain tests, questionnaires, etc.—Limitations. No written or oral test, questionnaire, survey, or examination shall be used to elicit the personal beliefs or practices of a student or his parents as to sex or religion except with the written consent of parent or guardian.

[Order 10-69, § 180-52-030, filed 12/5/69.]

WAC 180-52-035 Pupil tests and records—Diagnostic personality tests—Parental permission required. Each school district shall require that there shall be on file the written consent of the parent or guardian prior to the administering of any diagnostic personality test.

[Order 10-69, § 180-52-035, filed 12/5/69.]

**Chapter 180-53 WAC
EDUCATIONAL QUALITY--SELF-STUDY BY
SCHOOL DISTRICTS**

WAC	
180-53-005	Authority.
180-53-010	Purpose.
180-53-020	Self-study schedule.
180-53-025	Self-study criteria.

180-53-030	Elementary school—Joint self-study process.
180-53-035	Initial self-study cycle.
180-53-040	Self-study cycles.
180-53-045	Initial self-study cycle plan—Report to superintendent of public instruction.
180-53-050	Subsequent self-study cycle plan—Report to superintendent of public instruction.
180-53-055	Annual report—To superintendent of public instruction.
180-53-060	Waiver for economic reasons.
180-53-065	Waiver of the initial self-study cycle.

WAC 180-53-005 Authority. The authority for this chapter is RCW 28A.58.085, which authorizes the state board of education to develop rules and regulations governing procedural criteria for a self-study process of educational quality for all public schools within each district.

[Statutory Authority: RCW 28A.58.085. 86-20-054 (Order 12-86), § 180-53-005, filed 9/29/86. Statutory Authority: 1985 c 349 § 2. 85-24-055 (Order 22-85), § 180-53-005, filed 12/2/85.]

WAC 180-53-010 Purpose. The purpose of this chapter is to set forth procedural criteria for the implementation of an educational quality self-study process by school districts that places emphasis upon:

- (1) Achieving educational excellence and equity;
- (2) Building stronger links with the community; and
- (3) Reaching consensus upon educational expectations through community involvement and corresponding school management.

[Statutory Authority: 1985 c 349 § 2. 85-24-055 (Order 22-85), § 180-53-010, filed 12/2/85.]

WAC 180-53-020 Self-study schedule. Each school district board of directors shall develop a schedule and process by which each public school within its jurisdiction shall undertake self-study procedures in compliance with this chapter on a cyclical basis. For the purpose of this section each school district shall determine what constitutes a public school as long as all instructional programs offered by the district, for example, those provided by contractual or cooperative agreements, are included in the self-study process.

[Statutory Authority: 1985 c 349 § 2. 85-24-055 (Order 22-85), § 180-53-020, filed 12/2/85.]

WAC 180-53-025 Self-study criteria. The self-study process shall include an emphasis in the following areas:

- (1) The participation of staff, parents, community members, and students where appropriate to their age;
- (2) A comprehensive assessment of the instructional program, staff, services, learning resources, student activities, and facilities; and
- (3) The development of a plan for program improvement.

Public schools that are accredited pursuant to the self-study procedures of the state board of education or the Northwest Association of Schools and Colleges as specified in chapter 180-55 WAC shall be judged to have complied with the criteria stated above.

[Statutory Authority: 1985 c 349 § 2. 85-24-055 (Order 22-85), § 180-53-025, filed 12/2/85.]

WAC 180-53-030 Elementary school—Joint self-study process. A school district may allow two or more elementary schools, i.e., containing no grades above grade eight, within its jurisdiction to conduct the self-study process jointly. For the purposes of this section each district board of directors shall determine what constitutes an elementary school.

[Statutory Authority: 1985 c 349 § 2. 85-24-055 (Order 22-85), § 180-53-030, filed 12/2/85.]

WAC 180-53-035 Initial self-study cycle. The initial self-study process within each district shall begin by September 1, 1986, and shall be completed for all public schools within the district by the end of the 1990-91 school year unless a waiver has been granted pursuant to WAC 180-53-060 or 180-53-065.

[Statutory Authority: 1985 c 349 § 2. 85-24-055 (Order 22-85), § 180-53-035, filed 12/2/85.]

WAC 180-53-040 Self-study cycles. The initial self-study cycle shall be known as cycle 1 and run from the beginning of the 1986-87 school year until the end of the 1990-91 school year. After the initial self-study cycle, cycles of seven years shall follow. For example, cycle 2 shall begin with the 1991-92 school year and run until the end of the 1997-98 school year, and cycle 3 shall begin with the 1998-99 school year and run until the end of the 2004-2005 school year.

[Statutory Authority: 1985 c 349 § 2. 85-24-055 (Order 22-85), § 180-53-040, filed 12/2/85.]

WAC 180-53-045 Initial self-study cycle plan—Report to superintendent of public instruction. Each school district shall report to the superintendent of public instruction by May 31, 1986, a plan for the implementation of a self-study in each public school within the district's jurisdiction for the initial self-study cycle. The report shall include:

- (1) A schedule for self-study;
- (2) Assurance that the self-study criteria specified in WAC 180-53-025 will be implemented;
- (3) Identification of each public school for which the initial self-study cycle is waived pursuant to WAC 180-53-065; and
- (4) Whether a waiver is being requested for economic reasons pursuant to WAC 180-53-060.

[Statutory Authority: 1985 c 349 § 2. 85-24-055 (Order 22-85), § 180-53-045, filed 12/2/85.]

WAC 180-53-050 Subsequent self-study cycle plan—Report to superintendent of public instruction. Each school district shall report to the superintendent of public instruction, by May 31 of the final year of a self-study cycle, a plan for the implementation of a self-study in each public school within the district's jurisdiction during the next self-study cycle. The report shall include:

- (1) A schedule for self-study;
- (2) Assurance that the self-study criteria specified in WAC 180-53-025 will be implemented; and

(3) Whether a waiver is being requested for economic reasons pursuant to WAC 180-53-060.

[Statutory Authority: 1985 c 349 § 2. 85-24-055 (Order 22-85), § 180-53-050, filed 12/2/85.]

WAC 180-53-055 Annual report—To superintendent of public instruction. Each district shall annually report to the superintendent of public instruction by May 31 on the scheduling and implementation of the self-study activities in each public school. The report shall contain the following:

- (1) Dates of self-study completion;
- (2) Assurance that the self-study criteria specified in WAC 180-53-025 have been met;
- (3) An indication of the self-study model implemented, for example, the input/standards assessment (WAC 180-55-055), the process/outcome analysis (WAC 180-55-060), the *Evaluative Criteria* published by the National Study of School Evaluation, or district developed procedure; and

(4) Whether a waiver is being requested for economic reasons pursuant to WAC 180-53-060.

[Statutory Authority: 1985 c 349 § 2. 85-24-055 (Order 22-85), § 180-53-055, filed 12/2/85.]

WAC 180-53-060 Waiver for economic reasons. A district may petition the state board of education for a waiver from a self-study cycle for any or all of the schools in its jurisdiction for economic reasons. The state board of education shall grant a waiver if the district in its petition demonstrates that sufficient funds are not available to operate all mandatory instructional programs and to complete the self-study process. Such demonstration shall provide evidence that one or more of the following requirements for entitlement to basic education allocation funds (chapter 180-16 WAC) cannot be met:

- (1) Total program hour offerings—basic skills and work skills (WAC 180-16-200);
- (2) Classroom teacher contact hours (WAC 180-16-205);
- (3) Kindergarten through grade 3 students to classroom teacher ratio (WAC 180-16-210);
- (4) Minimum one hundred eighty school day year (WAC 180-16-215);
- (5) Students to certificated staff ratio (WAC 180-16-220(1)); and
- (6) Adequate provision for health and safety of all pupils (WAC 180-16-240 (2)(g)).

[Statutory Authority: 1985 c 349 § 2. 85-24-055 (Order 22-85), § 180-53-060, filed 12/2/85.]

WAC 180-53-065 Waiver of the initial self-study cycle. The initial self-study cycle shall be waived for any school which has successfully completed an official accreditation process or a similar assessment during the 1983-84, 1984-85, or 1985-86 school year. An official accreditation process shall be defined as one sponsored by the state board of education or the northwest association of schools and colleges. To qualify as a similar assessment the self-study process shall meet the purposes

specified in WAC 180-53-010 and the self-study criteria specified in WAC 180-53-025. Districts shall indicate which public schools have complied with this section pursuant to WAC 180-53-045.

[Statutory Authority: 1985 c 349 § 2. 85-24-055 (Order 22-85), § 180-53-065, filed 12/2/85.]

Chapter 180-55 WAC SCHOOL ACCREDITATION

WAC

180-55-005	Statutory authority.
180-55-010	Intent and purposes.
180-55-015	Definitions.
180-55-020	Compliance with requirements for entitlement to basic education allocation funds or approved private school status.
180-55-025	Types of accreditation—Conditions—Effective periods.
180-55-030	Administration of accreditation procedures.
180-55-035	Validation of accreditation activities.

SELF-STUDY ACCREDITATION

180-55-040	Self-study—Approval to participate.
180-55-045	Self-study—Types.
180-55-050	Self-study—Common guidelines.
180-55-055	Self-study—Input/standards assessment.
180-55-060	Self-study—Process/outcomes analysis.
180-55-065	Self-study—Self-designed.

STANDARDS-ONLY ACCREDITATION

180-55-070	Standards-only—General conditions—Types.
180-55-075	Standards-only—Elementary and secondary—Professional preparation of staff.
180-55-080	Standards-only—Elementary and secondary—Guidance services.
180-55-085	Standards-only—Elementary and secondary—School health services.
180-55-090	Standards-only—Elementary and secondary—Textbook and supplementary reference materials.
180-55-095	Standards-only—Elementary and secondary—Equipment and materials.
180-55-100	Standards-only—Elementary and secondary—Facilities.
180-55-105	Standards-only—Elementary—Program offerings.
180-55-110	Standards-only—Elementary—Number and time assignment of personnel.
180-55-115	Standards-only—Elementary—Instructional and learning resources.
180-55-120	Standards-only—Secondary—Unit of credit.
180-55-125	Standards-only—Secondary—Minimum program offerings.
180-55-130	Standards-only—Secondary—Number and time assignment of personnel.
180-55-135	Standards-only—Secondary—Instructional and learning resources.

WAC 180-55-005 Statutory authority. Pursuant to provision of RCW 28A.04.120(4), the state board of education hereby establishes standards and procedures for accreditation of all schools as hereinafter set forth.

[Statutory Authority: RCW 28A.04.120(4). 81-08-027 (Order 2-85), § 180-55-005, filed 3/26/81.]

WAC 180-55-010 Intent and purposes. (1) **Intent.** It is the intent of the state board of education to establish accreditation procedures in which participation by schools is voluntary and by which such procedures:

(a) Enhance the quality of a school's educational program.

(b) Facilitate a comprehensive self-examination of the school including but not limited to: Program planning, program balance, human and material resources, services and facilities.

(c) Provide means whereby such self-examination may be validated by objective observers.

(d) Promote the subsequent implementation of an effective plan for program improvement.

(e) Provide maximum flexibility to the district and the school by making available different procedures for accreditation.

(f) Provide assurance to the public that students in an accredited elementary school have available a program containing a comprehensive foundation of knowledge and learning skills.

(g) Provide assurance to the public that students in an accredited middle school or junior high school have available a program containing an expanded and reinforced foundation of knowledge and learning skills, a variety of introductory and survey courses that offer exploratory opportunities to meet emerging individual student interests, and a suitable transitional experience designed to provide a bridge from elementary to secondary instructional organization.

(h) Provide assurance to the public that students in an accredited comprehensive secondary school have available a program in which they can prepare for the requirements of higher education and/or occupational opportunities.

(i) Provide assurance to the public that students in accredited vocational skill centers have available a program which, through dual enrollment in a high school and a skill center, provides the student with instruction that leads to a high school diploma granted by the student's cooperating high school and entry level job skills.

(j) Provide assurance to the public that students in accredited vocational-technical institutes have available vocational programs which prepare students for entry level employment, to upgrade the skills and knowledge required to continue or to retrain for job change.

(2) **Purposes.** The provision of school accreditation procedures by the state board of education is designed to serve the following purposes:

(a) Improve the general quality of the educational program at a school.

(b) Promote staff growth and commitment.

(c) Promote improved community awareness of and sensitivity to the school program.

(d) Provide a statement of accountability to the public.

(e) Fulfill such assessment and planning requirements as may exist.

[Statutory Authority: RCW 28A.04.120(4), 84-11-050 (Order 8-84), § 180-55-010, filed 5/17/84; 81-08-027 (Order 2-85), § 180-55-010, filed 3/26/81.]

WAC 180-55-015 Definitions. (1) An accredited school is a public or an approved private school that

meets all statutory provisions for schools in the state of Washington and all regulations established by the state board of education, and one that has completed either self-study or standards-only accreditation procedures described by the state superintendent of public instruction pursuant to RCW 28A.04.120(4) and WAC 180-55-005 through 180-55-135.

(2) "Accredited" status shall be assigned to public or approved private schools that:

(a) Complete and meet fully the requirements for self-study accreditation procedures as described in WAC 180-55-040 through 180-55-065, or;

(b) Complete and meet substantially the requirements for standards-only accreditation procedures as described in WAC 180-55-070 through 180-55-135; or

(c) Participate and qualify in accordance with standards and procedures established by the Northwest Association of Schools and Colleges (NWASC).

(3) "Self-study" shall mean an approved comprehensive set of needs-assessment and program improvement plan procedures as described in WAC 180-55-040 through 180-55-065.

(4) "Standards-only" shall mean an appraisal whereby requirements established by the state board of education are applied to an individual school as described in WAC 180-55-070 through 180-55-135.

(5) "Plan for program improvement" shall mean a formal document produced as a result of the self-study procedure for implementation at an accredited school.

(6) "Validation" shall mean an objective, external review of self-study or standards-only activities for the purposes of establishing their correctness, accuracy and thoroughness, and in the case of self-study accreditation procedures, an objective, external review of the plan for program improvement in terms of its feasibility of operation, as described in WAC 180-55-035.

(7) "Northwest Association of Schools and Colleges alternative" shall mean the secondary and vocational-technical institute school accreditation activities provided through school membership in the NWASC and shall be accepted by the state board of education in lieu of state board accreditation procedures as described in WAC 180-55-025 through 180-55-135.

(8) "Approved private school" shall mean a school approved by the state board of education pursuant to chapter 180-90 WAC.

(9) "Vocational-technical institute" shall mean a specialized area nongraded vocational education facility established and operated for the purpose of offering comprehensive courses primarily oriented to the job market area for persons sixteen years of age or older without regard to residence, pursuant to laws and rules and regulations pertaining to the maintenance, operation, and funding of vocational-technical institutes. In applying the provisions of this chapter the terms "school" and "principal" shall mean a vocational-technical institute and director of such institute, respectively.

[Statutory Authority: RCW 28A.04.120(4), 84-11-050 (Order 8-84), § 180-55-015, filed 5/17/84; 81-08-027 (Order 2-85), § 180-55-015, filed 3/26/81.]

WAC 180-55-020 Compliance with requirements for entitlement to basic education allocation funds or approved private school status. (1) Public schools.

(a) **District compliance.** Certification by the state board of education of compliance by a school district's program pursuant to provisions of "basic education allocation entitlement requirements" or receipt of waiver therefrom (WAC 180-16-191 through 180-16-225) shall be prerequisite to a public school's participation in accreditation activities and to a public school's receipt of any accreditation status from the state board of education. Such requirements hereby are included within the standards upon which accreditation is conditioned.

(b) **School contribution to district compliance with requirements for entitlement to basic education allocation funds.** Each school engaged in the state board of education's accreditation procedures must review the school's contribution to district compliance with such entitlement requirements (WAC 180-16-191 through 180-16-225). Although these entitlement requirements are enforced at the district level rather than at the individual school, the intent of this review shall be to serve the following purposes:

(i) Increase the awareness of and familiarity with such entitlement requirements by staff and community members.

(ii) Identify those instances where district compliance is affected adversely by the school.

(iii) Prepare rationale or proposals for corrective action in such instances.

(c) **Assessment of school compliance with supplemental program standards.** Supplemental program standards (WAC 180-16-240), if unmet, do not affect basic education allocations to the district. At the school level, however, failure to comply with these standards may create an adverse impact on the instructional program. Therefore, each school engaged in the state board of education's accreditation procedures must review the school's compliance with these standards in order to serve the following purposes:

(i) Increase the awareness of and familiarity with supplemental program standards by staff and community members.

(ii) Identify those instances where district compliance is affected adversely by the school.

(iii) Prepare rationale or proposals for corrective action in such instances.

(d) **Vocational-technical institutes--Additional requirement.** Certification by the state board of education of compliance with the program approval provisions of chapter 180-58 WAC shall be conditional to the receipt of accreditation status by a vocational-technical institute.

(2) **Private schools.** Certification by the state board of education of compliance by a private school with the approval requirements of chapter 180-90 WAC shall be prerequisite to a private school's participation in the state board of education's accreditation activities and to a private school's receipt of any accreditation status from the state board of education. Such requirements

hereby are included within the standards upon which accreditation is conditioned.

[Statutory Authority: RCW 28A.04.120(4), 84-11-050 (Order 8-84), § 180-55-020, filed 5/17/84; 81-08-027 (Order 2-85), § 180-55-020, filed 3/26/81.]

WAC 180-55-025 Types of accreditation--Conditions--Effective periods. (1) Self-study procedures:

(a) **Standard accreditation - seven years,** shall be granted to a school upon successful completion of self-study activities, adoption of a plan for program improvement based upon findings of the self-study, and validation of the self-study and the plan by an objective review process external to the school being considered for accreditation.

(b) **Conditional accreditation,** is limited to a one year period and shall be designated for a school where validation identifies minor omissions, inaccuracies or weaknesses in the accreditation procedures, the plan, or the school program, and which are not addressed in the plan. Should such omissions from the plan not be so addressed, or not be explained satisfactorily in terms of constraints on the district, during the one year term of this rating, the school will be reclassified downward in accreditation status.

(c) **Probationary accreditation,** is limited to a one year period, and shall be designated for a school where validation identifies major omissions, inaccuracies, or weaknesses in the accreditation procedures, the plan, or the school program, and which are either not addressed in the plan for program improvement or not explained satisfactorily in terms of constraints on the district, or, for schools where prior conditional rating has not been upgraded. If upgraded accreditation status is not achieved by the end of the one year period, the school will be reclassified as unaccredited.

(d) **Unaccredited** status shall be assigned to a participating school that fails to upgrade probationary accreditation status within the prescribed time, or to a participating school that has drastic inadequacies or omissions in major required self-study components or procedures.

(2) **Standards-only procedures:**

(a) **Standard accreditation - two years,** shall be granted to a school upon submission and approval of a standards-only accreditation document. Renewal of standard accredited status through continuing use of the appraisal procedure is required biennially.

(b) **Conditional accreditation,** is limited to a one year period, and shall be designated for a school where validation identifies minor deviations, omissions or weaknesses in the school program in the area(s) of the accreditation standards. Such status must be improved to standard accreditation the following year or the school will be reclassified downward in accreditation status.

(c) **Probationary accreditation,** is limited to a one year period, and shall be designated for a school where validation identifies major omissions, inaccuracies, or weaknesses in the school program in the area(s) of the accreditation standards, or, for a school where prior

conditional rating has not been upgraded. If upgraded accreditation status is not achieved by the end of the one year period, the school will be reclassified as unaccredited.

(d) **Unaccredited** status is assigned to a participating school that fails to upgrade probationary accreditation status within the prescribed time limits or to a participating school that has drastic inadequacies or omissions in major standards.

(3) **Nonparticipating schools.** Schools electing not to participate in accreditation procedures will be considered as "nonparticipating."

[Statutory Authority: RCW 28A.04.120(4), 81-08-027 (Order 2-85), § 180-55-025, filed 3/26/81.]

WAC 180-55-030 Administration of accreditation procedures. The following general procedures hereby are established to effect the state board of education's school accreditation program:

(1) **Application.** Application for school accreditation shall be made to the state superintendent of public instruction on or before the first day of November. Such application shall be submitted jointly by the appropriate officials of the school and school district in accordance with procedures and timelines established by the state superintendent. The state superintendent may place yearly limits on the number of schools authorized to participate in self-study accreditation procedures described in WAC 180-55-040 through 180-55-065.

(2) **Self-studies, reviews, examinations.** The state superintendent of public instruction shall direct a program of self-studies, reviews, and examinations as specified in WAC 180-55-040 through 180-55-135.

(3) **Validations.** The state superintendent of public instruction shall direct such validation activities as are necessary to implement WAC 180-55-035.

(4) **Findings and recommendations.** The state superintendent of public instruction upon determining whether the school meets statutory and state board of education requirements for accreditation shall submit his findings and recommendations to the state board of education.

[Statutory Authority: RCW 28A.04.120(4), 81-08-027 (Order 2-85), § 180-55-030, filed 3/26/81.]

WAC 180-55-035 Validation of accreditation activities. Validation of school accreditation activities shall be a necessary final step preceding the assignment of any accredited status to a school by the state board of education. Validation activities shall be conducted by persons external to the school and district concerned. Each school participating in a self-study accreditation procedure shall nominate three or more staff members for the state validation pool. Such persons may be called upon to serve as members of visiting teams assigned to validate other schools' self-study procedures and plans for program improvement. No persons so designated shall be required to serve as a visiting team member more than twice during the ensuing two years, after which the school's foregoing obligation expires.

Validation of either self-study or standards-only accreditation activities shall include a review of a public

school's rationale or proposals for corrective action in instances where such a school adversely impacts a district's ability to comply with requirements for entitlement to basic education allocation funds (WAC 180-16-191 through 180-16-225) and/or supplemental program standards (WAC 180-16-240).

(1) **Self-study accreditation validation.** Validation of one of the three types of self-study accreditation activities described in WAC 180-55-050 through 180-55-065 and the subsequent plan for program improvement shall be administered by the state superintendent of public instruction and conducted by visiting teams appointed by the state superintendent. Such teams shall at least review and examine the following areas:

(a) The thoroughness and adequacy of the planning and preparation activities leading to the self-study.

(b) The levels of participation, comprehensiveness, and validity of the findings of the self-study.

(c) The feasibility and comprehensiveness of the plan for program improvement, with particular attention given to:

(i) Fiscal practicability.

(ii) The relationship between the self-study and the prioritized goals of the improvement plan.

(d) Evidence of appropriate implementation plans and activities including:

(i) Timeline.

(ii) Task and assignments; responsibilities.

(iii) Internal monitoring and evaluation procedures.

(iv) Feedback and revision procedures.

(2) **Standards-only accreditation validation.** Validation of standards-only accreditation activities shall be conducted by audit committees appointed by the state superintendent of public instruction. Such committees shall utilize such means and measures as the state superintendent deems appropriate to assess school compliance with pertinent accreditation standards.

[Statutory Authority: RCW 28A.04.120(4), 81-08-027 (Order 2-85), § 180-55-035, filed 3/26/81.]

SELF-STUDY ACCREDITATION

WAC 180-55-040 Self-study--Approval to participate. Approval to participate in self-study accreditation procedures must be obtained from the state superintendent of public instruction prior to beginning official activities. Such approval is contingent upon proper completion of the application procedures described in WAC 180-55-030(1) and is subject to participation limits authorized therein.

[Statutory Authority: RCW 28A.04.120(4), 81-08-027 (Order 2-85), § 180-55-040, filed 3/26/81.]

WAC 180-55-045 Self-study--Types. There shall be three types of self-study accreditation procedures:

(1) Input/standards assessment as described in WAC 180-55-055.

(2) Process/outcomes analysis as described in WAC 180-55-060.

(3) Self-designed as described in WAC 180-55-065.

[Statutory Authority: RCW 28A.04.120(4), 81-08-027 (Order 2-85), § 180-55-045, filed 3/26/81.]

WAC 180-55-050 Self-study--Common guidelines. Each of the three types of state board of education's self-study accreditation procedures shall include at least the following:

(1) A coordinator generally responsible for the self-study.

(2) A steering committee generally responsible for guiding the self-study.

(3) Planned participation from the following individuals or groups: A district-level administrator, the principal, teachers, parents, and classified employees, and students (secondary only). For a vocational skill center or a vocational-technical institute the following individuals and groups also shall be included: Program supervisors, advisory committee members (industry representatives) and vocational-technical students, if applicable.

(4) The self-study shall be comprehensive in scope, with needs assessments conducted in the following areas: Instructional program, staff, services, materials and resources, and facilities.

(5) The product of the self-study procedure shall be a plan for program improvement which shall set priorities, identify constraints that may affect reaching the desired goals, include an implementation timeline, describe an internal monitoring process, and provide for revisions and periodic updating.

[Statutory Authority: RCW 28A.04.120(4), 84-11-050 (Order 8-84), § 180-55-050, filed 5/17/84; 81-08-027 (Order 2-85), § 180-55-050, filed 3/26/81.]

WAC 180-55-055 Self-study--Input/standards assessment. Input/standards assessment (I/SA) self-study accreditation procedures shall focus upon the resources applied to the school's total educational effort, consistent with school and district standards, priorities, and established goals. The input/standards assessment procedures shall emphasize the following:

(1) **Standards for adequate resources.** Those who are managing the self-study procedures shall identify, adapt, or develop standards of adequate resources for the areas being studied.

(2) **Instructional program balance.** The assessment of instructional program resources shall review program balance, comprehensiveness, and flexibility.

(3) **Staffing balance.** The survey of staff shall review staffing balance in terms of preparation, certification, experience, and special qualifications.

(4) **Equitability of services.** The assessment activities shall review the extent and appropriateness of services provided to students, parents, and staff.

(5) **Facilities.** Self-study procedures shall include an assessment of the suitability and adequacy of school facilities.

(6) **Impact of resources.** The assessment activity shall evaluate the impact of available resources on the ability of the school to meet identified standards, priorities, and goals.

(1986 Ed.)

(7) **School climate (optional).** The school climate assessment is an optional activity for the input/standards assessment self-study accreditation procedures.

[Statutory Authority: RCW 28A.04.120(4), 81-08-027 (Order 2-85), § 180-55-055, filed 3/26/81.]

WAC 180-55-060 Self-study--Process/outcomes analysis. Process/outcomes analysis (P/OA) self-study accreditation procedures shall focus on the quality and appropriateness of the school's educational program and the results of such operational efforts. A required component of these procedures shall be the school climate survey, an assessment of the affective environment of the school and the impact of school climate upon the educational processes and outcomes. The process/outcomes analysis procedure shall emphasize the following:

(1) **Instructional program analysis.** The assessment activity shall review the instructional program and shall evaluate at least: student learning objectives, student achievement, instructional planning, course and content offerings, quality and effectiveness of instruction, and staff inservice activity.

(2) **School climate.**

(3) **Additional problem areas.** Preliminary assessments shall be made in the areas of staffing, services, materials and facilities. Detailed analyses shall be applied to any such areas that are indicated as problem areas in terms of their effective operation and/or contribution to desired outcomes.

[Statutory Authority: RCW 28A.04.120(4), 81-08-027 (Order 2-85), § 180-55-060, filed 3/26/81.]

WAC 180-55-065 Self-study--Self-designed. Self-designed (S-D) self-study accreditation procedures may be developed for use at a participating school. Self-designed self-study procedure proposals must be approved in advance by the state superintendent of public instruction and shall address at least the following areas:

(1) **Accreditation readiness.** Readiness for participation in accreditation activities shall be evaluated in terms of purposes, objectives, commitment and constraints in terms of how each will affect the conduct of the self-study and the implementation of the plan for program improvement.

(2) **Direction and coordination.** Management of the self-study and the administration of preparation of the plan for program improvement shall be described.

(3) **Scope.** The self-study must be comprehensive in scope in at least the major areas of program, staff, services, materials, and facilities.

(4) **Relationship of findings to the plan for program improvement.** The development of the plan for program improvement must be based upon the findings of the self-study.

(5) **Timeline.** Progress checkpoints in the form of a timeline must be observed during the self-study procedures and provided during the resultant plan for program improvement.

(6) **School climate (optional).** The school climate assessment is an optional activity for the self-designed self-study accreditation procedures.

[Title 180 WAC--p 117]

[Statutory Authority: RCW 28A.04.120(4), 81-08-027 (Order 2-85), § 180-55-065, filed 3/26/81.]

STANDARDS-ONLY ACCREDITATION

WAC 180-55-070 Standards-only--General conditions--Types. Standards-only accreditation procedures are provided as officially acceptable alternatives to the preferred self-study procedures for establishing accredited status. Such standards are established for elementary school and middle school accreditation in WAC 180-55-075 through 180-55-115, and for junior high school and senior high school accreditation in WAC 180-55-075 through 180-55-100 and 180-55-120 through 180-55-135.

There shall be no yearly limits on the number of schools that may participate in standards-only accreditation procedures.

[Statutory Authority: RCW 28A.04.120(4), 81-08-027 (Order 2-85), § 180-55-070, filed 3/26/81.]

WAC 180-55-075 Standards-only--Elementary and secondary--Professional preparation of staff. In applying the following standards it should be understood that the basic reference for approval is completion of state-approved programs of preparation for the several fields of teaching and school service, rather than any specified courses or any particular number of course credits. School district recommendation and documentation (justification) of preparation including other than institutional programs, when appropriate, will be required when evidence of institutional program completion is lacking.

(1) **Principal.** The official heads of the school (principals and vice principals) must have the appropriate credentials in accordance with regulations of the state board of education.

(2) **Teacher.** Teachers should be assigned to their proper grade level or subject area in accordance with their competency based on training and experience. Teachers must have the appropriate credentials in accordance with regulations of the state board of education.

(3) **Learning resources specialist (library/audio-visual) and counselor.** School programs of instruction and supporting professional services should be staffed by professional personnel recommended by teacher education institutions. School districts shall provide evidence that documents the fact that personnel have completed programs of preparation appropriate to the school functions to which they are assigned. When assignments are not consistent with instructional preparation, the school district shall provide information which in its judgment will justify the assignments.

[Statutory Authority: RCW 28A.04.120(4), 81-08-027 (Order 2-85), § 180-55-075, filed 3/26/81.]

WAC 180-55-080 Standards-only--Elementary and secondary--Guidance services. (1) **Physical facilities.** Physical facilities suitably equipped to provide privacy for individual counseling.

(2) **Recommended organization and program.**

(a) A counselor's job description, plus description of administrator's relationship to guidance program.

(b) A functional guidance committee (secondary only).

(c) A testing program that includes achievement and intelligence testing.

(d) Adequate and up-to-date materials pertaining to educational and occupational opportunities (secondary only).

(e) A program of continuous identification of student developmental needs.

(f) Complete and permanent student records maintained with adequate adult clerical help.

[Statutory Authority: RCW 28A.04.120(4), 81-08-027 (Order 2-85), § 180-55-080, filed 3/26/81.]

WAC 180-55-085 Standards-only--Elementary and secondary--School health services. (1) **Recommended physical facilities.** Provide a health service area with adequate space for the following health appraisal and counseling activities:

(a) Isolating students who are ill.

(b) Administering vision screening tests.

(c) Administering hearing tests.

(d) Providing privacy for conferences with students, parents, teachers and other school personnel.

(2) **Recommended organization and program.**

(a) Provide help to teachers in observation and referral of students whose characteristics show deviations from those of healthy children.

(b) Provide guidance and assistance in the identification of students with unobservable handicaps who may need special educational opportunities.

(c) Maintain concise and pertinent records containing information that will help to further educational opportunities and potentials of students.

(d) Develop procedures to help prevent and control disease, provide first aid procedures for the injured and emergency care for cases of sudden illness.

(e) Coordinate with the health services of professional and official health agencies in the community.

[Statutory Authority: RCW 28A.04.120(4), 81-08-027 (Order 2-85), § 180-55-085, filed 3/26/81.]

WAC 180-55-090 Standards-only--Elementary and secondary--Textbook and supplementary reference materials. Each school must have textbooks and supplementary reference materials which allow for an adequate comprehensive school program consistent with criteria established by the state superintendent of public instruction.

[Statutory Authority: RCW 28A.04.120(4), 81-08-027 (Order 2-85), § 180-55-090, filed 3/26/81.]

WAC 180-55-095 Standards-only--Elementary and secondary--Equipment and materials. Each school must have equipment and materials which allow for an adequate comprehensive school program consistent with criteria established by the state superintendent of public instruction.

[Statutory Authority: RCW 28A.04.120(4). 81-08-027 (Order 2-85), § 180-55-095, filed 3/26/81.]

WAC 180-55-100 Standards-only--Elementary and secondary--Facilities. Each school must have facilities which allow for an adequate comprehensive school program consistent with criteria established by the state superintendent of public instruction.

[Statutory Authority: RCW 28A.04.120(4). 81-08-027 (Order 2-85), § 180-55-100, filed 3/26/81.]

WAC 180-55-105 Standards-only--Elementary--Program offerings. The assessment of adequacy of elementary program offerings shall be based upon the minimum requirements for entitlement to basic education allocation funds (WAC 180-16-191 through 180-16-225) as follows:

(1) **Program hours.** The school schedule shall meet or exceed the program hour requirements (WAC 180-16-200).

(2) **Program mix and subject area coverage.** The school program shall meet or exceed the program mix requirements, and all required subjects shall be included in the instructional program (WAC 180-16-200).

[Statutory Authority: RCW 28A.04.120(4). 81-08-027 (Order 2-85), § 180-55-105, filed 3/26/81.]

WAC 180-55-110 Standards-only--Elementary--Number and time assignment of personnel. The provisions below are for the purpose of determining minimum number and time assignments of personnel.

Credit toward personnel requirements of any one of the following categories may not be claimed for personnel who are reported in other categories for the same time period.

The enrollment (E) figure to be used in determining the minimum number of required staff members shall be the latest October 1 enrollment.

Schools with fewer than 100 students refer to (6), below.

(1) **Administrative staff.** Minimum FTE administrative staff time assigned shall be calculated as follows:

	E
100-200 students:	<hr style="width: 50px; margin: 0 auto;"/> 200
201-500 students:	1.0
	E
501 students and over:	<hr style="width: 50px; margin: 0 auto;"/> 500

In schools having an enrollment above 500, administrative time above 1.0 FTE may be allocated to increase counseling personnel time. Such increase shall be in addition to the counseling personnel staff requirement as computed in WAC 180-55-110(2) and shall be calculated as follows:

$$\frac{E \text{ in excess of } 500}{800}$$

(2) **Counseling personnel.** Minimum FTE counseling staff time assigned shall be calculated as follows:

$$100 \text{ students and over: } \frac{E}{800}$$

(Do not include converted administrative time.)

Schools shall have the option of instituting other guidance programs provided that they can show such programs to be equivalent to the standard.

(3) **Teachers.** A full-time equivalent teacher (FTE) is one who spends 6 hours per day in instruction-related activities. Exclude self-contained special education students and staff from the following calculation for minimum FTE teaching staff time assigned:

$$100 \text{ students and over } \frac{E}{25}$$

(4) **Learning resource specialists.** Minimum FTE learning resource (library/audio-visual) staff time assigned shall be calculated as follows:

100-150 students:	0.5
	E
151-300 students:	<hr style="width: 50px; margin: 0 auto;"/> 300
301 students and over:	1.0

Schools with district facilities for central cataloging and processing of books may deduct 15% of the required learning resource personnel time assignment.

Schools shall have the option of instituting other learning resource programs provided that they can show such programs to be equivalent to the standard.

(5) **Clerical staff.** Paid adult clerical staff shall be provided at the school for aid to school administrators, teachers, counseling personnel and learning resource specialists at the following hourly rates per week:

100-150 students: Regular classroom hours students are at school x 5.

151-500 students: 40 hrs/wk

$$501 \text{ students and over: } \frac{E}{500} + .2 \times 40$$

Clerical time assigned to perform services related to lunch program operation shall not be counted toward fulfillment of the time required by formula.

Schools shall have the option of instituting other clerical staff assignment programs provided that they can show such programs to be equivalent to the standard.

(6) **Time assignment - schools with less than 100 students enrolled.**

(a) Administrator: .5 FTE

$$(b) \text{ Teachers: } \frac{E}{25}$$

(c) Learning Resource Specialist: .2 FTE

(d) Counselor: .1 FTE

(e) Clerical Staff: .5 FTE (20 hours)

Assignment time may not be claimed for time assigned to tasks associated with district-level operations.

[Statutory Authority: RCW 28A.04.120(4). 81-08-027 (Order 2-85), § 180-55-110, filed 3/26/81.]

WAC 180-55-115 Standards-only--Elementary--Instructional and learning resources. (1) Resources.

(a) Teaching materials.

- (i) Books: 2000 or 7 per student, whichever is greater.
- (ii) Films: Access to 250 titles.
- (iii) Filmstrips and slide sets: Access to 200 titles.
- (iv) Periodicals: 15.
- (v) Tapes and records: Access to 200 titles.

(vi) Wide variety of teaching-learning materials: Vertical file collections; pamphlets; study prints; folded maps; 8 mm films; overhead transparencies and transparency masters; globes; dioramas; realia - all readily available and easily accessible to both teachers and students.

(b) **Facilities.** Library room(s) seating largest class plus 10 up to 10% of enrollment, if such exceeds the largest class plus 10, with special room for storage and check-out of audio-visual equipment, easily accessible to the charge desk, plus work office, conference areas equipped for listening and viewing; independent work areas (carrels) in larger schools.

(c) **Budget.** The budget shall provide adequately for library book purchases, materials and supplies, equipment, and equipment maintenance and repair.

(2) Recommended organization and program.

(a) Materials collections classified and cataloged for use.

(b) Library available for reading, listening, conferences, and reference throughout the school day.

(c) Professional personnel of the learning resource center and teachers plan together for the program of library instruction.

(d) Professional personnel of the learning resource center plan with teachers for the active use of all communication media by students and teachers alike.

(e) Skilled help to aid teachers and students in the production of teaching-learning materials.

[Statutory Authority: RCW 28A.04.120(4). 81-08-027 (Order 2-85), § 180-55-115, filed 3/26/81.]

WAC 180-55-120 Standards-only--Secondary--Unit of credit.

(1) For the purpose of assessing minimum offerings (WAC 180-55-125) one unit of credit shall be equivalent to a minimum of 60 hours of instruction including normal class change passing time. Fractional credits may be given for fewer or more than 60 hours.

(2) Time spent in class shall be one criterion in judging the worth of a program; however, experimentation in organization is encouraged to provide for individual differences in pupils and better utilization of staff. Deviations from the 60 clock hour unit shall be subject to approval by the state superintendent of public instruction.

[Statutory Authority: RCW 28A.04.120(4). 81-08-027 (Order 2-85), § 180-55-120, filed 3/26/81.]

WAC 180-55-125 Standards-only--Secondary--Minimum program offerings. The following table lists minimum offerings for secondary school programs, grades seven through twelve, and for each secondary school organization plan. The alternation of courses in successive years may be counted in the year's total offerings, subject to requirements of WAC 180-16-200.

SUBJECT	MINIMUM OFFERINGS				
	GRADES 7-8	GRADES 9-12	GRADES 7-12	GRADES 7-9	GRADES 10-12
Language Arts	4	14	18	8	10
			(See note a)		
(May include reading, drama, speech, journalism, college prep English, etc.)					
Social Studies	4	10	14	5	9
Mathematics	4	10	14	8	6
Science	2	10	12	4	8
			(See note b)		
Foreign Language		6	6	2	6
			(See note c)		
Business Education		10	10		10
Physical Education	Grades 7-8 Provide an average of at least 20 minutes in each school day				
	Grades 9-12 Provide for a minimum of 90 minutes in each school week				
Health					(See note d)
Practical Arts	1	11	12	4	8
	(May include industrial arts, agriculture, trade and industry classes, etc.)				
Homemaking	1	7	8	3	5
Music	Must be offered at all grade levels (See note e)				
Art	Must be offered at all grade levels				
Driver Education	May be offered outside of school hours				

- a/ Including 6-year sequence.
- b/ Must include 1 credit each of life science and physical science in grades 7, 8, and/or 9. All science courses in grades 7-12 should be laboratory oriented.
- c/ Including 3-year sequence.
- d/ Separate 1 credit course must be offered in grades 9-12; in grades 7-8 course may be integrated.
- e/ Secondary programs must include offerings in both vocal and instrumental music.

[Statutory Authority: RCW 28A.04.120 (4) and (8). 82-04-002 (Order 1-82), § 180-55-125, filed 1/21/82. Statutory Authority: RCW 28A.04.120(4). 81-08-027 (Order 2-85), § 180-55-125, filed 3/26/81.]

WAC 180-55-130 Standards-only--Secondary--Number and time assignment of personnel.

The provisions below are for the purpose of determining minimum number and time assignments of personnel.

Credit toward personnel requirements of any one of the following categories may not be claimed for personnel who are reported in other categories for the same time period.

The enrollment (E) figure to be used in determining the minimum number of required staff members shall be the latest October 1 enrollment.

Schools with fewer than 150 students refer to (6), below.

(1) **Administrative staff.** Assigned administrative staff shall be at the rate of one for the first 300 students plus one for each additional 600 students or a fraction of one for any portion thereof.

For schools with fewer than 300 students:

$$\text{Minimum administrative assignment} = \frac{E}{300}$$

For schools with 300 or more students:

$$\text{Minimum administrative assignment} = \frac{E}{600} + \frac{1}{2}$$

Administrative staff requirements in addition to two full-time credentialed administrators may be met by assignment of certificated personnel at the same staff-enrollment ratio.

(2) **Teacher staff.** Assigned teaching staff shall be at the rate of one for each 25 students.

$$\text{Minimum teaching staff} = \frac{E}{25}$$

(3) **Professional library staff.** Assigned library staff shall be at the rate of one for the first 400 students plus one for each additional 1,200 students.

For schools with fewer than 400 students:

$$\text{Minimum library staff} = \frac{E}{400}$$

For schools with 400 or more students:

$$\text{Minimum library staff} = \frac{E}{1200} + \frac{2}{3}$$

Library staff requirements in addition to one full-time librarian recommended by a teacher education institution may be met by assigning certificated personnel at the same staff-enrollment ratio.

Schools with central cataloging and processing of books may deduct 15% of the required certificated library personnel and 6% of the total minimum clerical requirement.

(4) **Trained counselors.** Assigned counseling staff shall be at the rate of one for each 400 students.

$$\text{Minimum counseling staff} = \frac{E}{400}$$

Administrators shall not be considered in determining compliance with guidance personnel requirements for schools with enrollments over 150 in grades 7-12.

(5) **Clerical staff.** Paid adult clerical staff shall be provided at the school for aid to school administrators, teachers, guidance personnel and learning resources specialists at the rate of one for each 350 students.

$$\text{Minimum clerical staff} = \frac{E}{350}$$

(6) **Under 150 enrollment in grades 7-12.** School districts with fewer than 150 students in grades 7-12 must have the following minimum personnel to provide the instructional program in grades 7-12:

- Administrators—1/2
- Teachers—8
- Librarian—1/2
- Counselor—1/2
- Total Certificated Personnel—9 1/2
- Clerks—4/7

Assignment time may not be claimed for time assigned to tasks associated with district-level operations.

[Statutory Authority: RCW 28A.04.120(4), 81-08-027 (Order 2-85), § 180-55-130, filed 3/26/81.]

WAC 180-55-135 Standards-only--Secondary--Instructional and learning resources. (1) Resources.

(a) **Teaching materials.**

(i) Books: 2000 minimum or 7 books per student whichever is greater.

(ii) Films, 16 mm: 250 titles (available through rental or loan sources).

(iii) Film strips and slide sets: 200 (available through rental or loan sources.)

(iv) Newspapers: 1 local, 1 national and 2 area metropolitan dailies.

(v) Periodicals--magazines (including professional); 35 junior high: 50 senior high.

(vi) Tapes and records (excluding tapes for language laboratory): 200 (Available through rental or loan sources).

(vii) Wide variety of teaching-learning materials: Vertical file collections; pamphlets; study prints; folded maps; 8 mm films; overhead transparencies and transparency masters; globes; dioramas; realia - all readily available and easily accessible to both teachers and students.

(b) **Facilities.** Library room(s) seating largest class plus 10 up to 10% of enrollment, if such exceeds the largest class plus 10, with special room for storage and check-out of audio-visual equipment, easily accessible to the charge desk, plus work, office, conference areas equipped for listening and viewing; independent work areas (carrels) in larger schools.

(c) **Budget.**

(i) Books: \$900 minimum or \$3.50 per student whichever is greater.

(ii) Other: Adequate budget in addition to book budget for regular encyclopedia replacement, periodical subscriptions, audio-visual materials, supplies and binding.

(2) **Recommended organization and program.**

(a) Materials collections classified and cataloged for use.

(b) Library available for reading, listening, conferences and reference throughout the school day.

(c) Professional personnel of the learning resource center and teachers plan together for the program of library instruction.

(d) Professional personnel of the learning resource center plan with teachers for the active use of all communication media by students and teachers alike.

(e) Skilled help to aid teachers and students in the production of teaching-learning materials.

[Statutory Authority: RCW 28A.04.120(4), 81-08-027 (Order 2-85), § 180-55-135, filed 3/26/81.]

Chapter 180-56 WAC SECONDARY EDUCATION

WAC

180-56-003 Application of WAC 180-50-010 through 180-50-070 and 180-56-006 through 180-56-066—High school graduation requirements for students who commenced the ninth grade prior to July 1, 1985.

NEW SECONDARY PROGRAM OR NEW GRADES NINE THROUGH TWELVE

180-56-205 New secondary program or new grades nine through twelve—Regulatory provisions pursuant to RCW 28A.04.120(5).

180-56-210 Basic policy.

180-56-215 Procedure.

180-56-220 Regulations—Purpose.

180-56-230 Program.

180-56-235 Enrollment.

180-56-240 Staff and corps.

180-56-245 Specialized services.

180-56-250 Fiscal responsibility.

180-56-255 Interdistrict relationships.

180-56-260 New secondary program or new grades nine through twelve—School district organization.

180-56-265 Establishment of new grade or grades.

180-56-270 Exceptional cases.

CERTIFICATE OF EDUCATIONAL COMPETENCE

180-56-400 Basic policy.

180-56-405 Purposes.

180-56-410 Definitions.

180-56-415 Applications—Establishment of substantial and warranted reason—Administration by school districts.

180-56-420 Appeals.

180-56-425 Applications—Testing—Award of certificates of educational competence.

180-56-430 Issuance of certificates—Minimum test scores.

180-56-435 State committee.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

180-56-006 Purpose of graduation requirements. [Order 6-76, § 180-56-006, filed 6/1/76.] Repealed by 84-21-005 (Order 13-84), filed 10/4/84. Statutory Authority: RCW 28A.04.120(6), 28A.05.010 and 1984 c 278 § 6.

180-56-010 Standards for high school accreditation. Authority—Purpose—Definitions—Procedure. [SBE 56-8-40, 56-8-41, 56-8-42, and 56-8-43, filed 3/29/65, effective 4/29/65; Rules (part), filed 3/24/60.] Repealed by Rule (part), filed 10/16/67, effective 7/1/68.

180-56-011 School district board of directors to adopt graduation requirements. [Statutory Authority: RCW 28A.04.120, 79-10-034 (Order 11-79), § 180-56-011, filed 9/12/79; Order 6-76, § 180-56-011, filed 6/1/76.] Repealed by 84-21-005 (Order 13-84), filed 10/4/84. Statutory Authority: RCW 28A.04.120(6), 28A.05.010 and 1984 c 278 § 6.

180-56-015 Rules for classification of high school districts. [Rules (part), filed 3/24/60.] Formerly codified as WAC 180-56-060, now codified within WAC 180-24-100.

180-56-016 Minimum high school graduation requirements. [Order 6-76, § 180-56-016, filed 6/1/76.] Repealed by 84-21-005 (Order 13-84), filed 10/4/84. Statutory Authority: RCW 28A.04.120(6), 28A.05.010 and 1984 c 278 § 6.

180-56-020 Standards for high school accreditation. Types of accreditation—Reduction of accreditation status—

Grades maintained requirement—Units of study requirement. [SBE 56-8-44, 56-8-45, 56-8-460 and 56-8-461, filed 3/29/65, effective 4/29/65; Rules (part), filed 3/24/60.] Repealed by Rule (part), filed 10/16/67, effective 7/1/68.

180-56-021 Required subject areas and credits. [Order 6-76, § 180-56-021, filed 6/1/76.] Repealed by 84-21-005 (Order 13-84), filed 10/4/84. Statutory Authority: RCW 28A.04.120(6), 28A.05.010 and 1984 c 278 § 6.

180-56-023 Required subject areas and credits for high school graduation. [Statutory Authority: RCW 28A.04.120(6), 83-13-005 (Order 6-83), § 180-56-023, filed 6/2/83.] Repealed by 84-21-005 (Order 13-84), filed 10/4/84. Statutory Authority: RCW 28A.04.120(6), 28A.05.010 and 1984 c 278 § 6.

180-56-026 Areas of study which must be available to students. [Order 6-76, § 180-56-026, filed 6/1/76.] Repealed by 84-21-005 (Order 13-84), filed 10/4/84. Statutory Authority: RCW 28A.04.120(6), 28A.05.010 and 1984 c 278 § 6.

180-56-030 High school graduation requirements—Minimum. [Order 1-71, § 180-56-030, filed 3/11/71, effective 7/1/71; SBE 56-8-4620, filed 3/29/65, effective 4/29/65; Rules (part), filed 3/24/60.] Repealed by Order 6-76, filed 6/1/76.

180-56-031 Waiver of high school graduation requirements. [Statutory Authority: Chapter 28A.97 RCW, 80-15-062 (Order 12-80), § 180-56-031, filed 10/16/80. Statutory Authority: RCW 28A.04.120, 80-02-147 (Order 3-80), § 180-56-031, filed 2/5/80; Order 6-76, § 180-56-031, filed 6/1/76.] Repealed by 84-21-005 (Order 13-84), filed 10/4/84. Statutory Authority: RCW 28A.04.120(6), 28A.05.010 and 1984 c 278 § 6.

180-56-035 High school graduation requirements—Recommendations for additional requirements. [Order 1-71, § 180-56-035, filed 3/11/71, effective 7/1/71; SBE 56-8-4621, filed 3/29/65, effective 4/29/65; Rules (part), filed 3/24/60.] Repealed by Order 6-76, filed 6/1/76.

180-56-036 Additional high school graduation requirements. [Statutory Authority: RCW 28A.04.120, 79-10-034 (Order 11-79), § 180-56-036, filed 9/12/79; Order 6-76, § 180-56-036, filed 6/1/76.] Repealed by 84-21-005 (Order 13-84), filed 10/4/84. Statutory Authority: RCW 28A.04.120(6), 28A.05.010 and 1984 c 278 § 6.

180-56-041 Credit for learning experiences conducted away from school or by persons not employed by the school district. [Order 6-76, § 180-56-041, filed 6/1/76.] Repealed by 84-21-005 (Order 13-84), filed 10/4/84. Statutory Authority: RCW 28A.04.120(6), 28A.05.010 and 1984 c 278 § 6.

180-56-046 High school credit for correspondence courses and college courses. [Order 6-76, § 180-56-046, filed 6/1/76.] Repealed by 84-21-005 (Order 13-84), filed 10/4/84. Statutory Authority: RCW 28A.04.120(6), 28A.05.010 and 1984 c 278 § 6.

180-56-050 Standards for high school accreditation. General requirements for accreditation. [SBE 56-8-463, filed 3/29/65, effective 4/29/65; Rules (part), filed 3/24/60.] Repealed by Rule (part), filed 10/16/67, effective 7/1/68.

180-56-051 High school credit for work experience. [Order 6-76, § 180-56-051, filed 6/1/76.] Repealed by 84-21-005 (Order 13-84), filed 10/4/84. Statutory Authority: RCW 28A.04.120(6), 28A.05.010 and 1984 c 278 § 6.

180-56-056 High school graduation and state apportionment credit—National Guard high school career training—Approval procedures. [Order 6-76, § 180-56-056, filed 6/1/76.] Repealed by 84-21-005 (Order 13-84), filed 10/4/84. Statutory Authority: RCW 28A.04.120(6), 28A.05.010 and 1984 c 278 § 6.

- 180-56-060 Rules for classification of high school districts. [SBE 24-8-1, 24-8-20, 24-8-21, 24-8-22 and 24-8-23, filed 3/29/65, effective 4/29/65; WAC 180-56-015, Rules (part), filed 4/24/60.] Recodified as WAC 180-24-100.
- 180-56-061 High school graduation requirements—Minimum. [Order 6-76, § 180-56-061, filed 6/1/76.] Repealed by 84-21-005 (Order 13-84), filed 10/4/84. Statutory Authority: RCW 28A.04.120(6), 28A.05.010 and 1984 c 278 § 6.
- 180-56-066 High school graduation requirements—Recommendation for additional requirements—For all students who commence the ninth grade prior to July 1, 1977. [Order 6-76, § 180-56-066, filed 6/1/76.] Repealed by 84-21-005 (Order 13-84), filed 10/4/84. Statutory Authority: RCW 28A.04.120(6), 28A.05.010 and 1984 c 278 § 6.
- 180-56-100 High school credit toward graduation—Correspondence courses. [SBE 56-8-600, filed 3/29/65, effective 4/29/65; Rules (part), filed 3/24/60.] Repealed by Order 6-76, filed 6/1/76.
- 180-56-105 High school credit toward graduation—Military institutes. [SBE 56-8-601, filed 3/29/65, effective 4/29/65; Rules (part), filed 3/24/60.] Repealed by Order 6-76, filed 6/1/76.
- 180-56-125 High school credit toward graduation—Military service credit. [SBE 56-8-610, filed 3/29/65, effective 4/29/65; Rules (part), filed 3/24/60.] Repealed by Order 6-76, filed 6/1/76.
- 180-56-126 High school credit toward graduation—Transcripts of persons in military service. [SBE 56-8-611, filed 3/29/65, effective 4/29/65.] Repealed by Order 6-76, filed 6/1/76.
- 180-56-127 High school credit toward graduation—General education development test. [SBE 56-8-62, filed 3/29/65, effective 4/29/65.] Repealed by Order 1-74, filed 3/19/74.
- 180-56-130 Credit for music courses. [SBE 56-8-6400, filed 3/29/65, effective 4/29/65; Rules (part), filed 3/24/60.] Repealed by Order 6-76, filed 6/1/76.
- 180-56-131 Credit for music courses—Credit for private music study—Examination syllabi. [Order 8-71, § 180-56-131, filed 10/13/71; SBE 56-8-6401, filed 3/29/65, effective 4/29/65.] Repealed by Order 6-76, filed 6/1/76.
- 180-56-135 Credit for physical education and health courses. [SBE 56-8-641, filed 3/29/65, effective 4/29/65; Rules (part), filed 3/24/60.] Repealed by Order 6-76, filed 6/1/76.
- 180-56-140 Credit for work experience. [SBE 56-8-63, filed 3/29/65, effective 4/29/65; Rules (part), filed 3/24/60.] Repealed by Order 6-76, filed 6/1/76.
- 180-56-305 Statutory authority. [Order 6-76, § 180-56-305, filed 6/1/76; SBE 56-2-2, 56-2-20, filed 10/16/67, effective 7/1/68.] Repealed by 81-08-028 (Order 3-81), filed 3/26/81. Statutory Authority: RCW 28A.04.120(4).
- 180-56-306 Intent. [SBE 56-2-21, filed 10/16/67, effective 7/1/68.] Repealed by 81-08-028 (Order 3-81), filed 3/26/81. Statutory Authority: RCW 28A.04.120(4).
- 180-56-307 Definitions. [Order 6-76, § 180-56-307, filed 6/1/76; Order 6-69, § 180-56-307, filed 9/9/69; SBE 56-2-22, filed 10/16/67, effective 7/1/68.] Repealed by 81-08-028 (Order 3-81), filed 3/26/81. Statutory Authority: RCW 28A.04.120(4).
- 180-56-310 Types of accreditation—Conditions—Effective period. [Order 6-69, § 180-56-310, filed 9/9/69.] Repealed by 81-08-028 (Order 3-81), filed 3/26/81. Statutory Authority: RCW 28A.04.120(4).
- 180-56-315 Approval of school district program. [Statutory Authority: RCW 28A.41.130 and 28A.58.754. 78-06-065 (Order 4-78), § 180-56-315, filed 5/25/78; Order 6-76, § 180-56-315, filed 6/1/76; SBE 56-2-4, 56-2-40, filed 10/16/67, effective 7/1/68.] Repealed by 81-08-028 (Order 3-81), filed 3/26/81. Statutory Authority: RCW 28A.04.120(4).
- 180-56-320 Annual report. [SBE 56-2-41, filed 10/16/67, effective 7/1/68.] Repealed by 81-08-028 (Order 3-81), filed 3/26/81. Statutory Authority: RCW 28A.04.120(4).
- 180-56-325 Unit of credit. [Order 6-76, § 180-56-325, filed 6/1/76; SBE 56-2-42, 56-2-420, filed 10/16/67, effective 7/1/68.] Repealed by 81-08-028 (Order 3-81), filed 3/26/81. Statutory Authority: RCW 28A.04.120(4).
- 180-56-330 Minimum program offerings. [SBE 56-2-421, filed 10/16/67, effective 7/1/68.] Repealed by 81-08-028 (Order 3-81), filed 3/26/81. Statutory Authority: RCW 28A.04.120(4).
- 180-56-335 Standards for accreditation of comprehensive secondary schools—Minimum requirements for students—Grades 9-12. [Order 6-76, § 180-56-335, filed 6/1/76; Order 5-72, § 180-56-335, filed 8/29/72; SBE 56-2-422, filed 10/16/67, effective 7/1/68.] Repealed by 81-08-028 (Order 3-81), filed 3/26/81. Statutory Authority: RCW 28A.04.120(4).
- 180-56-340 Professional preparation of staff. [SBE 56-2-43, 56-2-430, filed 10/16/67, effective 7/1/68.] Repealed by 81-08-028 (Order 3-81), filed 3/26/81. Statutory Authority: RCW 28A.04.120(4).
- 180-56-345 Number and time assignment of personnel. [Order 6-76, § 180-56-345, filed 6/1/76; SBE 56-2-431, filed 10/16/67, effective 7/1/68.] Repealed by 81-08-028 (Order 3-81), filed 3/26/81. Statutory Authority: RCW 28A.04.120(4).
- 180-56-350 Instructional and learning resources. [Order 6-76, § 180-56-350, filed 6/1/76; SBE 56-2-44, 56-2-440, filed 10/16/67, effective 7/1/68.] Repealed by 81-08-028 (Order 3-81), filed 3/26/81. Statutory Authority: RCW 28A.04.120(4).
- 180-56-355 Guidance services. [SBE 56-2-441, filed 10/16/67, effective 7/1/68.] Repealed by 81-08-028 (Order 3-81), filed 3/26/81. Statutory Authority: RCW 28A.04.120(4).
- 180-56-360 School health services. [SBE 56-2-442, filed 10/16/67, effective 7/1/68.] Repealed by 81-08-028 (Order 3-81), filed 3/26/81. Statutory Authority: RCW 28A.04.120(4).
- 180-56-365 Textbook and supplementary reference materials. [SBE 56-2-45, filed 10/16/67, effective 7/1/68.] Repealed by 81-08-028 (Order 3-81), filed 3/26/81. Statutory Authority: RCW 28A.04.120(4).
- 180-56-370 Equipment and materials. [SBE 56-2-46, filed 10/16/67, effective 7/1/68.] Repealed by 81-08-028 (Order 3-81), filed 3/26/81. Statutory Authority: RCW 28A.04.120(4).
- 180-56-375 Facilities. [SBE 56-2-47, filed 10/16/67, effective 7/1/68.] Repealed by 81-08-028 (Order 3-81), filed 3/26/81. Statutory Authority: RCW 28A.04.120(4).
- 180-56-380 Administration of accreditation procedures. [Order 6-76, § 180-56-380, filed 6/1/76; SBE 56-2-6, 56-2-60, 56-2-61, filed 10/16/67, effective 7/1/68.] Repealed by 81-08-028 (Order 3-81), filed 3/26/81. Statutory Authority: RCW 28A.04.120(4).

Reviser's note: See Title digest in reference to chapter 180-54 WAC which was repealed by order filed 10/16/67, effective 7/1/68, and now codified within this chapter.

WAC 180-56-003 Application of WAC 180-50-010 through 180-50-070 and 180-56-006 through 180-56-066—High school graduation requirements for students who commenced the ninth grade prior to July 1, 1985. The provisions of WAC 180-50-010 through 180-50-070, which establish courses of study in the common schools, and the provisions of WAC 180-56-006 through 180-56-066, which establish high school graduation requirements for students in common schools, approved private schools, and community colleges, apply to students who commenced the ninth grade prior to July 1,

1985. In accordance with WAC 180-51-035 such provisions remain applicable and in effect for such students for a maximum of ten years even though such regulations have been repealed. Copies of such repealed regulations are available from the office of superintendent of public instruction.

[Statutory Authority: RCW 28A.04.120(6), 28A.05.010 and 1984 c 278 § 6. 84-21-005 (Order 13-84), § 180-56-003, filed 10/4/84.]

NEW SECONDARY PROGRAM OR NEW GRADES NINE THROUGH TWELVE

WAC 180-56-205 New secondary program or new grades nine through twelve—Regulatory provisions pursuant to RCW 28A.04.120(5). Pursuant to provisions of RCW 28A.04.120(5), the state board of education hereby establishes rules and regulations as hereinafter set forth in WAC 180-56-210 through 180-56-270 to govern the establishment in any existing nonhigh school district of any secondary program or any new grades in grades nine through twelve.

[Order 6-76, § 180-56-205, filed 6/1/76; SBE 56-8-50, filed 3/29/65, effective 4/29/65.]

WAC 180-56-210 Basic policy. Believing that the welfare of the state and its children require secondary schools which (1) can provide a comprehensive program broad enough to meet the varied needs, abilities and interests of students, (2) are adequately staffed with certified teachers assigned to teach in their fields of competency, (3) are administered by properly certified personnel, (4) can provide adequate pupil-personnel service, (5) can provide school plant facilities suitable to the type of organization and program offered, (6) can give assurance of financial ability and willingness to construct, maintain and operate the facility, and (7) do not duplicate existent educational facilities and/or programs, it shall be the policy of the state board of education to approve applications for the establishment in any high school district of any secondary program or any new grades in grades nine through twelve only when there is evidence that the foregoing conditions can be fulfilled.

[SBE 56-8-51, filed 3/29/65, effective 4/29/65; Emergency and Permanent Rule, filed 6/21/63.]

WAC 180-56-215 Procedure. A secondary program or any new grades nine through twelve may not be established in any existing nonhigh school district except upon prior approval by the state board of education. Application for approval to establish any such program or any new grades shall be made to the state superintendent of public instruction by the school authorities of the applicant district. The state superintendent shall review the application in light of state board of education rules and regulations relating thereto and shall submit his findings and recommendation to the state board.

[SBE 56-8-52, filed 3/29/65, effective 4/29/65.]

WAC 180-56-220 Regulations—Purpose. In order to assure an educational program and school facilities

which will meet the requirements of the basic policy stated in WAC 180-56-210 above, the specific regulations hereinafter in WAC 180-56-230 through 180-56-270 set forth shall be applied in considering applications from nonhigh school districts.

[SBE 56-8-53, filed 3/29/65, effective 4/29/65; Emergency and Permanent Rule, filed 6/21/63.]

WAC 180-56-230 Program. It is presumed by the state board of education that a new secondary program (or new grades nine through twelve) must make provision for a comprehensive program. These programs also must accommodate the requirements of WAC 180-56-026 relating to areas of study that must be available to students and WAC 180-56-021 relating to required subject area and credits for graduation, and must provide for the varied needs, abilities, and interests of students. Minimum course offerings that must be available for student selection during grades nine through twelve shall include:

Required Offerings (subject areas)	Credits*
Language arts	18
Social studies	15
Mathematics (including algebra and geometry)	12
Laboratory science (including biology, chemistry and physics)	12
Home economics	9
Health and physical education	9
Industrial arts	9
Fine arts (must include both music and art)	12
Foreign language 9 credits of one language or 6 credits of two languages)	9
Business education	9

* One credit equals 60 clock hours of instruction including normal class change passing time. (See WAC 180-56-016)

[Statutory Authority: RCW 28A.04.120(5), 82-04-003 (Order 2-82), § 180-56-230, filed 1/21/82; SBE 56-8-530, filed 3/29/65, effective 4/29/65; Emergency and Permanent Rule, filed 6/21/63.]

WAC 180-56-235 Enrollment. The initial enrollment for a four-year secondary school, grades nine through twelve, shall be at least four hundred; or if less than four hundred initially, substantial evidence shall be submitted that this enrollment will be reached within three years and that there is assurance of a relatively stable population.

The initial enrollment for a six-year secondary school, grades seven through twelve, shall be at least five hundred; or if less than five hundred initially, substantial evidence shall be submitted that this enrollment will be reached within three years and that there is assurance of a relatively stable population.

[Statutory Authority: RCW 28A.04.120, 79-06-048 (Order 4-79), § 180-56-235, filed 5/22/79; SBE 56-8-531, filed 3/29/65, effective 4/29/65; Emergency and Permanent Rule, filed 6/21/63.]

WAC 180-56-240 Staff and corps. There shall be not fewer than sixteen qualified teachers, or equivalent,

not including principal, vice principal, counselor and librarian, in a four-year high school, nor fewer than twenty qualified teachers, or equivalent, in a six-year secondary school, not including principal, vice principal, counselor and librarian.

Teachers shall be assigned to grade levels or teaching areas in accordance with the regulations of the state board of education.

All administrative personnel, superintendent of the district and principal of the proposed school, shall be qualified in accordance with the regulations of the state board of education.

A full-time high school principal shall be employed to serve the functions of administration and instructional supervision.

[§ 180-56-240, filed 10/16/67, effective 7/1/68; SBE 56-8-532, filed 3/29/65, effective 4/29/65; Emergency and Permanent Rule, filed 6/21/63.]

WAC 180-56-245 Specialized services. Full-time library and instructional materials services shall be provided by a librarian qualified in accordance with standards adopted by the state board of education.

A minimum of one full-time person, or equivalent, shall be provided for counseling and guidance services. Personnel assigned to part-time or full-time counseling and guidance responsibilities shall have a minimum of one year of training beyond the bachelor's degree including course work in each of the following areas: Principles and practices of guidance; techniques of counseling; occupational and educational information; testing, measurement and evaluation; and foundations of psychology, preferably including developmental psychology and learning theory.

Provision shall be made for exceptional children including those with high ability or special talent, those who are slow learners and those who are physically handicapped.

Adequate health services shall be provided by the district or by the district in cooperation with other districts and/or agencies.

[SBE 56-8-533, filed 3/29/65, effective 4/29/65; Emergency and Permanent Rule, filed 6/21/63.]

WAC 180-56-250 Fiscal responsibility. The board of directors of the nonhigh school district shall submit evidence of the district's financial willingness and ability, within the existing patterns of school support, to make its proportionate contribution to the establishment and maintenance of a broad, comprehensive educational program.

The building to be used or to be built for use as a secondary school shall be approved by the office of the superintendent of public instruction as suitable for the type of organization and instructional program proposed.

The board of directors of the nonhigh school district shall submit evidence of the district's financial willingness and ability within existing patterns of school support to construct, maintain and operate the required building facilities.

(1986 Ed.)

[SBE 56-8-534, filed 3/29/65, effective 4/29/65; Emergency and Permanent Rule, filed 6/21/63.]

WAC 180-56-255 Interdistrict relationships. Prior to application to the state board for the establishment of a new secondary school, the district or districts presently serving students living in the nonhigh school district shall have been given adequate notice of the intent of the nonhigh school district subsequently to withdraw students.

The board of directors of the nonhigh school district seeking approval of the establishment of a new secondary school shall submit evidence that students living in the nonhigh school district cannot be economically and reasonably served in an existing high school or high schools.

There must be adequate proof that the proposed secondary facilities will not duplicate facilities already constructed with state and/or recommended federal assistance when such assistance was predicated on educational service to the nonhigh school district or districts: *Provided*, That the nonhigh school district may petition the state board of education for a feasibility study of the establishment of a high school when the existing high school district facilities reach designated maximum utilization and new construction is needed.

Evidence shall be submitted that unreasonable duplication of transportation routes and/or facilities will not result from the establishment of the new secondary school.

[SBE 56-8-535, filed 3/29/65, effective 4/29/65; Emergency and Permanent Rule, filed 6/21/63.]

WAC 180-56-260 New secondary program or new grades nine through twelve--School district organization. The proposal for establishment of a new secondary school must be consistent with sound, comprehensive planning for secondary school facilities and services and shall be in agreement with provisions of chapter 28A.57 RCW and any subsequent statutory provisions or policies established by the state board of education pertaining thereto.

[Order 6-76, § 180-56-260, filed 6/1/76; SBE 56-8-536, filed 3/29/65, effective 4/29/65; Emergency and Permanent Rule, filed 6/21/63.]

WAC 180-56-265 Establishment of new grade or grades. In the establishment of one or more new grades in grades nine through twelve, the principle set forth in WAC 180-56-205 through 180-56-260 above concerning program, specialized services, staff and corps and size of respective grade or grades as related to potential total enrollment of the proposed secondary school shall apply: *Provided*, That the school district shall have satisfied all other requirements as herein prescribed. The establishment of each such grade shall be subject to prior approval by the state board of education.

[SBE 56-8-537, filed 3/29/65, effective 4/29/65; Emergency and Permanent Rule, filed 6/21/63.]

WAC 180-56-270 Exceptional cases. In exceptional cases, the state board of education will consider for special approval applications from schools with an initial enrollment of less than four hundred students and fewer than sixteen teachers and related personnel if in its judgment the establishment of a new high school may be desirable because of the remoteness of the area and the necessity for a program of secondary education.

[§ 180-56-270, filed 10/16/67, effective 7/1/68; SBE 56-8-538, filed 3/29/65, effective 4/29/65; Emergency and Permanent Rule, filed 6/21/63.]

CERTIFICATE OF EDUCATIONAL COMPETENCE

WAC 180-56-400 Basic policy. The certificate of educational competence is intended to verify that a student possess an acceptable mastery of the minimum basic academic skills which form the foundation for further learning. The certificate of educational competence is frequently accepted as an indication of a readiness for continued formal studies. The certificate does not replace a high school diploma in that it does not reflect the completion of the usual course of sequential studies.

Local boards of directors shall establish school district policies and programs that will ensure the student is encouraged to remain in a high school program which leads to a regular diploma.

[Order 1-74, § 180-56-400, filed 3/19/74.]

WAC 180-56-405 Purposes. The purposes of WAC 180-56-400 through 180-56-435 are to implement RCW 28A.04.135, and establish the procedures and conditions governing the issuance of a certificate of educational competence to persons fifteen years of age and under nineteen years of age who possessed a substantial and warranted reason for leaving the regular high school education program and to persons nineteen years of age or older. It is the purpose of WAC 180-56-400 through 180-56-435 to encourage students to remain in the regular high school program, and these rules shall be implemented in a manner which so encourages any student. The issuance of a certificate of educational competence does not preclude the possibility of returning to the high school to obtain a regular diploma, and it should be considered a valid instrument for re-entry to any high school.

[Order 6-76, § 180-56-405, filed 6/1/76; Order 1-74, § 180-56-405, filed 3/19/74.]

WAC 180-56-410 Definitions. As used in WAC 180-56-400 through 180-56-435, the term:

(1) "Certificate of educational competence" shall mean a certificate issued by the state superintendent as evidence of the measure of a person's level of achievement in specified areas of the high school curriculum as determined by the person's general educational development test scores;

(2) "Regular high school education program" shall mean a program which leads to the issuance of a high school diploma for an individual student and normally is offered in grades nine through twelve;

[Title 180 WAC—p 126]

(3) "State superintendent" shall mean the office of the state superintendent of public instruction; and

(4) "Substantial and warranted reason for leaving the regular high school education program" shall mean causes which compel the student's withdrawal from the program in the student's best interest. Such causes shall include any one of the following: (a) Personal problems which seriously impair the student's ability to make reasonable progress toward high school graduation, (b) a financial crisis which directly affects the student and necessitates the student's employment during school hours, (c) the lack of curriculum and instruction which constitute appropriate learning experiences for the student, and (d) the inability or failure of the school of attendance to adjust its program for the individual, or otherwise make arrangements for enrollment in a program, in a manner which enables the student to advance toward graduation with reasonable progress and success.

[Order 1-74, § 180-56-410, filed 3/19/74.]

WAC 180-56-415 Applications—Establishment of substantial and warranted reason—Administration by school districts. Applicants for a certificate of educational competence who are fifteen years of age and under nineteen years of age shall make application, at the option of the applicant, to either the school district within which the applicant physically resides or the applicant's last school district of attendance within the state of Washington. The district superintendent or his designee shall assign the application to an appropriate principal or his designee who shall then convene a committee of no less than three, composed of the principal, parent(s) or guardian(s), if available, and other persons, including at least one counselor or teacher and one adult of the applicant's choosing, who are in a position to evaluate most accurately the applicant's case.

After considering all relevant evidence, the committee shall make a written recommendation, together with the reasons and evidence in support thereof, to the superintendent or the superintendent's designee as to whether or not the applicant possessed a substantial and warranted reason for leaving the regular high school program. The designee of the superintendent shall be an employee other than the principal or other persons participating in the development of the committee's recommendation.

The superintendent or superintendent's designee shall consider the recommendation, rationale and evidence presented by the committee and shall provide the applicant with written notification of the district's proposed decision, including a statement of the reasons for such proposed decision, within thirty calendar days of application.

[Order 1-74, § 180-56-415, filed 3/19/74.]

WAC 180-56-420 Appeals. Any applicant aggrieved by a proposed decision that the applicant did not possess substantial and warranted reason for leaving the regular high school education program may, within fifteen days of the date of notification, either: (1) Request that a final decision be deferred and the applicant's file be placed on an inactive status pending further evidence,

or (2) appeal the proposed decision to the district board of directors. Request for deferral shall be honored and reopened at the option of the applicant. The decision of the board of directors on appeal shall be final except as it may be appealed pursuant to RCW 28A.88.010 as now or hereafter amended. The proposed decision of the superintendent or the superintendent's designee shall become the final decision of the district upon an applicant's failure to elect either (1) or (2), above.

[Order 1-74, § 180-56-420, filed 3/19/74.]

WAC 180-56-425 Applications--Testing--Award of certificates of educational competence. Applicants for a certificate of educational competence who are nineteen years of age or older, who have not been issued either a high school diploma or certificate, who are physically residing or have a permanent home within the state of Washington, and who have taken the general educational development test of the American Council on Education at an official GED testing center shall make application for a certificate of educational competence directly to the state superintendent on forms prescribed by the state superintendent which shall include but not be limited to the following information: Name, address, birthdate, social security and/or military service number, occupation, testing center and form, date and results of tests certified to by signature of a responsible educational official.

Applicants for a certificate of educational competence who are fifteen years of age and under nineteen years of age, have been determined to have had a substantial and warranted reason for leaving the regular high school education program, have presented evidence of such decision to the GED testing center, are physically residing or have a permanent home within the state of Washington, and have taken the general educational development test of the American Council on Education at an official GED testing center shall make application for a certificate of educational competence directly to the state superintendent on forms prescribed by the state superintendent. Such forms shall include but not be limited to the following information: Name, address, birthdate, social security and/or military service number, occupation, testing center and form, date and results of tests certified to by signature of a responsible educational official.

[Order 1-74, § 180-56-425, filed 3/19/74.]

WAC 180-56-430 Issuance of certificates--Minimum test scores. All applicants for a certificate of educational competence who have complied with the provisions of WAC 180-56-415 through 180-56-425 and who have attained a standard score of at least thirty-five on each of the five portions of the general educational development test and an average standard score of at least forty-five on all five portions shall be issued a certificate of educational competence by the state superintendent.

[Order 1-74, § 180-56-430, filed 3/19/74.]

(1986 Ed.)

WAC 180-56-435 State committee. It is the desire of the state board of education that the state superintendent appoint a committee composed primarily of members knowledgeable with respect to high school graduation requirements. The purposes of the committee shall be: (1) To develop and periodically review the guidelines for implementation of these rules; (2) to observe and analyze the effects of these rules (WAC 180-56-400 through 180-56-430) upon education generally and upon high school age youth specifically; (3) to develop and complete the long-range goals of these rules, including the development and/or modification of the most appropriate educational competence tests; and (4) to report the committee's recommendation for action at least annually to the state superintendent and the state board of education.

[Order 1-74, § 180-56-435, filed 3/19/74.]

Chapter 180-57 WAC SECONDARY EDUCATION--STANDARDIZED HIGH SCHOOL TRANSCRIPT

WAC

180-57-005	Authority.
180-57-010	Purposes.
180-57-020	Definition--High school.
180-57-030	Definition--Standardized high school transcript.
180-57-040	Definitions--Credits and hours.
180-57-050	Definition--Marking system.
180-57-055	Definition--Grade point average.
180-57-060	Use at district level.
180-57-065	School of record.
180-57-070	Mandatory high school transcript contents--Items.
180-57-080	School profile.
180-57-090	Requirement to inform students.
180-57-100	Transcript release procedures.
180-57-110	Standardized transcript forms.

WAC 180-57-005 Authority. The authority for this chapter is RCW 28A.04.155 which authorizes the state board of education to develop a standardized high school transcript and to establish definitions for credits and hours for use by all common school districts.

[Statutory Authority: RCW 28A.04.155. 85-01-017 (Order 18-84), § 180-57-005, filed 12/10/84.]

WAC 180-57-010 Purposes. The purposes of this chapter are:

- (1) To establish standardized criteria for high school transcripts issued by all common school districts; and
- (2) To establish definitions for credits, hours, and marking system so that common school district high school transcripts are standardized.

[Statutory Authority: RCW 28A.04.155. 85-01-017 (Order 18-84), § 180-57-010, filed 12/10/84.]

WAC 180-57-020 Definition--High school. As used in this chapter, the term "high school" shall mean all courses taken in the common school commencing with grade nine.

[Statutory Authority: RCW 28A.04.155. 85-01-017 (Order 18-84), § 180-57-020, filed 12/10/84.]

WAC 180-57-030 Definition--Standardized high school transcript. As used in this chapter, "standardized high school transcript" shall mean the standardized content specified in WAC 180-57-070. Such transcript usually is completed by the student's graduation from the twelfth grade but may extend for some students through the school year in which the student becomes twenty-one years of age.

[Statutory Authority: RCW 28A.04.155. 85-01-017 (Order 18-84), § 180-57-030, filed 12/10/84.]

WAC 180-57-040 Definitions--Credits and hours. As used in this chapter, "credit" and "hour" shall mean the same as defined in WAC 180-51-050.

[Statutory Authority: RCW 28A.04.155. 85-01-017 (Order 18-84), § 180-57-040, filed 12/10/84.]

WAC 180-57-050 Definition--Marking system. The standardized high school transcript shall be based on a marking/grading system that reports the marks/grades earned by students in courses as follows:

- | | | |
|-------------|---|-----|
| (1) A | = | 4.0 |
| (2) A- | = | 3.7 |
| (3) B+ | = | 3.3 |
| (4) B | = | 3.0 |
| (5) B- | = | 2.7 |
| (6) C+ | = | 2.3 |
| (7) C | = | 2.0 |
| (8) C- | = | 1.7 |
| (9) D+ | = | 1.3 |
| (10) D | = | 1.0 |
| (11) E or F | = | 0.0 |

The minimal passing mark/grade is D = 1.0. Pass/fail, credit/no credit, and satisfactory/unsatisfactory marks may also be used; however, notwithstanding the provisions of WAC 180-57-055, these nonnumerical marks/grades shall be clearly identified and excluded from the calculation of grade point average.

[Statutory Authority: RCW 28A.04.155. 85-01-017 (Order 18-84), § 180-57-050, filed 12/10/84.]

WAC 180-57-055 Definition--Grade point average. Each student's "grade point average" shall be the sum of the point values, as defined in WAC 180-57-050, of all the marks/grades received for all courses attempted divided by the sum of the credits for all courses attempted. The grade point value shall be calculated by multiplying the numerical value of the mark/grade earned by the number of credits assigned to the course. Except as provided in WAC 180-57-050, all marks/grades for all courses taken shall be included in the calculation of grade point averages. Grade point averages shall be calculated to two decimal places and reported for each trimester/semester or other term and for the cumulative credits earned for all courses attempted in high school.

[Statutory Authority: RCW 28A.04.155. 85-01-017 (Order 18-84), § 180-57-055, filed 12/10/84.]

WAC 180-57-060 Use at district level. All common school districts shall use the standardized high school

transcript and the definitions of "credits," "hours," and "marking system" as specified in this chapter. The standardized high school transcript shall be used as an official record for students who commence grade nine subsequent to July 1, 1986.

[Statutory Authority: RCW 28A.04.155. 85-01-017 (Order 18-84), § 180-57-060, filed 12/10/84.]

WAC 180-57-065 School of record. The school of record shall be that school in which the student was most recently enrolled or is currently enrolled whichever is applicable. The school of record shall be responsible for incorporating into the student's standardized transcript the information specified in WAC 180-57-070(8) from all previous high schools in which the student was enrolled.

[Statutory Authority: RCW 28A.04.155. 85-01-017 (Order 18-84), § 180-57-065, filed 12/10/84.]

WAC 180-57-070 Mandatory high school transcript contents--Items. The standardized high school transcript shall contain only the following information:

- (1) The student's name (last name, first name, and middle names or middle initials);
- (2) The student's current address, address at graduation, or address at withdrawal from school (street, city, state, zip code);
- (3) The student's birth date and sex;
- (4) The student's identification number (if applicable);
- (5) The school's name;
- (6) The school's address (street, city, state, zip code, and telephone number);
- (7) The dates of the student's entry, reentry, withdrawal, and graduation (if applicable) related to the school issuing the transcript;
- (8) The student's academic history for high school (grade level and date of course completion, course titles, marks/grades earned as defined in WAC 180-57-050, credits attempted as defined in WAC 180-57-040, and grade point average as defined in WAC 180-57-055);
- (9) The name and address of parent(s) or guardian(s) (street, city, state, zip code) if such information is available;
- (10) A list of previous high schools attended (school name, address, city, state, and month and year of entrance and exit); and
- (11) The signature and/or seal of the authorized school official (name, title, and date).

[Statutory Authority: RCW 28A.04.155. 85-01-017 (Order 18-84), § 180-57-070, filed 12/10/84.]

WAC 180-57-080 School profile. Each school may develop a school profile to be distributed with the standardized transcript. This profile may include school characteristics such as accreditation status, school motto, school size, grades served, staff size and training, school graduation requirements, special curriculum features, and community information. The school profile may be distributed without the student's consent.

[Statutory Authority: RCW 28A.04.155. 85-01-017 (Order 18-84), § 180-57-080, filed 12/10/84.]

WAC 180-57-090 Requirement to inform students. Common school districts shall inform annually all high school students that prospective employers may request to see transcripts and that the student's decision to release transcripts can be an important part of the process of applying for employment.

[Statutory Authority: RCW 28A.04.155. 85-01-017 (Order 18-84), § 180-57-090, filed 12/10/84.]

WAC 180-57-100 Transcript release procedures. All common school districts shall adopt written procedures for the release of official student transcripts. Such procedures shall recognize the limited exception to the release of transcripts provided in RCW 28A.87.120 and shall provide that student transcripts are released to persons other than the student or the student's parents or guardians only upon the written authorization of the student or the student's parents or guardians, whichever is applicable, or as set forth in the Family Educational Rights and Privacy Act of 1974 and subsequent amendments. Except as provided in RCW 28A.87.120, all common school districts shall provide or make available to students upon request complete copies of their high school transcripts, with graduation noted thereon, within forty-five calendar days following the student's graduation from high school.

[Statutory Authority: RCW 28A.04.155. 85-01-017 (Order 18-84), § 180-57-100, filed 12/10/84.]

WAC 180-57-110 Standardized transcript forms. The superintendent of public instruction shall make available to school districts standardized transcript forms that include the content specified in WAC 180-57-070.

[Statutory Authority: RCW 28A.04.155. 85-01-017 (Order 18-84), § 180-57-110, filed 12/10/84.]

**Chapter 180-58 WAC
VOCATIONAL EDUCATION**

WAC	
180-58-010	Vocational education programs—Regulatory provisions pursuant to chapter 285, Laws of 1971 ex. sess.
180-58-015	General statement of purpose.
180-58-020	Definitions.
180-58-030	Appropriate advisory committee—Definition of.
180-58-040	Elementary and middle school vocational education.
180-58-045	Elementary and middle school vocational education—Occupational exploration programs—Operational requisites.
180-58-055	Vocational education programs, secondary schools (grades 9 through 12)—Operational requisites.
180-58-065	Vocational-technical institute programs—Operational requisites.
180-58-075	Interdistrict cooperation vocational education programs—Operational requisites.
180-58-085	Establishment of program, application for processing.
180-58-090	Establishment of program, application for processing—Approval of programs—Conditions.

(1986 Ed.)

WAC 180-58-010 Vocational education programs—Regulatory provisions pursuant to chapter 285, Laws of 1971 ex. sess. Pursuant to the provisions of chapter 285, Laws of 1971 ex. sess., the state board of education hereby establishes rules and regulations as hereinafter set forth in WAC 180-58-015 through 180-58-090 to govern the implementation and approval of vocational education programs in grades one through twelve, as well as nongraded vocational-technical institutes.

[Order 10-71, § 180-58-010, filed 12/13/71.]

WAC 180-58-015 General statement of purpose. The basic purpose of section 1, chapter 285, Laws of 1971 ex. sess., authorizing the state board of education to offer vocational education programs in the elementary and secondary schools and to adopt rules and regulations for programs authorized by RCW 28A.58.245 and 28B.50.770 is to unify the vocational education delivery system in this state in order to provide the optimum educational opportunities to children and adults, to eliminate duplication of effort and expenditures, and to serve the population and the economy of the state most effectively.

[Order 10-71, § 180-58-015, filed 12/13/71.]

Reviser's note: RCW 28B.50.770 was repealed by section 18, chapter 174, Laws of 1975 1st ex. sess.

WAC 180-58-020 Definitions. For purposes of this chapter the following terms are defined in accordance with section 4, chapter 285, Laws of 1971 ex. sess.

(1) The term "vocational education" shall mean a planned series of learning experiences, the specific objective of which is to prepare persons to enter, continue in or upgrade themselves in gainful employment in recognized occupations and homemaking, which are not designated as professional or requiring a baccalaureate or higher degree.

(2) The term "occupational exploration" shall include prevocational education. The term "occupational exploration" shall mean a series of educational experiences designed to (a) assist individuals in developing their understanding of, appreciation for, aptitudes for and abilities in recognized occupations; (b) develop an attitude of respect toward work and pride in workmanship; and (c) provide knowledge and experience to assist in the choice of an occupational program.

(3) The term "job market area" shall mean the geographic area for recruitment and placement of job entrants, usually determined by each industry or by a collective bargaining agreement.

[Order 10-71, § 180-58-020, filed 12/13/71.]

WAC 180-58-030 Appropriate advisory committee—Definition of. For purposes of this chapter "appropriate advisory committee" shall mean a local committee made up equally of employers and representatives of employees engaged in the trades, crafts or vocations involved in that program for which a school district is seeking authorization: *Provided*, That where such a committee is not appropriate to a specific program a

[Title 180 WAC—p 129]

citizens' advisory committee, made up of other representatives of the community to be served, may be deemed sufficient.

[Order 10-71, § 180-58-030, filed 12/13/71.]

WAC 180-58-040 Elementary and middle school vocational education. Vocational education in grades one through eight shall function under the definition and operational requisites for occupational exploration programs.

[Order 10-71, § 180-58-040, filed 12/13/71.]

WAC 180-58-045 Elementary and middle school vocational education—Occupational exploration programs—Operational requisites. (1) **Facilities and equipment.** The operating school district shall provide such facilities and equipment adequate for the satisfactory maintenance of acceptable educational standards. Furthermore, such facilities and equipment shall meet the necessary safety codes as established by the state department of labor and industries.

(2) **Programs.** Occupational exploration programs shall:

(a) Assist individuals to achieve self-fulfillment and self-support, with self-respect.

(b) Assist individuals in developing their understanding of and appreciation for the production and distribution of goods and services and for the role of the family in our society.

(c) Develop an attitude of respect toward work, pride in workmanship and respect for the inherent dignity of the worker.

(d) Emphasize the importance of striving for excellence in all of life's work.

(e) Provide knowledge and practical experience through active student participation to assist in the choice of an occupation.

(3) **Guidance and counseling.** Provision shall be made for effective vocational guidance which shall include but not be limited to occupational information and counseling.

(4) **Administration and instruction.** There shall be satisfactory evidence that the school district will provide adequate administration and supervision as well as competent instructional and counseling personnel to insure maintenance of acceptable educational standards.

(5) **Conformity with state plan for vocational education.** Vocational education and occupational exploration programs shall, as a minimum, be consistent with the Washington state plan for vocational education as adopted by the coordinating council for occupational education pursuant to pertinent provisions of chapter 28B.50 RCW.

[Order 10-71, § 180-58-045, filed 12/13/71.]

WAC 180-58-055 Vocational education programs, secondary schools (grades 9 through 12)—Operational requisites. Programs will operate in compliance with the criteria for vocational education as established by the

superintendent of public instruction subject to the approval of the state board of education, such criteria being established in accordance with the definition for vocational education and with the state plan for vocational education. The criteria will include, but not be limited to, the following:

(1) **Establishment of need.** Each school district making application for authorization of a program pursuant to this chapter shall submit an endorsement from the appropriate advisory committee evidencing the fact that the program to be offered in the particular job market area is or will be needed by the industry located therein or that there is evidence of available employment elsewhere in the industry for those with requisite vocational skills.

(2) **Facilities and equipment.** The operating school district shall provide such facilities and equipment adequate for the satisfactory maintenance of acceptable educational standards. Furthermore, such facilities and equipment shall meet the necessary safety codes as established by the state department of labor and industries.

(3) **Programs.** Vocational education programs shall:

(a) Provide for the vocational interest of students and the need of industry for a skilled work force by seeking out a balance of realistic student interest (through guidance and counseling) with identified industry need as attested to by the best available forecast of short- and long-range manpower requirements.

(b) Be determined by needs, aptitudes, interests and abilities of individual students.

(c) Be designed to develop skills, understanding and attitudes needed by a worker in his occupation.

(4) **Administration and instruction.**

(a) There shall be satisfactory evidence that the school district will provide adequate administration and supervision as well as competent instructional and counseling personnel to insure maintenance of acceptable educational standards.

(b) Instructors shall be occupationally competent and vocationally certified in the area in which they are to teach. Furthermore, all instructors shall be required to demonstrate proficiency in instruction of safety and hygiene pertinent to their respective courses pursuant to those standards established by the state department of labor and industries.

(5) **Guidance and counseling.** Provision shall be made for effective vocational guidance which shall include but not be limited to occupational information and counseling.

(6) **Class size.** The maximum number of students per class shall be determined by the number of training stations, safety factors and individual instructional requirements of the specific occupation or trade being taught.

(7) **Conformity with state plan for vocational education.** Vocational education and occupational exploration programs shall, as a minimum, be consistent with the Washington state plan for vocational education as adopted by the coordinating council for occupational education, pursuant to pertinent provisions of chapter 28B.50 RCW.

[Order 10-71, § 180-58-055, filed 12/13/71.]

WAC 180-58-065 Vocational-technical institute programs--Operational requisites. (1) **Establishment of need.** Each school district making application for authorization of a program pursuant to this chapter shall submit an endorsement from the appropriate advisory committee evidencing the fact that the program to be offered in the particular job market area is or will be needed by the industry located therein, or that there is evidence of available employment elsewhere in the industry for those with requisite vocational skills.

(2) **Facilities and equipment.** The vocational-technical institute shall be housed in a separate building and the operating school district shall provide such a facility and equipment comparable to those used in the occupation and that are adequate for the satisfactory maintenance of acceptable educational standards. Furthermore, such facilities and equipment shall meet the necessary safety codes as established by the state department of labor and industries.

(3) **Programs.** Vocational-technical school programs shall:

(a) Provide for the vocational interest of the students and the need of industry for a skilled work force.

(b) Be directly related to employment opportunities to provide flexibility that will adapt to time, location, demand and condition.

(c) Be determined by needs, aptitudes, interests and abilities of individual students.

(d) Be designed to develop skills, understanding and attitudes needed by a worker in his occupation.

(e) Provide opportunities for persons desiring to prepare for employment and for the upgrading and updating of skills and knowledge of employed workers.

(f) Shall be designed for continuous enrollment where applicable.

(4) **Guidance and counseling.** Provisions shall be made for effective vocational guidance for youth and adults which shall include but not be limited to occupational information, counseling, placement and follow-up.

(5) **Administration and instruction.**

(a) Satisfactory evidence shall be submitted that the vocational-technical school will provide adequate administration and supervision to insure the maintenance of acceptable educational standards.

(b) Instructors shall be occupationally competent and vocationally certified in the area in which they are to teach. Furthermore, all instructors shall be required to demonstrate proficiency in instruction of safety and hygiene pertinent to their respective courses pursuant to those standards established by the state department of labor and industries.

(6) **Class size.** The maximum number of students per class shall be determined by the number of training stations, safety factors and individual instructional requirements of the specific occupation or trade being taught.

(7) **Conformity with state plan for vocational education.** Vocational education programs shall be, as a minimum, consistent with the Washington state plan for vocational education as adopted by the coordinating

council for occupational education pursuant to pertinent provisions of chapter 28B.50 RCW.

[Order 10-71, § 180-58-065, filed 12/13/71.]

WAC 180-58-075 Interdistrict cooperation vocational education programs--Operational requisites. Those rules and regulations as promulgated and set forth by the superintendent of public instruction in chapter 192-15 WAC pursuant to authority under RCW 28A.58.245 shall control for purposes of this chapter.

[Order 10-71, § 180-58-075, filed 12/13/71.]

WAC 180-58-085 Establishment of program, application for processing. (1) The board of directors of a school district desiring to establish and operate a vocational education program under the provisions of section 1, chapter 285, Laws of 1971 ex. sess., and acts amendatory thereto, shall submit an application therefor to the superintendent of public instruction. The application shall state such information as may be necessary to a determination of eligibility for approval in accordance with pertinent rules and regulations hereinbefore in this chapter set forth and the Washington state plan for vocational education.

(2) All applications for approval to establish and operate vocational education programs shall be evaluated by the appropriate staff as designated by the executive officer of the state board of education for compliance with the pertinent policies, rules and regulations as herein set forth in this chapter, as well as the provisions of the Washington state plan for vocational education. Reports of the findings of such evaluations shall be submitted to the superintendent of public instruction for consideration and recommendation to the state board of education.

[Order 10-71, § 180-58-085, filed 12/13/71.]

WAC 180-58-090 Establishment of program, application for processing--Approval of programs--Conditions. (1) **Initial and continued approval.** The initial approval of an application and authorization to a school district to establish and operate a vocational education program shall be effective for a stated period of time with the proviso that approval thereafter shall be continuous upon evidence of compliance with requirements hereinbefore in this chapter set forth.

(2) **Approval of additional courses.** The superintendent of public instruction hereby is authorized to establish the necessary procedures for the approval of applications for additional courses.

[Order 10-71, § 180-58-090, filed 12/13/71.]

**Chapter 180-72 WAC
ADULT EDUCATION**

WAC	
180-72-040	Purpose--Cooperation policy.
180-72-045	Authority--Regulatory provisions recognize intent of specific acts.
180-72-050	Adult education defined.

- 180-72-055 Adult high school completion education—Policy.
 180-72-060 Adult high school completion education—Community college and common school district participation.
 180-72-065 Community college high school diploma programs.
 180-72-070 Federal programs for adult education.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

- 180-72-010 Policy statement. [Filed 5/3/66, effective 6/3/66; Filed 3/25/64, effective 4/25/64; Rules (part), filed 3/24/60, adopted 9/25/59.] Repealed by Order 5-70, filed 4/28/70.
 180-72-011 Adult education defined. [SBE 72-2-1, filed 3/25/64, effective 4/25/64.] Repealed by Order 5-70, filed 4/28/70.
 180-72-012 Purpose. [SBE 72-2-2, filed 3/25/64, effective 4/25/64.] Repealed by Order 5-70, filed 4/28/70.
 180-72-015 Regulations governing adult evening school classes. [Rules (part), filed 12/21/60; Rules (part), filed 3/24/60.] Repealed by Order, filed 3/25/64, effective 4/25/64.
 180-72-020 Categories of objectives to govern approval of adult education courses for apportionment purposes. [Rules (part), filed 3/24/60.] Repealed by Order, filed 3/25/64, effective 4/25/64.
 180-72-021 General adult education—Basic policy relating to post-high school programs. [SBE 72-4-10, filed 3/25/64, effective 4/25/64.] Repealed by Order 5-70, filed 4/28/70.
 180-72-022 General adult education—State support—Generally. [SBE 72-4-11, filed 3/25/64, effective 4/25/64.] Repealed by Order 5-70, filed 4/28/70.
 180-72-023 General adult education—State support—Eligible and ineligible courses—Goals—Class requirements—Staff. [SBE 72-4-2, 72-4-200, 72-4-201, 72-4-21, 72-4-22, 72-4-260 and 72-4-261, filed 3/25/64, effective 4/25/64; Rules (part), filed 3/24/60.] Repealed by Order 5-70, filed 4/28/70.
 180-72-024 General adult education—State support—Application to conduct program. [SBE 72-4-3, filed 3/25/64, effective 4/25/64.] Repealed by Order 5-70, filed 4/28/70.
 180-72-025 Adult education courses disapproved for apportionment credit. [Rules (part), filed 3/24/60.] Repealed by Order, filed 3/25/64, effective 4/25/64.
 180-72-026 General adult education—State support—Approval of program—Excepted classes. [SBE 72-4-4, 72-4-50, 72-4-51 and 72-4-52, filed 3/25/64, effective 4/25/64.] Repealed by Order 5-70, filed 4/28/70.
 180-72-030 Adult elementary and high school education. [SBE section 72-6, filed 10/29/64, adopted 10/23/64.] Repealed by Order 5-70, filed 4/28/70.
 180-72-075 Certificate of educational competence program. [Order 5-70, § 180-72-075, filed 4/28/70.] Repealed by Order 1-74, filed 3/19/74.

WAC 180-72-040 Purpose—Cooperation policy.

The major purpose of adult education in the state of Washington is to raise the educational level of adults in the state who have not obtained an education consistent with their ability to learn and to provide adults disadvantaged through lack of a high school diploma with the opportunity to complete their high school education and to obtain proper recognition for it.

The several statutes relating to adult education have vested authority and responsibility for conduct of adult education programs in the community colleges and the common schools and for administration and promulgation of rules and regulations in the superintendent of public instruction, the state board of education and the state board for community college education. In view of

the interrelated responsibilities, cooperation in the development and conduct of adult education programs by the educational agencies concerned is essential to achievement of the major purpose herein stated. The provisions of this chapter therefore are designed to reflect and facilitate such cooperation.

[Order 5-70, § 180-72-040, filed 4/28/70.]

WAC 180-72-045 Authority—Regulatory provisions recognize intent of specific acts. The policies, rules and regulations hereinafter in WAC 180-72-050 through 180-72-075 set forth recognize the intent of (1) chapter 28B.50 RCW to (a) place major responsibility for adult education in the community colleges, (b) provide for the conduct of adult education programs by the common schools under arrangements between the appropriate community college and common school district, (c) permit the issuance of high school diplomas by the community colleges under rules and regulations promulgated by the superintendent of public instruction and the state board of education, and (d) provide for the administration of certain federally supported adult education programs by the superintendent of public instruction in cooperation with the state director of community colleges; (2) RCW 28A.58.240 to permit boards of directors of common school districts to make arrangements with adults wishing to attend school; and (3) chapter 28A.05 RCW which provides that the state board of education shall prescribe course requirements for high school completion.

[Statutory Authority: RCW 28B.50.535. 84-21-006 (Order 14-84), § 180-72-045, filed 10/4/84; Order 5-70, § 180-72-045, filed 4/28/70.]

WAC 180-72-050 Adult education defined. For the purpose of this chapter "adult education" shall be defined as set forth in RCW 28B.50.030(11) which provides as follows: "Adult education" shall mean all education or instruction, including academic, vocational education or training, and "occupational education" provided by public educational institutions, including common school districts for persons who are eighteen years of age and over or who hold a high school diploma or certificate: *Provided*, That "adult education" shall not include academic education or instruction for persons under twenty-one years of age who do not hold a high school degree or diploma and who are attending a public high school for the sole purpose of obtaining a high school diploma or certificate: *Provided further*, That "adult education" shall not include education or instruction provided by any four year public institution of higher education: *And provided further*, That "adult education" shall not include education or instruction provided by a vocational-technical institute.

[Order 5-70, § 180-72-050, filed 4/28/70.]

WAC 180-72-055 Adult high school completion education—Policy. Every effort should be made to provide adequate opportunities for adults to pursue a course of study leading to the completion of a high school program: *Provided*, That discretion be exercised so that no

inducement exists by means of which youth drop out of regularly established school programs.

[Order 5-70, § 180-72-055, filed 4/28/70.]

WAC 180-72-060 Adult high school completion education--Community college and common school district participation. (1) **Program authorization.** A community college district and a common school district under provisions of RCW 28B.50.530 may enter into agreement for the conduct of an adult education program by the common school district in behalf of the community college district when such program will not conflict with an existing program of the same nature and in the same geographical area conducted by the community college district: *Provided*, That such program shall be established, administered and operated in accordance with procedures and guidelines prescribed by the superintendent of public instruction in cooperation with the state director of community colleges.

(2) **Cooperative study of needs.** Community colleges and common school districts are encouraged to study cooperatively the needs in their own communities for educational services designed for adults to complete their high school training and, consistent with statutory provisions and requirements prescribed in this chapter, to provide appropriate programs to meet such needs.

[Order 5-70, § 180-72-060, filed 4/28/70.]

WAC 180-72-065 Community college high school diploma programs. (1) **Minimum requirements for high school diploma.** The minimum requirements and procedures for the issuance of a high school diploma by or through a community college district shall be as prescribed by the state board of education in this section and chapters 180-51 and 180-56 WAC.

(2) **Provisions governing program for persons eighteen years of age and over.**

(a) The appropriate school district or community college education official shall evaluate the previous educational records of the student and may provide evaluative testing to determine the student's educational level and shall recommend an appropriate course or courses of study upon the successful completion of which the student will be eligible for the high school diploma.

(b) Satisfaction of minimum course requirements may be met by one or more of the following methods—actual completion of courses regularly conducted in high school, vocational-technical institute and/or community college; approved correspondence or extension courses; supervised independent study; or testing in specific subject areas.

(c) The appropriate education official shall exercise reasonable judgment in appraising the educational experience of the student either in or out of a formal school program to determine the degree to which the student has satisfied the minimum credit requirements for completion of the high school program. Consideration may be given to work experience, vocational training, civic responsibilities discharged by the adult and other evidences of educational attainment.

(d) A high school diploma shall be granted to each individual who satisfactorily meets the requirements for high school completion herein and hereinbefore in subsection (1) set forth, the said diploma to be issued by the appropriate school district or community college: *Provided*, That in the event the school district and the community college are unable to agree as to which educational agency shall issue the said diploma, the superintendent of public instruction shall make the decision and designate the issuing agency. Records of diplomas issued under the provisions of this subsection shall be maintained by the issuing agency.

(3) **Provisions governing program for persons under eighteen years of age.**

(a) The high school principal shall evaluate the previous educational record of the individual and prior to his enrollment in courses and in cooperation with the appropriate education official of a community college or vocational-technical institute shall approve the program of studies leading to the high school diploma.

(b) The student must be assigned a program supervisor.

(c) Satisfaction of the minimum credit requirements may be met by one or more of the following methods—actual completion of courses regularly conducted in high school, vocational-technical institute and/or community college; approved correspondence or extension courses; or approved supervised independent study.

(d) The school district shall grant the regular high school diploma or certificate of graduation to each individual who satisfactorily meets the requirements for high school completion herein and hereinbefore in subsection (1) set forth: *Provided*, That the school district may delegate the responsibility for granting such a diploma or certificate to the appropriate community college or vocational-technical institute. Records of diplomas issued under provisions of this subsection shall be maintained by the issuing agency.

(4) Each fiscal year each community college district shall file a statistical report with the state board of education and with the review committee established by the subsection. The statistical report shall consist of, but not be restricted to, the number of high school diplomas issued for that fiscal year with subdivisions indicating students under eighteen years of age, over eighteen years of age, and those diplomas issued through special authorities such as PREP. Additional reports may be filed by the committee established herein with the state board of education and with the local board of trustees of the community college district. The form and content of these additional reports shall be determined by the state superintendent of public instruction after consultation with the director of the office of the state board for community college education.

A review committee shall be established in each community college district composed of professional educators working within that district. The superintendent of public instruction shall appoint one superintendent, one high school principal, one high school counselor, and one high school teacher to serve on such committee. The

president of the community college district may appoint one adult educator to serve on the committee.

This committee shall meet at the direction of the superintendent of public instruction for the purpose of reviewing not more than once each year the high school diploma program at the community college in relationship to its compliance with high school diploma requirements established in chapters 180-51, 180-56 and 180-72 WAC. After each review, the committee shall prepare and submit an oral and written report to the board of trustees of the college district and a written report to the state board of education which sets forth the committee's findings and suggestions for any improvements in the program deemed necessary or advisable.

The individual members of the review committee, who are employees of a school district may request from the community college district reimbursement for travel and expenses at such rates and for such purposes as are allowed state employees by law and rules of the office of program planning and fiscal management. The superintendent of public instruction may reimburse for substitutes required in connection with teacher members of the committee as provided by law.

(5) Any high school graduation diploma issued by or through a community college district shall certify that the diploma is issued in compliance with high school graduation requirements established by the state board of education and procedures established by the superintendent of public instruction.

[Statutory Authority: RCW 28B.50.535, 84-21-006 (Order 14-84), § 180-72-065, filed 10/4/84; Order 9-76, § 180-72-065, filed 7/19/76; Order 5-70, § 180-72-065, filed 4/28/70.]

WAC 180-72-070 Federal programs for adult education. It is the responsibility of the superintendent of public instruction in cooperation with the state director of community colleges to administer the programs of adult education supported in whole or in part by federal monies made available for such purpose to the state board of education and/or the superintendent of public instruction; and to authorize the operation of such programs by the common school districts of the state in accordance with procedures established by the superintendent of public instruction: *Provided*, That the administration and operation of such adult education programs shall be consistent with the policy hereinbefore in WAC 180-72-040 set forth.

[Order 5-70, § 180-72-070, filed 4/28/70.]

Chapter 180-75 WAC

PROFESSIONAL CERTIFICATION--GENERAL PROVISIONS

WAC

180-75-003	Authority.
180-75-005	Purpose.
180-75-015	Equivalency of standards.
180-75-017	Denial of recommendation for certification or endorsement by approved professional preparation training institutions.
180-75-020	Appeal—General.
180-75-025	Appeal procedure—Informal SPI review.

[Title 180 WAC—p 134]

180-75-027	Waiver of requirement for timely appeal.
180-75-030	Appeal procedure—Formal SPI review process.
180-75-033	Appeal procedure to SBE.
180-75-035	Certificate revocation.
180-75-040	Notification of revocation of certificates.
180-75-045	Certificate validity.
180-75-050	Certificate required.
180-75-055	Types of certificates.
180-75-060	Certificate replacement.
180-75-061	Application for certification.
180-75-065	Fee for certification.
180-75-070	Use of fee for certification.
180-75-075	Educational experience acceptable for certification.
180-75-080	Citizenship requirements—Alien permits—Teachers only.
180-75-085	General requirements—Teachers, administrators, educational staff associates.
180-75-087	Reinstatement of certificates.
180-75-090	Temporary permits.
180-75-100	Certification of out-of-state trained educational personnel—Interstate educational personnel contracts.

WAC 180-75-003 Authority. The authority for this chapter is RCW 28A.70.005 which authorizes the state board of education to establish, publish, and enforce rules and regulations determining eligibility for and certification of personnel employed in the common schools of this state. (Note: RCW 28A.02.201 (3)(a) requires most private school classroom teachers to hold appropriate Washington state certification with few exceptions.)

[Statutory Authority: RCW 28A.70.005, 86-13-016 (Order 6-86), § 180-75-003, filed 6/10/86.]

WAC 180-75-005 Purpose. The purpose of this chapter is to incorporate into one chapter the general certification provisions to ensure uniform application and interpretation of the various certification rules.

[Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW, 78-09-095 (Order 10-78), § 180-75-005, filed 9/1/78.]

WAC 180-75-015 Equivalency of standards. Reasonable flexibility in interpretation of the requirements contained in this chapter and in chapters 180-77, 180-78, and 180-79 WAC may be applied consistent with the intent and spirit of the requirements of the appropriate chapter. Exceptions to specific requirements will be considered. It shall be the responsibility of the superintendent of public instruction or his or her designee to make the final decision concerning approval of any exception.

[Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW, 78-09-095 (Order 10-78), § 180-75-015, filed 9/1/78.]

WAC 180-75-017 Denial of recommendation for certification or endorsement by approved professional preparation training institutions. Any person whose application for certification or for an endorsement is denied for recommendation to the superintendent of public instruction by an institution of higher education within the state with an approved professional preparation program, after exhausting any appeal procedures established pursuant to WAC 180-78-050 (4)(b)(vi) by such institution, may apply directly to the superintendent of public instruction for such certificate or endorsement.

[Statutory Authority: RCW 28A.70.005. 86-13-016 (Order 6-86), § 180-75-017, filed 6/10/86.]

WAC 180-75-020 Appeal—General. Any person who applies directly to the superintendent of public instruction for a certificate, particular endorsement, certificate renewal, or certificate reinstatement whose application is denied or any person who is notified that his or her certificate has lapsed or that his or her certificate will be revoked in thirty calendar days unless the decision is appealed shall be advised that he or she is entitled to appeal that decision to the superintendent of public instruction if he or she follows the procedures established in WAC 180-75-025 through 180-75-030: *Provided*, That the appeal procedure may not be used to seek reinstatement of a certificate if that certificate has been revoked in the preceding twelve months by the superintendent of public instruction.

The appeal procedure to the superintendent of public instruction consists of two levels, one informal and one formal. The use of the informal level is a condition precedent to use of the formal level. In addition, the provisions of WAC 180-75-033 provide an additional appeal to the state board of education.

[Statutory Authority: RCW 28A.70.005. 86-13-016 (Order 6-86), § 180-75-020, filed 6/10/86. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW. 78-09-095 (Order 10-78), § 180-75-020, filed 9/1/78.]

WAC 180-75-025 Appeal procedure—Informal SPI review. Any person who appeals the decision to deny his or her application, the lapsing of his or her certificate pursuant to chapter 180-85 WAC or the proposed order to revoke his or her certificate must file a written notice with the superintendent of public instruction within thirty calendar days following the date of mailing from the section of the superintendent of public instruction's office responsible for certification of the decision to deny the application, the lapsing of the certificate, or the proposed order to revoke his or her certificate. Such decision shall state the reasons for the denial, lapsing, or revocation.

The written notice must set forth the reasons why the appellant believes his or her application should have been granted or why his or her certificate should not be lapsed or revoked, whichever is applicable.

Following timely notice of appeal, the superintendent of public instruction shall appoint a review officer who shall be someone other than the person or persons who denied the application, approved the lapsing, or the proposed revocation initially and who is not a subordinate of such person.

The review officer shall:

(1) Review the application, notice of lapsing, or proposed revocation, whichever is applicable, and appeal notice and may request further written information including but not limited to an explanation from the person or persons who initially reviewed the application or decided to lapse the certificate or to issue the proposed order to revoke the certificate, whichever is applicable, of the reason(s) why the application was denied or the certificate was lapsed or should be revoked.

(2) If he or she deems it advisable, schedule an informal meeting of the appellant, the person or persons who denied the application, lapsed the certificate, or proposed to revoke the certificate initially, and any other interested parties designated by the reviewing officer to receive oral information concerning the application, lapsing, or revocation. Any such meeting must be held within thirty days of the date of receipt by the superintendent of public instruction of the timely-filed appeal notice.

(3) Send by certified mail a written decision—i.e., findings of fact and conclusions of law—on the appeal within forty-five days from the date of receipt of the timely-filed appeal notice by the superintendent of public instruction. The reviewing officer may uphold, reverse, or modify the decision to deny the application, the lapsing of the certificate, or the proposed order to revoke the certificate.

(4) The timelines stated herein may be extended by the review officer for cause.

[Statutory Authority: RCW 28A.70.005. 86-13-016 (Order 6-86), § 180-75-025, filed 6/10/86. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW. 78-09-095 (Order 10-78), § 180-75-025, filed 9/1/78.]

WAC 180-75-027 Waiver of requirement for timely appeal. The requirements in this chapter for timely notice of appeal shall be waived if justifiable cause is established by the appellant, including failure to receive such notice without fault of the appellant or a plausible reason by the appellant for failure to understand the nature of or the timelines within the received notice.

[Statutory Authority: RCW 28A.70.005. 86-13-016 (Order 6-86), § 180-75-027, filed 6/10/86.]

WAC 180-75-030 Appeal procedure—Formal SPI review process. (1) Any person who has filed an appeal in accordance with WAC 180-75-020 and desires to have the denial of his or her application, the lapsing of his or her certificate, or the proposed order to revoke his or her certificate reviewed further may do so. To instigate review under this section, a person must file a written notice with the superintendent of public instruction within thirty calendar days following the date of receipt of the review officer's written decision.

(2) For purposes of hearing an appeal under this section, the superintendent of public instruction shall conduct a formal administrative hearing in conformance with the Administrative Procedure Act, chapter 34.04 RCW. The superintendent of public instruction, in carrying out this duty, may contract with the office of administrative hearings pursuant to RCW 28A.03.500 to hear a particular appeal. Decisions in cases formally appealed pursuant to this section may be made by the administrative law judge selected by the chief administrative law judge if the superintendent of public instruction delegates this authority pursuant to RCW 28A.03.500.

(3) The decision of the superintendent of public instruction or the administrative law judge, whichever is

applicable, shall be sent by certified mail to the appellant's last known address and if the decision is to revoke, the appellant shall be notified that such order took effect upon signing of the final order and that no stay of revocation shall exist pursuant to RCW 28A.70.170 until the filing of an appeal in a timely manner pursuant to WAC 180-75-033.

[Statutory Authority: RCW 28A.70.005, 86-13-016 (Order 6-86), § 180-75-030, filed 6/10/86. Statutory Authority: RCW 28A.04.120 (1), (2) and (3), 80-06-129 (Order 8-80), § 180-75-030, filed 6/2/80. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW, 78-09-095 (Order 10-78), § 180-75-030, filed 9/1/78.]

WAC 180-75-033 Appeal procedure to SBE. Any person whose application has been denied for any reason or whose certificate has been lapsed or revoked by the superintendent of public instruction in accordance with the procedures of WAC 180-75-030 may appeal that decision to the state board of education by filing a notice of appeal with the superintendent of public instruction or the secretary of the state board of education within thirty calendar days of the date of mailing the final order by the superintendent of public instruction. Review by the state board of education shall be conducted as follows:

(1) Review shall be conducted by the state board of education at its next scheduled meeting following notice of appeal unless either the appellant or the superintendent of public instruction requests an extension of the review to the following next scheduled meeting.

(2) Review conducted by the state board of education shall be confined to the record, except that in cases of alleged irregularities in procedures before the superintendent of public instruction, not shown in the record, testimony thereon shall be taken before the state board of education.

(3) The record shall include written briefs submitted.

(4) Oral argument will be permitted if fifteen days advance notice is given to the secretary of the state board of education.

(5) The state board of education will be assisted in its deliberations and final order by an assistant attorney general who has not been involved in any prior proceeding related to the previous administrative order by the superintendent of public instruction.

(6) The state board of education may affirm the decision of the superintendent of public instruction, remand the matter for further proceedings, or reverse the decision.

(7) If the decision of the state board of education is to reverse the decision of the superintendent of public instruction or to remand the matter for further proceedings, the state board of education shall state its reasons in a written order.

(8) The final order of the state board of education shall be by written order, attested by the secretary of the state board of education, and sent to the appellant by certified mail within ten calendar days of the final decision by the state board of education.

[Statutory Authority: RCW 28A.70.005, 86-13-016 (Order 6-86), § 180-75-033, filed 6/10/86.]

WAC 180-75-035 Certificate revocation. The state board of education considers it to be the professional obligation of each school district superintendent or non-public school administrator and each educational service district superintendent to file a written complaint with the superintendent of public instruction pursuant to RCW 28A.70.160 against any certificated employee who:

(1) Has committed or is guilty of (a) immorality, (b) a violation of written contract, (c) intemperance, (d) a crime against the law of the state, or (e) an act of unprofessional conduct that is of a nature which may justify the revocation of the individual's certificate to be employed in the schools; or

(2) Has been convicted of any crime involving the physical neglect of children, injury of children (excepting possible motor vehicle violations) or the sexual abuse of children.

Upon receipt of any such written complaint, that section within the office of the superintendent of public instruction having responsibility for certification shall investigate the complaint. If sufficient cause for revocation of the individual's certificate(s) is determined to exist, the section shall notify the holder by certified mail of its finding of sufficient cause in the form of a proposed order—i.e., findings of fact and conclusions of law—and shall further advise the holder of the appeal procedures specified in WAC 180-75-020, 180-75-030 and 180-75-033. The notice shall further specify that the superintendent of public instruction will sign the order after thirty calendar days from the date of mailing if the proposed order is not appealed.

In accordance with RCW 28A.70.180 an individual may become eligible to receive a certificate after a period of one calendar year from the date of revocation. The superintendent of public instruction or his or her designee shall consider the application of an individual whose certificate has been revoked and, based upon application and such other information as deemed appropriate, determine whether a certificate shall be issued.

[Statutory Authority: RCW 28A.70.005, 86-13-016 (Order 6-86), § 180-75-035, filed 6/10/86. Statutory Authority: RCW 28A.04.120 (1), (2) and (3), 79-06-049 (Order 5-79), § 180-75-035, filed 5/22/79. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW, 78-09-095 (Order 10-78), § 180-75-035, filed 9/1/78.]

WAC 180-75-040 Notification of revocation of certificates. The office of the superintendent of public instruction shall notify all other states that a certificate has been revoked and shall provide the full name and certificate number to the agency responsible for certification in each state. A notice of revocation of a certificate may be made to educational agencies within the state of Washington: *Provided*, That such notification shall not be made prior to forty-five days after the final administrative order and shall not be made if a court order staying the revocation is in effect.

[Statutory Authority: RCW 28A.70.005, 86-13-016 (Order 6-86), § 180-75-040, filed 6/10/86. Statutory Authority: RCW 28A.04.120 (1), (2) and (3), 80-06-129 (Order 8-80), § 180-75-040, filed 6/2/80. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and

28A.93 RCW. 78-09-095 (Order 10-78), § 180-75-040, filed 9/1/78.]

WAC 180-75-045 Certificate validity. Any certificate issued pursuant to chapters 180-77, 180-79, 180-80, or 180-84 WAC shall entitle the holder thereof to be employed by a public or nonpublic school for the performance of duties encompassed by the type of certificate as specified in WAC 180-75-055, if such certification is required by statute or rules of the state board of education, until such certificate expires, lapses, or is revoked.

[Statutory Authority: RCW 28A.70.005, 86-13-016 (Order 6-86), § 180-75-045, filed 6/10/86. Statutory Authority: RCW 28A.04.120 (1), (2) and (3), 80-06-129 (Order 8-80), § 180-75-045, filed 6/2/80. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW. 78-09-095 (Order 10-78), § 180-75-045, filed 9/1/78.]

WAC 180-75-050 Certificate required. Persons serving as teachers in public or private schools or as principals or educational staff associates in public schools and in vocational positions as established by chapter 180-77 WAC shall hold certificates authorized by the state board of education for service in the respective roles.

[Statutory Authority: RCW 28A.04.120 (1), (2) and (3), 80-06-129 (Order 8-80), § 180-75-050, filed 6/2/80. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW. 78-09-095 (Order 10-78), § 180-75-050, filed 9/1/78.]

WAC 180-75-055 Types of certificates. Four types of certificates shall be issued:

(1) **Teacher.** The teacher certificate, including alien permits as provided in chapter 392-193 WAC, authorizes service as a classroom teacher.

(2) **Administrator.**

(a) The administrator certificate endorsed "principal" authorizes services as a building administrator or vice principal.

(b) The administrator certificates endorsed "superintendent" or "program administrator" will be issued to persons who have completed state board of education approved preparation programs for service in the roles of district administrator, administrative staff, and program administrator.

(3) **Educational staff associate.** The educational staff associate certificate authorizes service in endorsed roles of communication disorders specialists, counselors, school nurses, occupational therapists, physical therapists, psychologists, social workers, and reading resource specialists as those roles are defined in WAC 180-79-175 through 180-79-210: *Provided*, That nothing within chapter 180-79 WAC authorizes professional practice by an educational staff associate which is otherwise prohibited or restricted by any other law, including licensure statutes and rules and regulations promulgated by the appropriate licensure board or agency.

(4) **Vocational.** The vocational certificate authorizes service in vocational instruction in accordance with the provisions of chapter 180-77 WAC.

[Statutory Authority: RCW 28A.70.005, 86-13-016 (Order 6-86), § 180-75-055, filed 6/10/86. Statutory Authority: RCW 28A.04.120,

chapters 28A.70 and 28A.93 RCW. 78-09-095 (Order 10-78), § 180-75-055, filed 9/1/78.]

WAC 180-75-060 Certificate replacement. The superintendent of public instruction shall issue a replacement certificate to any person who files an application, pays the appropriate certification fee, and verifies by signature that the original certificate has been lost or destroyed or that a legal name change has occurred.

[Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW. 78-09-095 (Order 10-78), § 180-75-060, filed 9/1/78.]

WAC 180-75-061 Application for certification. An individual who completes a state board of education approved preparation program in Washington state and is, thereby, eligible to apply for a Washington state certificate must apply for such certificate within twelve calendar months after completion of the approved program. Provisions of WAC 180-79-060(2) and 180-79-065(1) relative to length of validity, lapse, renewal and reinstatement of the initial certificate shall apply twelve calendar months after completion of the approved program whether or not the individual has made application for an initial certificate.

[Statutory Authority: RCW 28A.04.120 (1), (2) and (3), 80-06-129 (Order 8-80), § 180-75-061, filed 6/2/80.]

WAC 180-75-065 Fee for certification. (1) In accordance with provisions of RCW 28A.70.110 and 28A.71.100, the fee for certificates which are valid for more than one year, issued by authority of the state of Washington and authorizing the holder to serve in the common schools of the state, shall be as follows:

(a) The continuing certificate is seventy dollars;

(b) The reinstatement, additional endorsement on the certificate, duplicate certificates, and certificates issued for the purpose of showing a name change is fifteen dollars; and

(c) Any other certificate or credential or any renewal thereof shall be five dollars for each year of validity:

(d) *Provided*, That the fee for all vocational certificates shall be one dollar.

(2) The fee for any other certificate/credential, or for any renewal thereof, issued by the authority of the state of Washington and authorizing the holder to serve in the common schools of the state, shall be five dollars.

(3) Officials authorized to collect certification fees are educational service district superintendents, local school district superintendents, deans and directors of education at colleges and universities, and designees of program units. The fee must accompany the application for a certificate and shall be transmitted by the receiving district, college or university, or program unit designee at least quarterly to the educational service district within which the application is filed for disposition in accordance with provisions of RCW 28A.70.110. The fee shall not be refunded unless the application is withdrawn before it is finally considered (i.e., the issuance of a certificate or a written communication denying such issuance) by the superintendent of public instruction or his or her designee. Moneys accrued from certification fees within

the boundaries of an educational service district shall be divided in the following manner:

(a) Local school districts employing more than one hundred teachers and other professional staff and collecting certification fees may retain one dollar of each fee in order to hold a professional training institute. If such district does not hold an institute all such moneys shall be placed to the credit of the educational service district.

(b) No less than fifty percent of the funds accruing within the boundaries of an educational service district shall be used to support program activities related to state-wide precertification professional preparation and evaluation.

(c) The remaining funds shall be used to support professional inservice training programs and evaluations thereof.

[Statutory Authority: RCW 28A.04.120, 85-16-020 (Order 15-85), § 180-75-065, filed 7/29/85; 85-01-015 (Order 16-84), § 180-75-065, filed 12/10/84. Statutory Authority: RCW 28A.04.120 (1), (2) and (3), 80-06-129 (Order 8-80), § 180-75-065, filed 6/2/80. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW, 78-09-095 (Order 10-78), § 180-75-065, filed 9/1/78.]

WAC 180-75-070 Use of fee for certification. (1) Certification fees will be used solely for precertification professional preparation, professional inservice training programs, teachers' institutes and/or workshops, and evaluations thereof in accordance with this chapter.

(2) Precertification professional preparation:

(a) A subcommittee of the state professional education advisory committee as established in WAC 180-78-015 shall assist the superintendent of public instruction in administration of precertification program funds by annually establishing priorities and procedures for distribution of funds available for precertification activities. The primary utilization shall be to support collaborative efforts essential to program development, program evaluation and assessment of candidates' entry and exit competency.

(b) Funds set aside for precertification shall not supplant funds already available to any participating agency.

(c) A single educational service district shall be designated to administer the funds allocated for precertification programs. The designated educational service district shall be permitted to retain up to five percent of the precertification fees for costs related to administering these funds.

(d) Each quarter every educational service district shall forward the moneys designated for precertification programs to the educational service district designated to administer such programs.

(3) Professional inservice training programs and teachers' institutes and/or workshops:

(a) Each educational service district, or cooperative thereof as specified in subparagraph (d) of this subsection, shall establish an inservice committee composed of an educational service district representative; at least one district superintendent; one principal; one educational staff associate; one elementary, one junior high and one

senior high teacher; one representative from the elementary or secondary level of private schools within the educational service district; and one representative selected by the chief administrative officer responsible for professional education from a college/university having a state board of education approved teacher education program. Teacher representatives shall be selected by agreement among the presidents of the local education associations within the respective educational service district or cooperative thereof.

(b) The educational service district representative shall serve as chairperson of the inservice committee and provide liaison with the superintendent of public instruction and the state board of education.

(c) The inservice committee will be responsible for coordinating inservice/staff development model programs within the educational service district and shall submit to the superintendent of public instruction and the state board of education a plan for soliciting and selecting model programs which shall include procedures for conducting needs assessments, determining priorities and carrying out program evaluation.

(d) Cooperative agreements may be made among educational service districts to provide quality inservice education programs.

(e) Funds designated for inservice programs shall not supplant funds already available for such programs.

(4) Allowable expenditures. Funds may be used to support costs related to training, such as the payment of professional contractual services, per diem, travel costs, materials, printing, or released time. Nonallowable costs, except when approved in advance by the superintendent of public instruction or his or her designee, are college/university tuition and fees and the rental or purchase of facilities or equipment.

(5) Annual reporting. The superintendent of public instruction shall prepare and present to the state board of education an annual report concerning the use of certification fees for precertification and inservice activities.

[Statutory Authority: RCW 28A.04.120 (1), (2) and (3), 80-06-129 (Order 8-80), § 180-75-070, filed 6/2/80; 79-06-049 (Order 5-79), § 180-75-070, filed 5/22/79. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW, 78-09-095 (Order 10-78), § 180-75-070, filed 9/1/78.]

WAC 180-75-075 Educational experience acceptable for certification. (1) Experience for obtaining, maintaining and renewing certification. To satisfy experience requirements for obtaining, maintaining and renewing a certificate, an individual must complete experience in an educational setting as defined in WAC 180-79-010 or as authorized for a vocational certificate in chapter 180-77 WAC.

(2) Any year during which an individual unsuccessfully completes a probationary period and has been discharged or nonrenewed in accordance with RCW 28A.67.065 and 28A.67.070 shall not be considered a year of experience for purposes of obtaining, maintaining or renewing a certificate.

[Statutory Authority: RCW 28A.04.120 (1), (2) and (3), 80-06-129 (Order 8-80), § 180-75-075, filed 6/2/80. Statutory Authority: RCW

28A.04.120, chapters 28A.70 and 28A.93 RCW. 78-09-095 (Order 10-78), § 180-75-075, filed 9/1/78.]

WAC 180-75-080 Citizenship requirements--Alien permits--Teachers only. No person who is not a citizen of the United States of America shall be permitted to teach in the common schools of this state: *Provided*, That the superintendent of public instruction may grant an alien a permit pursuant to WAC 180-75-090: *Provided further*, That after a one-year probationary period the superintendent of public instruction, at the written request of the superintendent or his or her designee, or the school organization which employed such person on a permit, may grant to an alien who is otherwise qualified as determined by the superintendent of public instruction or his or her designee a certificate for which the applicant is otherwise qualified under this chapter.

[Statutory Authority: RCW 28A.04.120 (1), (2) and (3). 79-06-049 (Order 5-79), § 180-75-080, filed 5/22/79. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW. 78-09-095 (Order 10-78), § 180-75-080, filed 9/1/78.]

WAC 180-75-085 General requirements--Teachers, administrators, educational staff associates. The following requirements are to be met by candidates for certification as teachers, administrators, or educational staff associates:

(1) Age. No person who is less than eighteen years of age shall receive a certificate to serve in the public or nonpublic schools of Washington state.

(2) Character. Applicants for certificates in Washington state must give evidence of good moral character, personal fitness, and no convictions for crimes involving the physical neglect of children, physical injury of children (excepting possible motor vehicle violations), or sexual abuse of children as verified by a signed affidavit: *Provided*, That the superintendent of public instruction may issue an emergency certificate pursuant to WAC 180-79-230 to an applicant who is on parole or probation.

(3) Competency. A candidate for certification shall demonstrate knowledge and skill in the areas specified by the state board of education as minimum generic standards for the respective certificate type and level set forth in WAC 180-79-130 through 180-79-210.

(4) Academic. A candidate for certification shall have successfully completed an approved program or have qualified under WAC 180-75-100 and/or 180-79-245 through 180-79-250: *Provided*, That no more than five quarter hours of correspondence credit shall be acceptable toward continuing level certification.

(5) Experience. All candidates for continuing level certification shall have completed three years of certificated service in the respective role in an educational setting.

(6) Probationary status. A certificate shall not be issued to any candidate who is in a probationary status as defined in RCW 28A.67.065 as teacher, educational staff associate, or administrator at the time of application for a certificate.

(7) Program completion. A candidate for an initial or continuing certificate shall provide verification that he/she has completed an approved preparation program.

Subsections (3), (4) and (5) of this section shall not apply to vocational certificates. Vocational certificates are issued under academic and experience requirements set forth in chapter 180-77 WAC.

[Statutory Authority: RCW 28A.04.120 (1), (2) and (3). 79-06-049 (Order 5-79), § 180-75-085, filed 5/22/79. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW. 78-09-095 (Order 10-78), § 180-75-085, filed 9/1/78.]

WAC 180-75-087 Reinstatement of certificates. Holders of expired or lapsed professional certificates at the time of application for reinstatement of such certificates must submit the following:

(1) Character evidence as required by WAC 180-75-085 for candidates for certification.

(2) An affidavit that they have not intentionally and knowingly practiced with an expired or lapsed certificate in a professional position for which certification is required under the rules of the state board of education or the submission of a statement why such practice, if conducted, should not reflect on such applicant's good moral character or personal fitness at the time of application.

[Statutory Authority: RCW 28A.70.005. 86-13-016 (Order 6-86), § 180-75-087, filed 6/10/86.]

WAC 180-75-090 Temporary permits. Temporary permits may be issued by the superintendent of public instruction under the following conditions:

(1) Temporary permits may be issued under this section to those persons who have filed an application for a certificate; who, based on available documentation, including affidavits or other evidence that appears reliable which substantiates the existence of missing documentation, appear to have completed all requirements for provisional, initial, standard, or continuing certification; and who do not disclose any information which indicates that such applicant fails to meet the character requirement of WAC 180-75-085(2).

(2) An individual may apply for a permit directly to the superintendent of public instruction: *Provided*, That in the case of an individual completing requirements for certification in a Washington state institution of higher education the request may also be made to that institution.

(3) A permit entitles the holder to serve as a teacher, educational staff associate or administrator consistent with the endorsement(s) on his/her permit.

(4) A permit is valid for ninety consecutive calendar days commencing with the date following the date of issuance and is not renewable.

(5) Issuing authority. The superintendent of public instruction either directly or through a designated agent shall issue all permits and provide institutions of higher education with forms and instructions relevant to application for a permit.

[Statutory Authority: RCW 28A.70.005. 86-13-016 (Order 6-86), § 180-75-090, filed 6/10/86. Statutory Authority: RCW 28A.04.120 (1), (2) and (3). 80-06-129 (Order 8-80), § 180-75-090, filed 6/2/80. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and

28A.93 RCW. 78-09-095 (Order 10-78), § 180-75-090, filed 9/1/78.]

WAC 180-75-100 Certification of out-of-state trained educational personnel—Interstate educational personnel contracts. The superintendent of public instruction is authorized to enter into interstate educational personnel contracts with states party to the interstate agreement on qualifications of educational personnel in accordance with provisions of RCW 28A.93.010 and 28A.93.020 which authorize on an interstate basis Washington state certification of persons of other states having preparation and qualifications comparable even though not identical to Washington state board of education standards.

[Statutory Authority: RCW 28A.04.120 (1), (2) and (3). 80-06-129 (Order 8-80), § 180-75-100, filed 6/2/80. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW. 78-09-095 (Order 10-78), § 180-75-100, filed 9/1/78.]

Chapter 180-77 WAC

STANDARDS FOR VOCATIONAL CERTIFICATION

WAC

180-77-003	Definitions.
180-77-005	Types of vocational certificates.
180-77-010	Levels of vocational certificates.
180-77-015	Certificate validity and renewal.
180-77-020	Certificate required.
180-77-025	Personnel assignment.
180-77-030	General requirements for vocational certification of instructors with bachelor's degrees.
180-77-035	Specific requirements for vocational certification of instructors with bachelor's degrees.
180-77-040	General requirements for vocational certification of instructors from business and industry.
180-77-045	Specific requirements for vocational certification of instructors from business and industry.
180-77-050	Renewal of vocational certification for instructors.
180-77-055	Specific requirements for certification of instructors teaching programs designed to prepare students to enter advanced training.
180-77-060	Renewal of certificates of instructors teaching programs designed to prepare students to enter advanced training.
180-77-065	Vocational certification reinstatement requirements for extended absence from subject area of vocational education for six years or more.
180-77-070	Specific standards for certification of local vocational administrative and supervisory personnel.
180-77-075	Specific standards for certification of local vocational counselors.
180-77-080	Specific standards for certification of occupational information specialist.
180-77-085	Specific standards for certification of local vocational teacher trainers.
180-77-090	General standards for certification of vocational instructors, counselors, occupational information specialists, teacher trainers and administrative and supervisory personnel with a probationary certificate.
180-77-095	General requirements for certification of vocational instructors of supplementary classes.

WAC 180-77-003 Definitions. The following definitions shall apply to terms used in this chapter:

(1) "Approved program for training vocational teachers and vocational counselors" shall be defined as any

program approved by the state board of education which complies with chapter 180-78 WAC.

(2) "Approved vocational teacher training" shall mean those vocational programs, courses, seminars and workshops approved by the state board of education for the purpose of vocational certification of persons entering vocational education from business and industry, or for renewal of vocational certificates.

(3) "First aid requirements" shall include a valid first aid certificate issued by the Washington state department of labor and industries, United States bureau of mines or the American Red Cross in accordance with their rules and regulations. In addition, training in cardiopulmonary resuscitation is required.

(4) "Gainful employment" shall mean being paid in accordance with the laws of the state of Washington for work in a particular occupation.

(5) "General safety and industrial hygiene requirements" shall mean course work approved by the state board of education that is designed to provide skill and knowledge common to all vocational instructors in safety and industrial hygiene. This course work shall include, but not be limited to, the following:

- (a) Growth of the safety movement;
- (b) Cost of accidents;
- (c) Seeing and recognizing job hazards;
- (d) Elements of an accident;
- (e) Measuring safety performance;
- (f) Promoting safe workmanship;
- (g) Employee health and industrial hygiene;
- (h) Protective equipment and safe dress;
- (i) Housekeeping;
- (j) Materials, handling and storage;
- (k) Guarding machines and mechanisms;
- (l) Hand and portable tools and appliances;
- (m) Fire prevention and control.

(6) "Home economics related occupations (gainful)" is a vocational education program which prepares persons for being paid in accordance with the laws of the state of Washington to work in an occupation.

(7) "Home and family life education (useful)" is a vocational education program which prepares persons for the occupation of homemaking.

(8) "Learning period" shall mean the amount of time required prior to becoming gainfully employed at the journeyman or equivalent level in the occupation being taught. In any case, this shall be no less than one year.

(9) "Management experience" shall mean work as a supervisor, foreman or manager in the occupational area in which the person will instruct.

(10) "Specially supported programs" shall mean home and family life education programs conducted in vocational-technical institutes to include, but not limited to, the following: Family relationships, child development and parent education.

(11) "Occupational experience" shall mean work experience in the job to be taught.

(12) "One year of work experience" shall equal two thousand hours of employment.

(13) "Professional education" shall mean those programs, courses, seminars and workshops that are designed to improve teaching ability.

(14) "Professional experience" shall mean employment in vocational education in the discipline and/or specialty for which the application has been submitted.

(15) "Quarter hours or the equivalent" shall mean one quarter credit, two-thirds semester credit, ten clock hours or one hundred hours of work experience.

(16) "Specific safety and industrial hygiene requirements" shall mean completion of course work approved by the state board of education which is designed to provide the vocational instructor with the specific skill and knowledge of safety and industrial hygiene for the occupation he or she is to teach.

(17) "Supervised work experience" shall mean employment which is supervised by a vocational teacher educator and the employer.

(18) "Supplementary class" shall mean those classes designed to upgrade and advance the knowledge and skills for persons who are or have been employed in a given occupation.

(19) "Teaching/coordination" shall mean professional experience in the discipline and/or specialty for which the applicant has been vocationally certificated.

(20) "Technical education/upgrading" shall mean those vocational programs, courses, seminars and workshops which are designed to improve the skills and/or knowledges in the discipline in which the application is being made.

(21) "Useful employment" applies solely to the occupation of homemaking and means unpaid work in the home.

[Statutory Authority: RCW 28A.70.005. 78-10-003 (Order 11-78), § 180-77-003, filed 9/7/78.]

WAC 180-77-005 Types of vocational certificates. Seven types of certificates shall be issued:

(1) Teacher. The teacher certificate authorizes teaching in the classroom and laboratory (shop);

(2) Director. The director certificate authorizes service as a vocational director in the school district;

(3) Assistant director. The assistant director certificate authorizes service as an assistant vocational director in the school district;

(4) Supervisor. The supervisor certificate authorizes service as a program supervisor in a local school district;

(5) Counselor. The vocational counselor authorizes service in the role of vocational guidance and counseling;

(6) Occupational information specialist. The occupational information specialist authorizes service in the role as an information specialist;

(7) Teacher trainer. The teacher trainer authorizes service as an instructor teaching course work that is used for vocational teacher training.

[Statutory Authority: RCW 28A.70.005. 78-10-003 (Order 11-78), § 180-77-005, filed 9/7/78.]

WAC 180-77-010 Levels of vocational certificates. Four levels of certificates may be issued:

(1986 Ed.)

(1) One-year probationary. The one-year probationary certificate is authorized for those who do not meet education or occupational requirements, but have submitted a training plan that is approved by the state board of education;

(2) One-year. The one-year certificate allows the holder to assume independent responsibility for working with students in vocational programs;

(3) Three-year. The three-year certificate allows the holder to assume independent responsibility for working with students in vocational programs;

(4) Five-year. The five-year certificate allows the holder to assume independent responsibility for working with students in vocational programs.

[Statutory Authority: RCW 28A.70.005. 78-10-003 (Order 11-78), § 180-77-010, filed 9/7/78.]

WAC 180-77-015 Certificate validity and renewal.

(1) The probationary certificate is valid for one year and is renewable one time.

(2) The one-year certificate is valid for one year and may be renewed two times in accordance with WAC 180-77-050.

(3) The three-year certificate is valid for three years and may be renewed one time in accordance with WAC 180-77-050.

(4) The five-year certificate is valid for five years and may be renewed every five years in accordance with WAC 180-77-050.

[Statutory Authority: RCW 28A.70.005. 78-10-003 (Order 11-78), § 180-77-015, filed 9/7/78.]

WAC 180-77-020 Certificate required. Persons serving as vocational instructors, vocational directors and assistant directors, vocational supervisors, vocational counselors, occupational information specialists and vocational teacher trainers shall hold certificates authorized by the state board of education for service in the respective roles and be recommended by the local school district vocational education administrator for original certificates and renewal. Instructors must be endorsed by a local vocational advisory committee related to the subject matter to be taught for renewal and preceding certificates.

[Statutory Authority: RCW 28A.70.005. 78-10-003 (Order 11-78), § 180-77-020, filed 9/7/78.]

WAC 180-77-025 Personnel assignment. Vocational teachers teaching other secondary school subjects and vocational counselors serving in addition as general counselors need to hold a valid certificate as provided for in chapter 180-79 WAC, Professional preparation certification requirements.

[Statutory Authority: RCW 28A.70.005. 78-10-003 (Order 11-78), § 180-77-025, filed 9/7/78.]

WAC 180-77-030 General requirements for vocational certification of instructors with bachelor's degrees. Instructors in agriculture, business and office, community resource training program coordinators (CRT), distributive education, diversified occupations, home and

family life (useful), home economics related occupations (gainful), home economics subject matter specialist (useful), home economics subject matter specialist (gainful), and industrial co-op education (ICE) must meet the following requirements:

(1) The requirements for a one-year certificate, except home economics subject matter specialist (useful and gainful) are as follows:

(a) Bachelor's degree related to the field to be taught as determined by the state program director of the state board of education from an approved program for training vocational education teachers; except instructors of diversified occupations, CRT and ICE need only a bachelor's degree from an institution of higher education;

(b) The following course requirements must be completed:

(i) Methods of teaching in the subject matter to be taught except CRT;

(ii) Student teaching in the subject matter to be taught; except CRT and ICE which do not require student teaching and diversified occupations which only requires student teaching in any subject matter;

(iii) Course study in the objectives, principles and philosophies of vocational education; except business and office; and

(iv) Instructors assigned to vocational programs that involve cooperative education methods must complete three quarter credits or the equivalent in instructor-coordinator techniques for cooperative education or have equivalent experience as evaluated by the state program director of the appropriate field before employment.

(c) Meet the general and specific safety and industrial hygiene and first aid requirements;

(d) Instructors must meet the following work experience requirements:

Two years of occupational experience in the field to be taught, one of which must have been in gainful employment within the last six years; except:

(i) Instructors in business and office must possess one year of gainful employment within the last six years in occupations included in the business and office subject matter;

(ii) Instructors in home and family life (useful) require no work experience; and

(iii) Instructors of home economics related occupations (gainful) require a minimum of one year of occupational experience in a home economics related occupation in the last five years as a paid worker or as a volunteer worker in a supervised work project.

(e) Instructors of home economics subject matter specialist (useful) for nongraded or alternative or specially supported programs require the following:

(i) A bachelor's degree in the area or related area for which training is to be given;

(ii) Training in the specialty area to be taught and have knowledge and methods of communication to students or clients within the discipline; and

(iii) Meet the general and specific safety and industrial hygiene and first aid requirements.

(f) Instructors of home economics subject matter specialist (gainful) must possess the following:

(i) Bachelor's degree in the area for which the training is to be given which will include the following:

(A) One year of occupational experience in this area in the last five years as a paid worker or as a volunteer worker or in a supervised work project;

(B) Completed course work in methods of teaching and curriculum building which are for training for employment either before initial employment or prior to application for first renewal.

(ii) Instructors assigned to vocational programs which involve cooperative education methods must complete three quarter credits or the equivalent of instructor-coordinator techniques for cooperative education or have equivalent experience as evaluated by the state program director of the appropriate field before employment; and

(iii) Home economics subject matter specialist (gainful) instructors must meet the general and specific safety and industrial hygiene and first aid requirements.

(2) The requirements for a three-year certificate are as follows:

(a) All instructors must have possessed a one-year vocational certificate within the past two years;

(b) Instructors are required to have one year of teaching/coordination in the subject matter certified to teach; except home and family life (useful), home economics related occupations (gainful), and home economics subject matter specialist (useful and gainful) which require only teaching experience during the life of the certificate;

(c) Three quarter credits or the equivalent of prior approved vocational teacher training in the subject matter certified to teach/coordinate since the previous certificate is required of all instructors; except instructors of home and family life (useful) and home economics related occupations (gainful) do not require additional course work prior to the three-year certificate;

(d) Instructors must possess a valid first aid certificate.

(3) The requirements for a five-year certificate are as follows:

(a) Instructors must possess two years of teaching/coordination in the subject matter certified to teach during the previous three-year vocational certificate; except:

(i) Home and family life (useful) and home economics related occupations (gainful) which require:

(A) Possession of a one-year or a three-year vocational certificate within the preceding two years; and

(B) One year of teaching home and family life education during the life of the previous vocational certificate.

(ii) Home economics subject matter specialist (useful and gainful) require:

(A) Possession of a three-year vocational certificate within the preceding two years; and

(B) Teaching experience in the home economics specialty area or in a home economics related occupation.

(b) Instructors must possess six quarter credits or the equivalent of approved vocational teacher training in the subject matter certified to teach/coordinate since the previous certificate;

(c) Instructors must possess a valid first aid certificate.

[Statutory Authority: RCW 28A.70.005. 78-10-003 (Order 11-78), § 180-77-030, filed 9/7/78.]

WAC 180-77-035 Specific requirements for vocational certification of instructors with bachelor's degrees. Specific requirements are as follows:

(1) Those areas having specific requirements in addition to the general certification requirements for the one-year certificate are as follows:

(a) CRT teachers must attend a state board of education approved CRT management and supervision workshop;

(b) Diversified occupations and ICE teacher/coordinators are required to have a course in occupational analysis;

(c) Home and family life (useful) and home economics related occupations (gainful) instructors are required to have:

(i) Course work in program planning and evaluation;

(ii) Meet certification requirements in the state of Washington for general and professional education in the occupation of homemaking;

(iii) Completed directed student teaching in an approved program for training vocational teachers of home economics education supervised by a vocationally qualified home economics teacher educator;

(iv) Sixty quarter credits or the equivalent of home economics courses, including laboratory experiences and the principles of safety in all areas of the home economics curriculum with credit hours divided as follows:

(A) Family economics, including consumer education, home management with practical experience with differing socio-economics groups - eight quarter credits;

(B) Housing, home furnishing and equipment - eight quarter credits;

(C) Foods and nutrition - eight quarter credits;

(D) Clothing and textiles - eight quarter credits;

(E) Family relationships, parent education and child development, including experiences with young children - twelve quarter credits;

(F) Home economics electives - sixteen quarter credits to allow for concentration as needed by the individual teacher candidate.

(v) The candidate from a nonapproved, four-year home economics program must have an evaluation made by an institution which has an approved program in accordance with chapter 180-78 WAC which includes evaluation of the candidate's teaching performance. Course work in home economics methods, including the vocational aspects of a home and family life program from an approved program for training vocational teachers needs to be completed; and the candidate must have a plan for completion of requirements and be recommended by an institution approved in accordance with chapter 180-78 WAC.

(d) Agriculture education instructors are required to have forty-five semester hours of credit in agriculture including, but not limited to university requirements in

agriculture economics, agriculture mechanics, animal science, agronomy, soils, entomology, horticulture, plant pathology and forestry;

(e) Business and office instructors are required to have thirty-five quarter credits of courses which have content included in the program sequences of clerical, secretarial and/or accounting;

(f) Distributive education instructors are required to have thirty-five quarter credits or the equivalent of distributive education subjects to include salesmanship, retailing, sales promotion and marketing.

(2) The specific requirement for the three-year certificate for business and office is course study in the objectives, principles and philosophy of vocational education.

[Statutory Authority: RCW 28A.70.005. 78-10-003 (Order 11-78), § 180-77-035, filed 9/7/78.]

WAC 180-77-040 General requirements for vocational certification of instructors from business and industry. Instructors in agriculture, business and office, community resource training program coordinator (CRT), distributive education—cooperative preparatory and preparatory specialist, diversified occupations, home economics related occupations (gainful), industrial co-op education (ICE) and trade and industrial, technical and health occupations must meet the following requirements:

(1) The requirements for the one-year certificate are as follows:

(a) Instructors must complete three years of gainful employment in the occupation beyond the learning period, two of which must have been within the past six years or for apprenticeable occupations, the minimum work experience will be equal to the learning period then currently registered with the state department of labor and industries, two years of which must have occurred during the last six years; except distributive education—cooperative preparatory and ICE which require one year in a supervisory or management position in a private business or industry within the six years prior to certification;

(b) Three quarter credits or the equivalent in the methods/elements of teaching the subject area to be taught prior to teaching;

(c) Instructors assigned to vocational programs which involve cooperative education methods must complete three quarter credits or the equivalent in instructor-coordinator techniques for cooperative on-the-job instruction, or have equivalent experience as evaluated by the state program director of the program area before employment;

(d) Instructors are required to meet the general and specific safety and industrial hygiene and first aid requirements.

(2) The requirements for the three-year certificate are as follows:

(a) Instructors must have possessed a valid one-year vocational education certificate within the preceding two years;

(b) Vocational teaching experience of one hundred twenty hours under the previous one-year certificate is required;

(c) Instructors are required to have a total of nine quarter credits or the equivalent of approved vocational teacher training which must include elements/methods of teaching, occupational analysis and course organization/curriculum development for the program area; except distributive education—preparatory specialist which requires methods of teaching and principles and objectives of vocational education, and ICE which does not require teacher training;

(d) Instructors must complete three quarter credits or the equivalent of approved vocational teacher training since the last certificate; except distributive education—cooperative preparatory which requires three quarter credits or the equivalent of approved vocational teacher training, which must include a course in methods of teaching or an equivalent course in teaching techniques since the initial one-year certificate;

(e) Instructors must possess a valid first aid certificate.

(3) The requirements for the five-year certificate are as follows:

(a) Instructors must possess a valid three-year vocational certificate within the preceding two years;

(b) Vocational teaching experience of not less than two years is required during the life of the previous certificate;

(c) Instructors must complete a total of eighteen quarter credits or the equivalent of approved vocational teacher training which must include courses in:

(i) Methods/elements of teaching in the program area to be taught;

(ii) Occupational analysis in the program area;

(iii) Course organization/curriculum development in the program area;

(iv) Student leadership development techniques in the program area to be taught;

(v) Philosophy of vocational education;

(vi) State board of education prior approved three hundred clock hours of work experience or thirty clock hours of special technical upgrading workshops; except distributive education—cooperative preparatory and ICE which require ninety clock hours of state board of education approved in-service teacher preparation since the three-year certificate;

(d) Instructors must complete three quarter credits or the equivalent of approved vocational teacher training since the previous certificate; except distributive education—cooperative preparatory which requires six quarter credits or the equivalent of state board of education approved distributive education subjects beyond the three-year certificate requirements;

(e) Instructors must possess a valid first aid certificate.

[Statutory Authority: RCW 28A.70.005. 78-10-003 (Order 11-78), § 180-77-040, filed 9/7/78.]

WAC 180-77-045 Specific requirements for vocational certification of instructors from business and industry. Those areas having specific requirements in addition to the general vocational requirements for a one-year certificate are as follows:

(1) Instructors of distributive education—cooperative and preparatory are required to have a course in the objectives, principles and/or philosophy of vocational education and twelve quarter credits or the equivalent of distributive education subjects or equivalent experience as evaluated by the state program director of distributive education;

(2) ICE instructors are required to have a course in the objectives, principles and/or philosophy of vocational education, a course in occupational analysis and a course in leadership development.

[Statutory Authority: RCW 28A.70.005. 78-10-003 (Order 11-78), § 180-77-045, filed 9/7/78.]

WAC 180-77-050 Renewal of vocational certification for instructors. Instructors in agriculture, business and office, community resource training program coordinators (CRT), distributive education, distributive education—cooperative preparatory and preparatory specialist, diversified occupations, home and family life (useful), home economics related occupations (gainful), home economics subject matter specialist (useful), home economics subject matter specialist (gainful), home economics related occupations, industrial co-op education (ICE), and trade and industrial, technical and health occupations must meet the following requirements for certification renewal:

(1) Instructors with a bachelor's degree must meet the following general requirements for certification renewal:

(a) The one-year certificate may be renewed two times;

(b) The three-year certificate may be renewed one time provided the instructor has:

(i) One year of teaching experience in the field certified to teach during the life of the previous certificate; except:

(A) Home and family life (useful), and home economics related occupations (gainful) which do not require teaching experience;

(B) Home economics subject matter specialist (useful and gainful) require vocational teaching experience during the life of the previous certificate in the home economics specialty area or the home economics related occupation.

(ii) Three quarter credits or the equivalent of approved vocational teacher training in the field certified to teach since the initial three-year certificate; except:

Home and family life (useful) and home economics related occupations (gainful) which do not require additional teacher training.

(iii) Instructors must possess a valid first aid certificate.

(c) The five-year certificate may be renewed every five years provided the following conditions are met; except home and family life (useful) and home economics related occupation (gainful):

(i) Two years of professional experience in the field certified to teach during the life of the five-year vocational certificate; except home economics subject matter specialist (useful and gainful) require teaching experience in the home and family life specialty or in the home economics related occupation during the life of the previous certificate;

(ii) Six quarter credits or the equivalent of approved vocational teacher training which may include three quarter credits or the equivalent of technical upgrading or equivalent work experience prior approved by the state board of education since the previous certificate;

(iii) Instructors must possess a valid first aid certificate.

(d) Home and family life (useful) and home economics related occupations (gainful) require the following of the instructors for first renewal of the five-year vocational certificate:

(i) Forty-five quarter credits of state board of education approved professional and technical studies which include at least six quarter credits in home economics subject matter and/or home economics education beyond the requirements for the first five-year certificate; and

(ii) Vocational home and family life education teaching experience during the life of the preceding certificate.

(e) Home and family life (useful) and home economics related occupations (gainful) require the following of the instructors for second and subsequent renewals of the five-year vocational certificate:

(i) Within the five-year period immediately preceding the request for renewal, the instructor must have had teaching experience in home and family life education subjects or in the home economics related occupation (gainful);

(ii) Six quarter credits or the equivalent of professional education, including home economics and/or home economics education; and

(iii) Instructors must possess a valid first aid certificate.

(2) Instructors with a bachelor's degree must meet the following specific requirements in addition to the general requirements for certification renewal:

Those areas having specific requirements for renewal of the one-year certificate are as follows:

(a) Home economics subject matter specialist (useful and gainful) require that the one-year certificate may be renewed two times in the following manner:

(i) Instructors must have a course in principles and objectives of vocational education for the first renewal; and

(ii) Instructors are required to have three quarter credits or the equivalent of professional education in the discipline to be taught.

(b) Business and office instructors are required to have a course in objectives, principles and philosophies of vocational education in order that the one-year certificate be renewed.

(3) Instructors from business and industry must meet the following general requirements for certification renewal:

(a) The one-year certificate may be renewed two times in the following manner:

(i) The first renewal shall consist of:

(A) Three quarter credits or the equivalent of approved vocational teacher training since the initial certification which must include methods of teaching if not taken prior to initial certification; except CRT, distributive education—cooperative preparatory, diversified occupations, and ICE do not require the above; and

(B) Possession of a valid first aid certificate.

(ii) The second renewal shall consist of:

(A) Three quarter credits or the equivalent of vocational teacher training since the previous certificate, which must include curriculum development/course organization if not taken previously; except CRT, distributive education—cooperative preparatory, diversified occupations and ICE which do not require the above. Home economics related occupations (gainful) require three quarter credits or thirty additional clock hours of approved teacher training from courses listed under the five-year certificate; and

(B) Possession of a valid first aid certificate.

(b) The three-year certificate may be renewed one time in the following manner:

(i) Instructors must possess vocational-teaching experience of one hundred twenty hours in the occupation certified to teach during the life of the previous certificate; except home economics related occupations (gainful);

(ii) Three quarter credits or the equivalent of approved vocational teacher training is required since the three-year certificate; and

(iii) Instructors are required to possess a valid first aid certificate.

(c) The five-year certificate may be renewed every five years if the following criteria are met:

(i) Instructors must have vocational teaching or supervisory experience of two years in the occupation certified to teach during the life of the previous certificate; except home economics related occupations (gainful) which requires vocational teaching experience in the home economics related occupation during the life of the previous certificate;

(ii) Instructors are required to have six quarter credits or the equivalent of approved vocational teacher training which may include three quarter credits or the equivalent of technical upgrading or three hundred hours of work experience, prior approved by the state board of education since the previous certificate; and

(iii) Instructors are required to possess a valid first aid certificate.

(4) Instructors from business and industry must meet the following specific requirements in addition to the general requirements for certification renewal:

Those areas having specific requirements for the first renewal of the one-year certificate are as follows:

(a) Home economics related occupations (gainful) require a course in curriculum development;

(b) Trade and industry, technical and health occupations require a course in Unit II, occupational analysis.

[Statutory Authority: RCW 28A.70.005. 78-10-003 (Order 11-78), § 180-77-050, filed 9/7/78.]

WAC 180-77-055 Specific requirements for certification of instructors teaching programs designed to prepare students to enter advanced training. Instructors of vocational industrial arts must meet the following requirements:

(1) The requirements for a one-year certificate are as follows:

(a) Bachelor's degree with a major in industrial arts/ industrial education;

(b) The following professional education course requirements must be completed:

(i) Methods of teaching industrial arts/industrial education;

(ii) Course in objectives, principles and philosophy of vocational education;

(iii) Introduction to community and industrial resources (one quarter credit or equivalent); and

(iv) Meet the general and specific safety and industrial hygiene and first aid requirements.

(c) Two years of gainful employment, which shall not include classroom teaching or educational administration. This shall include a minimum of eight hundred hours of industrial employment within the past six years.

(2) The requirements for a three-year certificate are as follows:

(a) All instructors must possess a one-year certificate within the past two years;

(b) Instructors are required to have one year of teaching experience under the previous one-year certificate;

(c) Completion of a professional development plan designed to maintain and improve teaching and occupational competency. The plan must be approved by the local certificated vocational director or the state program supervisor. A copy of the plan shall be kept available for review at the employing school district and shall include:

(i) Identified professional and occupational needs of the teacher and a description of the program designed to meet these needs; and

(ii) A detailed record of activities and hours kept by the instructor.

(d) Possession of a valid first aid certificate.

(3) The requirements for a five-year certificate are as follows:

(a) Possession of a three-year certificate within the preceding two years;

(b) Instructors are required to have two years of teaching experience under the previous three-year certificate;

(c) Completion of a professional development plan designed to maintain and improve teaching and occupational competency. The plan must be approved by the

local certificated vocational director or the state program supervisor. A copy of the plan shall be kept available for review at the employing school district and shall include:

(i) Identified professional and occupational needs of the teacher and a description of the program designed to meet these needs; and

(ii) A detailed record of activities and hours kept by the instructor.

(d) Instructors must possess a valid first aid certificate;

(e) Completion of four hundred hours of gainful industrial employment since the one-year certificate in the field to be taught.

[Statutory Authority: RCW 28A.70.005. 78-10-003 (Order 11-78), § 180-77-055, filed 9/7/78.]

WAC 180-77-060 Renewal of certificates of instructors teaching programs designed to prepare students to enter advanced training. Instructors of vocational industrial arts must meet the following requirements for certification renewal:

(1) The three-year certificate may be renewed one time upon:

(a) Completion of a professional development plan designed to maintain and improve teaching and occupational competency. The plan must be approved by the local certificated vocational director or state program supervisor. A copy of the plan shall be kept available for review at the employing school district and shall include:

(i) A detailed record of activities and hours kept by the instructor; and

(ii) Identified professional and occupational needs of the teacher and a description of the program designed to meet these needs.

(b) Possession of a valid first aid certificate;

(c) Completion of two hundred hours of gainful industrial employment.

(2) The five-year certificate may be renewed every five years provided the following conditions are met:

(a) Two years of teaching experience under the previous five-year certificate;

(b) Possession of a valid first aid certificate;

(c) Completion of a professional development plan designed to maintain and improve teaching and occupational competencies. The plan must be approved by the local certificated vocational director or the state program supervisor. A copy of the plan shall be kept available for review at the employing school district and shall include:

(i) A detailed record of activities and hours kept by the instructor; and

(ii) Identified professional and occupational needs of the teacher and a description of the program to meet these needs.

(d) Completion of four hundred hours of additional gainful industrial employment. This gainful employment shall be obtained within the preceding five years.

[Statutory Authority: RCW 28A.70.005. 78-10-003 (Order 11-78), § 180-77-060, filed 9/7/78.]

WAC 180-77-065 Vocational certification reinstatement requirements for extended absence from subject area of vocational education for six years or more. Instructors in agriculture, business and office, CRT, distributive education, diversified occupations, home economics related occupations (gainful), ICE and trade and industrial, technical and health occupations are required to meet the following:

Teachers returning to the profession need a minimum of three quarter credits or the equivalent of approved teacher training in the program area to reinstate the vocational certificate last held, except home and family life (useful) which requires candidates who have completed an approved program for training vocational teachers and have not taught for ten years or more must complete a total of twelve quarter credits or the equivalent including home economics education and subject matter courses to qualify for the five-year vocational certificate. A one-year certificate can be issued upon completion of three quarter credits of the above requirements.

[Statutory Authority: RCW 28A.70.005. 78-10-003 (Order 11-78), § 180-77-065, filed 9/7/78.]

WAC 180-77-070 Specific standards for certification of local vocational administrative and supervisory personnel. (1) The local director and local assistant director of vocational-technical education must be eligible for a five-year vocational certificate in one of the vocational program areas for vocational education for initial certification as a director and must meet the following:

(a) The director must have educational requirements which are satisfactory to the local board of education;

(b) The director must have thirty quarter credits or the equivalent of state board of education approved vocational-technical education training including a course in supervision and administration of vocational education, or equivalent experience as evaluated by the state board of education;

(c) The director must have had three years of experience as a certificated vocational supervisor, vocational instructor, vocational counselor or occupational information specialist.

(2) In order to renew the local director and local assistant director of vocational-technical education certificates, six quarter credits or the equivalent of state board of education approved professional education or course work in vocational supervisory or managerial subjects, or equivalent professional experience as evaluated by the state board of education, is required.

(3) The local supervisor of vocational-technical education must be eligible for a five-year vocational certificate in one of the vocational program areas of vocational education for initial certification as a supervisor and must meet the following requirements; except home and family life (useful) and home economics related occupations (gainful):

(a) Supervisor must have a professional training course in vocational supervision; except distributive education and trade and industrial, technical and health occupations which require a course in vocational

supervision or three years of additional management experience in the occupation certified to teach and in addition, supervisors of trade and industrial, technical and health occupations must possess professional in-service education of thirty quarter credits or the equivalent of state board of education approved vocational education courses;

(b) Supervisors of home and family life (useful) are required to have the following:

(i) A bachelor's degree from an institution with an approved program to prepare vocational home and family life teachers or have met the requirements and been recommended by an institution with an approved program approved in accordance with chapter 180-78 WAC; and

(ii) Professional training to acquaint the candidate with current developments in home economics and home economics education with some course work in supervision and curriculum.

(c) Supervisors of home economics related occupations (gainful) require the following:

(i) A bachelor's degree in home economics or home economics education and one year of occupational experience or three years of gainful employment in a profession requiring expertise in a home economics related occupation; and

(ii) One year of experience in organizing preparatory or supplemental classes for home economics related occupations.

(4) For a renewal certificate, supervisors are required to have six quarter credits or the equivalent of professional education since the last certificate as approved by the local certificated vocational director or the state program director from the occupation certified to teach.

[Statutory Authority: RCW 28A.70.005. 78-10-003 (Order 11-78), § 180-77-070, filed 9/7/78.]

WAC 180-77-075 Specific standards for certification of local vocational counselors. Vocational counselors are required to meet the following:

(1) Counselors are required to possess a valid educational staff associate-counselor certificate as provided in WAC 180-79-180, at the initial level in counseling and/or graduated from an institution of higher education in a counselor education program which includes study in such subjects as economics, sociology, psychology, political science and sources of occupational information in order to obtain a one-year certificate. All vocational counselors must have completed courses in the following or equivalent experiences as evaluated by the state board of education:

(a) Techniques of counseling or counseling theory to include individual and/or group;

(b) Tests and measurements and/or individual mental measurement and/or psychological evaluation;

(c) Counseling practice;

(d) Principles, objectives and/or philosophy of vocational education;

(e) Counselors must have had two years of varied work experience in the last ten years other than teaching or counseling experience;

(f) Experience is suggested in dealing with employment and personnel problems and with placement and evaluation of workers in business, industry, agriculture, education and/or government service.

(2) The requirements for a three-year certificate are as follows:

(a) The counselor must have possessed a one-year certificate in the past two years;

(b) Counselors must have had one year of vocational counseling;

(c) Counselors must have three quarter credits or the equivalent of state board of education approved professional education since the previous certificate.

(3) The requirements for a five-year certificate are as follows:

(a) Counselors must have had two years of vocational counseling during the previous three-year certificate;

(b) Counselors are required to have had six quarter credits or the equivalent of state board of education approved training in vocational counseling and/or vocational education since the previous certificate.

(4) To renew a counselor certificate the following is required:

(a) The one-year certificate may be renewed two times on the recommendation of the state board of education;

(b) The three-year certificate may be renewed one time provided:

(i) The counselor has had one year of vocational counseling during the life of the previous certificate; and

(ii) The counselor has had three quarter credits or the equivalent of state board of education approved training in vocational counseling and/or vocational education since the previous certificate.

(c) The five-year certificate may be renewed every five years provided:

(i) The counselor has had two years of vocational counseling during the previous five-year vocational certificate; and

(ii) The counselor has had six quarter credits or the equivalent of vocational training and/or equivalent experience prior approved by the state board of education.

[Statutory Authority: RCW 28A.70.005. 78-10-003 (Order 11-78), § 180-77-075, filed 9/7/78.]

WAC 180-77-080 Specific standards for certification of occupational information specialist. Occupational information specialists must meet the following requirements:

(1) Requirements for a one-year certificate for occupational information specialist are three years of full-time gainful employment of which two years shall have been in the last six years, dealing with employment or personnel problems and with placement and evaluation of workers; or two years of vocational teaching experience in an approved vocational program under the state plan for vocational education;

(2) Requirements for a three-year certificate are as follows:

(a) The occupational information specialist must possess a one-year certificate within the preceding two

years and must have one hundred twenty hours of professional experience during the life of the previous certificate;

(b) The occupational information specialist must have a total of nine quarter credits or the equivalent of state board of education approved professional education;

(c) The occupational information specialist is required to have three quarter credits or the equivalent of state board of education approved professional education since the last certificate.

(3) Requirements for a five-year certificate are as follows:

(a) Possession of a three-year vocational certificate within the preceding two years;

(b) Vocational occupational information specialist experience of two years during the life of the previous certificate;

(c) A total of eighteen quarter credits or the equivalent of professional education as approved by the state board of education.

(4) To renew an occupational information specialist certificate the following are required:

(a) The one-year certificate may be renewed two times;

(b) The three-year certificate may be renewed one time when the following are met:

(i) Professional experience of one hundred twenty hours as an occupational information specialist during the life of the previous certificate; and

(ii) Three quarter credits or the equivalent of professional education and/or equivalent experience since the previous certificate as approved by the state board of education.

[Statutory Authority: RCW 28A.70.005. 78-10-003 (Order 11-78), § 180-77-080, filed 9/7/78.]

WAC 180-77-085 Specific standards for certification of local vocational teacher trainers. All local vocational teacher trainers must meet the following three-year certificate requirements:

(1) The teacher trainer must have had three years of experience as a certificated vocational instructor in one of the program areas;

(2) The teacher trainer must have had thirty quarter credits or the equivalent of state board of education approved vocational training in subjects related to instruction and supervision of vocational education;

(3) The teacher trainer must be recommended by the local certificated vocational director;

(4) The certificated local vocational directors and supervisors shall qualify as local vocational teacher trainers;

(5) The teacher trainer certificate may be renewed upon recommendation of the state board of education.

[Statutory Authority: RCW 28A.70.005. 78-10-003 (Order 11-78), § 180-77-085, filed 9/7/78.]

WAC 180-77-090 General standards for certification of vocational instructors, counselors, occupational

information specialists, teacher trainers and administrative and supervisory personnel with a probationary certificate. In extraordinary instances, when a local vocational administrator feels a potential full-time person has the necessary competency, but does not meet the educational or occupational requirements for a vocational certificate, a one-year probationary certificate may be authorized provided a written training plan with documentation which states the work experiences, educational and other pertinent experiences and accomplishments of the applicant is provided and a plan is submitted telling how the deficiencies will be overcome. The training plan must be approved by the state board of education. This one-year probationary certificate is renewable one time.

[Statutory Authority: RCW 28A.70.005, 78-10-003 (Order 11-78), § 180-77-090, filed 9/7/78.]

WAC 180-77-095 General requirements for certification of vocational instructors of supplementary classes. Instructors must be eligible for a one-year vocational certificate in one of the vocational program areas or specialized instructors for supplementary classes will be issued one-year renewable vocational certificates to teach in their specialty field upon documentation that they possess the skills and knowledge related to the subject matter taught.

When a local vocational administrator cannot employ a part-time vocational instructor for a supplementary class who meets the educational and occupational requirements, a one-year probationary certificate which is renewable is authorized for the part-time instructor, provided the person is endorsed by the local advisory committee and the work experience and professional education are documented and have been approved by the state board of education.

[Statutory Authority: RCW 28A.70.005, 78-10-003 (Order 11-78), § 180-77-095, filed 9/7/78.]

Chapter 180-78 WAC

PROFESSIONAL PREPARATION PROGRAM DEVELOPMENT AND APPROVAL

WAC

180-78-005	Purpose.
180-78-010	Definition of terms.
180-78-015	Professional education advisory committee.
180-78-025	Program approval.
180-78-027	Appeal—General.
180-78-030	Agencies to be involved in program development.
180-78-035	Program approval process.
180-78-040	Program approval—Procedures for site visits.
180-78-045	Annual reports.
180-78-050	Program approval standards and criteria.
180-78-055	Program approval—Length of approval.
180-78-057	Approval of courses applicable to certification.
180-78-060	Preparation of superintendents.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

180-78-020	Equivalency of standards. [Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW, 78-06-069 (Order 5-78), § 180-78-020, filed
------------	---

5/26/78.] Repealed by 78-09-096 (Order 12-78), filed 9/1/78. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW.

WAC 180-78-005 Purpose. The purposes of this chapter are to implement RCW 28A.04.120 (1) and (2) and to establish the procedures, standards, and criteria to be used in the development and approval of preparation programs offered by institutions of higher education in Washington state leading to teacher, school administrator and school specialized personnel (educational staff associates) certification.

[Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW, 78-06-069 (Order 5-78), § 180-78-005, filed 5/26/78.]

WAC 180-78-010 Definition of terms. The following definitions shall be used in this chapter:

(1) "Accreditation" shall mean a process whereby a preparation program is reviewed and determined by an accrediting agency to meet prespecified standards. Programs may be accredited by states, regional accrediting associations, or national professional organizations such as the national council for accreditation of teacher education (NCATE) or the national association of state directors of teacher education and certification (NASDTEC). Such accreditation shall not replace state board of education program approval in Washington state.

(2) "Agency" shall mean those groups, entities, associations, and the like recognized in WAC 180-78-030 as having a legitimate interest in the development of preparation programs.

(3) "College or university" shall mean any baccalaureate degree granting Washington institution of higher learning or cooperative group of such institutions which has or develops professional programs of preparation in education which are submitted to the state board of education for approval.

(4) "Cooperation" shall mean the act of working together in a participatory mode.

(5) "Endorsement" shall mean a specification placed on a certificate to indicate the subject matter field, grade level and/or specialization for which the individual is prepared to teach or serve as an administrator or educational staff associate.

(6) "General professional organization" shall mean the professional organization determined in accordance with election procedures defined in RCW 41.59.070 or a cooperative group of such employee representative organizations.

(7) "Interstate compact" shall mean the contractual agreement among several states authorized by RCW 28A.93.010 and 28A.93.020 which facilitates interstate reciprocity and guarantees graduates of institutions having approved programs in such states regular beginning certification in any state party to the compact.

(8) "Minimum generic standards" shall mean those basic areas of knowledge and skill adopted by the state board of education as essential to a given professional role.

(9) "Program approval" shall mean the approval by the state board of education of a preparation program within Washington state.

(10) "Program development" shall mean the cooperative process employed to identify program outcomes and experiences essential to program approval.

(11) "Program outcomes" shall mean the explicit objectives of preparation programs stated in terms of knowledge, skill, and performance.

(12) "Program unit" shall mean a group of cooperating agencies in Washington state, the specific membership and form of which shall be established by the participating members. Any such unit must include at least one college/university, one school organization, and one general or specialized professional organization.

(13) "School organization" shall mean any public or nonpublic school system or district or cooperative group of such organizations.

(14) "Site visit" shall mean the process of an on-site review of preparation programs conducted pursuant to WAC 180-78-035 and 180-78-040.

(15) "Specialized associations" shall mean the state-wide professional organization(s) recognized by the state board of education as having legitimate interest in the preparation of a respective professional role.

[Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW. 78-09-096 (Order 12-78), § 180-78-010, filed 9/1/78; 78-06-069 (Order 5-78), § 180-78-010, filed 5/26/78.]

WAC 180-78-015 Professional education advisory committee. The superintendent of public instruction shall establish a professional education advisory committee to advise the superintendent and the state board of education relative to preparation and certification matters and to participate in the review of preparation programs. The committee shall be comprised of no less than twenty-six regular members representing colleges and universities, specialized and general professional associations, school district administrators, boards of directors, nonpublic schools, and other business and lay organizations having interest in the preparation and certification of school personnel.

[Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW. 78-06-069 (Order 5-78), § 180-78-015, filed 5/26/78.]

WAC 180-78-025 Program approval. Compliance date. All programs leading to certification offered in Washington state to prepare teachers, administrators, and school specialized personnel shall be approved under this chapter no later than September 1, 1983.

[Statutory Authority: RCW 28A.04.120 and 28A.70.005. 81-12-024 (Order 6-81), § 180-78-025, filed 6/1/81. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW. 78-06-069 (Order 5-78), § 180-78-025, filed 5/26/78.]

WAC 180-78-027 Appeal—General. Any college or university that applies for program approval, whose approval is denied, or who disagrees with the stipulations of the approval granted, may appeal such decisions to the state board of education.

The appeal procedures shall be as follows: The college or university must file a written note of appeal with the

state board of education within twenty calendar days after the date on which the state board of education took formal action regarding the approval status of the college or university. The written notice must set forth the applicant's reasons for appeal.

Following timely notice of appeal, the superintendent of public instruction or his or her designee may hear the case or select a hearing examiner. Decisions in cases formally appealed by applicants pursuant to this section are to be made by the hearing examiner selected by the superintendent of public instruction, in conformance with the provisions of the code reviser's rules of procedure (chapter 1-08 WAC) and the Administrative Procedure Act (chapter 34.04 RCW).

The appeal shall be conducted pursuant to chapter 180-08 WAC and chapter 34.04 RCW.

[Statutory Authority: RCW 28A.04.120 and 28A.70.005. 81-12-024 (Order 6-81), § 180-78-027, filed 6/1/81.]

WAC 180-78-030 Agencies to be involved in program development. Agencies recognized as having a legitimate interest in the development of preparation programs shall be involved in a program unit and are set forth below. The chief administrative officer or designee of such agencies shall be asked to identify representatives to participate in the program unit and to clarify the representative's authority in acting on behalf of the agency.

(1) Agencies which shall be involved in any program unit are:

(a) School organization. The school organization representative shall represent the interests of the board of directors and school administration and shall have the responsibility for seeking input for program development from students, parents, and interested citizens.

(b) College or university. The chief administrator for professional preparation in education as designated by the college or university president shall represent the college or university interests and shall be responsible for seeking input for program development from faculty in education and other departments, students, and interest groups of the college or university.

(2) Any program unit involved with teacher education programs shall include the general professional organization whose representative shall represent the interests of teachers and who shall have the responsibility for seeking input for program development from those specialized and subject matter associations not represented in the program unit.

(3) Any program unit involved with administrator preparation programs shall include representation from the respective specialized association as noted:

(a) Superintendent—Washington association of school administrators (WASA);

(b) Principals—Association of Washington school principals (AWSP);

(c) Program administrators—Washington association of school administrators (WASA); the representative shall be serving in a program administrator's role and

shall hold membership in one of the specialized associations that represent curriculum and/or supervisory personnel.

(d) The Washington council for private education (WCPE) shall provide input from the nonpublic school sector in matters relative to preparation of principals, program administrators, and superintendents.

The specialized association representative shall have the responsibility for seeking input from the general professional organization and other specialized and subject matter associations.

(4) Any program unit involved with educational staff associate preparation programs shall include representatives from the respective specialized association as noted:

(a) Communication disorders specialist—Washington speech and hearing association (WSHA);

(b) Counselor—Washington school counselor association (WSCA);

(c) Occupational therapist—Washington occupational therapy association (WOTA);

(d) Physical therapist—Pediatric special interest group of the Washington state physical therapy association (WSPTA);

(e) Psychologist—Washington association of school psychologists (WASP);

(f) Reading resource specialist—International reading association (IRA);

(g) School nurse—School nurse organization of Washington (SNOW);

(h) Social worker—Washington association of school social workers (WASSW).

The specialized association representative shall have the responsibility for seeking input from the general professional organization and other specialized and subject matter associations.

(5) A program unit may elect to include both the general professional association and the specialized association.

(6) Community colleges shall participate in a program unit only in cooperation with a four-year institution which has a state board of education approved preparation program.

[Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW. 78-06-069 (Order 5-78), § 180-78-030, filed 5/26/78.]

WAC 180-78-035 Program approval process. The program approval process shall include the following:

(1) Each college or university shall file with the state board of education for review a written description of its program unit(s) and its program(s), including course titles, outcomes required of candidates, and the means for achieving those outcomes.

(2) A site visit shall be conducted.

(a) Established programs. Each five years or more often if deemed necessary by the state board of education, a select team of persons representing school administrators, college faculty, general and specialized professional organizations, and the professional education advisory committee as established in WAC 180-78-015 shall

conduct on-site visits to review programs, offer constructive assistance, and make recommendations concerning continued program approval to the state board of education: *Provided*, That an on-site review by the superintendent of public instruction or his or her designee shall not be required when the program change is limited to the subject matter major or specialization to be endorsed on a teaching certificate.

(b) New programs. All new professional preparation programs shall be reviewed on site.

(3) The program of study required in selected subject matter fields for which teaching certificates are endorsed will be reviewed in depth during each evaluation.

(4) Following the site visit, the team shall prepare a preliminary report to be submitted to the state board of education; the report shall include specific findings and recommendations relative to approval.

(5) Following state board of education action, a written report, including the approval status and the length of program approval, if so approved, shall be sent to the college or university responsible.

The report shall reflect the combined assessment of the visiting team to the extent the report is adopted by the state board of education. It shall include specific recommendations for program development together with data and evidence on which such recommendations are based and specific conditions or contingencies which are to be addressed during the interim prior to the next program review, as well as any independent recommendations of the state board of education.

(6) Subsequent to the site visit, the program unit will report in the time and manner specified in the site visit report on the progress underway to respond to recommendations offered in the site visit report.

(7) Between site visits any change in preparation programs relevant to the standards for program approval set forth in WAC 180-78-050 or planned changes affecting certificate endorsement shall be reported to the state board of education and the superintendent of public instruction. Any planned program changes shall be consistent with provisions of this chapter.

(8) Each year a list of programs to be reviewed will be published and distributed by the superintendent of public instruction.

[Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW. 78-06-069 (Order 5-78), § 180-78-035, filed 5/26/78.]

WAC 180-78-040 Program approval—Procedures for site visits. The following procedures will be followed in arranging for and conducting site visits:

(1) The superintendent of public instruction or his or her designee will contact the college or university responsible for the program(s) one year prior to the year in which a visit is required. Program approval standards and guidelines will be presented and dates established.

(2) The following documentation shall be prepared by the college or university with assistance of the program unit:

(a) A statement which reflects current philosophy and objectives as they pertain to professional preparation.

(b) A list of all professional education programs offered indicating areas of concentration (grade levels and subject-matter fields) in which endorsements are made.

(c) A general description of the programs in teacher education, administrator preparation, educational staff associate preparation and any teaching major program which is to be reviewed in depth. The general description shall include the historical development of programs, the kinds of field experiences available and any new program elements or directions.

(d) A statement identifying future goals and directions of the professional preparation program(s).

(e) A listing of faculty which includes information about the education, experience, and current assignment of all full and part time faculty and field personnel who participate in the program.

(f) A description of the procedure and basis for program decisions and how recommendations are gained from academic departments, students, and the field.

(g) Statistics related to program enrollments, certification, and placement.

(h) A statement summarizing action taken to respond to recommendations made following the previous program review and site visit.

(i) A copy of the bylaws or operating procedures of each program unit.

(3) A staff member of the superintendent of public instruction shall visit the program unit at least eight weeks prior to the site visit to review documentation, identify areas for focus of the site visit, and develop a tentative agenda.

(4) Sufficient copies of documentation required in WAC 180-78-040(2) shall be submitted to the superintendent of public instruction at least six weeks prior to the visit.

(5) A site visit team which shall act on behalf of the state board of education will be identified by the superintendent of public instruction or his or her designee with membership selected on the basis of expertise needed for a particular visit. At least one representative from the following groups shall be included on all teams: Colleges or universities, school organizations, general and specialized professional organizations.

[Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW. 78-06-069 (Order 5-78), § 180-78-040, filed 5/26/78.]

WAC 180-78-045 Annual reports. (1) An annual report shall be filed with the state board of education by each college or university having an approved preparation program.

(2) The report shall summarize activities of the program, provide statistical information relative to enrollments, and any other data or information about the professional preparation programs requested by the superintendent of public instruction or state board of education.

(3) The superintendent of public instruction or his or her designee shall summarize information and data collected and prepare a comprehensive annual report for the state board of education.

[Title 180 WAC—p 152]

[Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW. 78-06-069 (Order 5-78), § 180-78-045, filed 5/26/78.]

WAC 180-78-050 Program approval standards and criteria. (1) Cooperation.

(a) Standard: Programs of preparation are developed with the cooperation of a program unit.

(b) Criteria:

(i) Documentation provides evidence acceptable to the site visit team and the state board of education that:

(A) The chief administrative officer of each agency was contacted and appointed a representative to the program unit whose authority to act in behalf of the agency is stated in writing; or

(B) A recommendation was forwarded to the superintendent of public instruction for comment and then to the state board of education signed by the chief administrative officers of each agency requesting that an exception be made to this program approval standard; documentation sets forth the reasons for the request; and documentation verifies that the exception was granted by the state board of education.

(ii) Bylaws or operating procedures have been written, adopted and implemented.

(iii) Meetings of the program unit, its subcommittees and/or task forces are held on a regular basis and minutes of activities and actions are maintained.

(iv) A college or university coordinates cooperation, involvement, and activities among agencies in the program unit under a written procedure explaining how each agency gains input.

(v) Governing boards of agencies which participate in the program unit contribute human and material resources to the program as feasible.

(2) Program management.

(a) Standard: Responsibilities are clearly assigned to individuals, groups, and/or committees for program development, implementation, and evaluation.

(b) Criteria:

(i) The college or university shall notify the state board of education and the superintendent of public instruction of the formation of a program unit; the membership; the specialization, subject matter, and/or grade level focus of the proposed programs; and its timeline for program development.

(ii) Responsibilities are assigned for selection; advising and counseling; maintaining records regarding the student's program and progress; supervision and evaluation of candidates; and verifying that certification requirements have been met and the preparation program has been completed.

(iii) Persons who will instruct, evaluate, or supervise candidates are identified; descriptions of their roles, responsibilities, and loads are written; and their activities are consistent with the written role description.

(iv) Documentation contains a written explanation of policy-making, program development, and program management processes and responsibilities.

(v) Review of certification records verifies that the records are accurate.

(vi) The need for any new program, new program emphasis, or certificate endorsement is established and evidence of need exists including statistics relative to supply and demand; professional development needs of individuals or the education community; new curriculum or instructional directions in the common schools; and changes in enrollments and staffing ratios and patterns.

(vii) A schedule and outline have been completed relative to development and implementation of the program; decision-making points are identified; and individuals, agencies, or committees responsible for such tasks and decisions are specified.

(viii) Data are collected and available relative to the effectiveness of the management system, including identification of problem areas and procedural elements.

(ix) Responsibility for reporting program changes to the superintendent of public instruction and state board of education is assigned.

(3) Program outcomes.

(a) Standard: At a minimum the program includes academic and experience requirements set forth in chapter 180-79 WAC for the respective role(s) and specifies in writing the knowledges and skills the person will possess and demonstrate when he or she completes the program, including the state board of education minimum generic standards.

(b) Criteria:

(i) All minimum generic standards for certification established by the state board of education are addressed in learning experiences and are included among the program outcomes. A relationship exists between field and didactic learning experiences and program outcomes.

(ii) Relevant standards of the national association of state directors of teacher education and certification, the national council for accreditation of teacher education and/or standards of specialized associations and scholarly societies are referred to as guides in identifying program outcomes: *Provided*, That the superintendent of public instruction or his or her designee shall present to the state board of education for approval any standards of specialized associations and scholarly societies which will be used to supplement the standards set forth herein for assessment of program outcomes.

(iii) Degrees of proficiency required for program outcomes are clearly differentiated between the initial and continuing certificate levels.

(iv) Faculty, students and field supervisors know the program outcomes required of candidates.

(v) Program outcomes are stated in terms which make evaluation by supervisors and instructors possible.

(vi) Knowledge and skills related to continuing education and professional development are included in program outcomes.

(vii) All courses or offerings applicable to certification delivered off-campus meet the "state board of education standards for off-campus courses/offerings in education" adopted by the state board of education.

(4) Selection and retention.

(a) Standard: Criteria and requirements to be used in selecting candidates for admission to the preparation

program are explicit and practices relevant to retention of candidates are specified.

(b) Criteria:

(i) Selection criteria and the process used to screen and admit candidates are written.

(ii) Selection criteria are relevant to attainment of program outcomes.

(iii) A clearly written process exists for counseling and advising students about supply and demand; progress and retention in the program; and supervision and evaluation relative to academic, experience and generic standards.

(iv) Selection and retention procedures and criteria do not discriminate on the basis of race, ethnic group, sex, age, handicapping conditions, color or religion.

(v) Specific standards exist relative to retention in the program.

(vi) Written procedures exist for appeal of decisions within the college or university relative to admission or retention in the program.

(vii) Admission requirements to the professional preparation programs shall include a minimum college and/or university grade point average; evidence that the candidate is competent in the basic skills required for oral and written communication and computation; and a minimum composite standard score of eighty on the verbal and quantitative subtests of the Washington Pre-College (WPC) test or an equivalent standard score on the comparable portions of the Scholastic Aptitude Test (SAT) or American College Test (ACT). Equivalent standard scores shall be determined annually by the superintendent of public instruction and affected agencies shall be notified in official bulletins of the agency.

(viii) The program identifies the specific requirements which shall pertain for purposes of renewal of the initial certificate.

(5) Individualization.

(a) Standard: Programs recognize individual differences in terms of learner rate and style. Alternative learning experiences appropriate to such differences are available.

(b) Criteria:

(i) Procedures for assessing individual assets and needs are clearly defined.

(ii) Opportunities for planning alternate preparation experiences are available to students.

(iii) Learning experiences are designed to provide for social-cultural-economic differences among candidates.

(iv) Appropriate individualized learning opportunities are provided to those students identified as possessing special assets and needs as determined through a variety of assessment procedures.

(v) Individual differences in learning style are recognized and as feasible alternative learning opportunities are provided.

(vi) When appropriate and feasible, learning opportunities provide for differences in learning rate by variations in training time.

(6) Field experience.

(a) Standard: Field experiences are provided as required in WAC 180-79-115, 180-79-120, and 180-79-

125 and are designed to correlate with specified program outcomes.

(b) Criteria:

(i) A sequence of field experiences is offered in the preparation program including opportunities for observation, tutoring, micro-teaching and extended practicum, student teaching, and/or internship experiences in educational settings.

(ii) Appropriate clinical and laboratory experiences are available to persons being prepared in specializations requiring practice under supervision in settings in addition to educational settings.

(iii) Written agreements exist between the college or university and the field sites which specify the role of agencies and the responsibilities and contributions each will make to the field program.

(iv) Field experiences provide opportunities for candidates to observe and participate in educational settings having varied organizational structures, ethnic populations, age groups, socio-economic characteristics, and curricular and instructional programs.

(v) Field experiences are designed to address the minimum generic standards established by the state board of education and to integrate theory and practice.

(vi) Criteria for selecting sites and for selecting field personnel are specified.

(vii) Criteria and procedures to be used in assigning students to field settings are identified; provisions are made for changes in assignments in circumstances where problems exist.

(viii) The responsibilities and authority of college supervisors and field personnel are specified in writing in relation to instruction, observation, evaluation, and grading.

(ix) Written materials are provided to field personnel which make explicitly their responsibilities and the program outcomes to be experienced, demonstrated, and evaluated in the field setting.

(x) Field personnel serving as supervisors are oriented to their responsibilities, and training is provided to assist them in implementing and evaluating those elements of the program for which they share responsibility with the college or university supervisors.

(xi) College or university supervisors have scheduled contact and communication with field personnel.

(7) Supervision.

(a) Standard: Provision exists in the program for ongoing evaluation and for constructive supervision emphasizing the developmental nature of the preparation process.

(b) Criteria:

(i) A schedule exists which ensures that each candidate receives regular assessment and feedback relative to knowledge, skill, and performance.

(ii) Results of assessment and evaluation are used as a basis for developing further didactic, field, and/or clinical experiences.

(iii) Criteria exist and are used for selecting field personnel and college or university personnel who will provide supervision; criteria include knowledge, skill and experience requirements.

(iv) Orientation and training are offered for all supervisory personnel including college and university supervisors.

(v) Records of observations, evaluations, and suggested learning experiences are maintained for each student in the preparation program.

(vi) College personnel providing supervision of field experiences and instructing techniques and methods courses have had experience in an educational setting in grades K-12.

(8) Options.

(a) Standard: Program units are encouraged to employ alternative methods for developing programs and implementing professional preparation.

(b) Criteria:

(i) Documentation shall identify unique features or approaches used in implementing program principles or meeting program approval standards and provide a rationale for variation in the latter instance.

(ii) Innovative and experimental programs or program components are based on validated research and theory.

(iii) Alternative approaches are appropriate to institutional and program characteristics and program emphases and objectives.

(9) Resources.

(a) Standard: Resources are of the quantity and quality necessary for meetings of the program unit and for implementation of the program as approved by the state board of education.

(b) Criteria:

(i) Documentation shall specify activities of the program unit and the availability of resources to support those activities. Documentation shall also specify elements of the program which require resources and resources available for specific needs.

(ii) Documentation and data relevant to funding, personnel, facilities, material, and equipment are available for review.

(iii) Member agencies in the program unit have set forth in writing the real and/or in-kind resource contributions they are making to the program unit or program.

(iv) A budget document exists detailing budgetary information pertinent to the program unit and the program.

(v) Faculty members and field personnel who supervise and instruct in the program have the appropriate academic preparation and experience in the fields of study for which they are responsible and which are essential to implementation of the program.

(vi) Learning resources reflect breadth and depth in selection of journals, books, curriculum and materials and are evaluated periodically using model listings and guidelines of professional organizations.

(vii) The program administrator is allowed the necessary time as part of his or her load to fulfill program responsibilities.

(10) Research and evaluation.

(a) Standard: The preparation program is based on study and research; ongoing program evaluation; and follow-up assessment of the persons prepared.

(b) Criteria:

(i) Specific individuals are assigned responsibility for program evaluation, research, and follow-up.

(ii) A systematic procedure is established for program evaluation and for follow-up studies of graduates.

(iii) A systematic process exists for gaining from instructors, supervisors, students, and field personnel evaluative information and data about the program and its outcomes.

(iv) Placement records are maintained and annual summaries are prepared.

(v) Data are analyzed and studied for the purposes of determining program needs.

(vi) Data generated from research or follow-up studies are used in program revision and redesign.

[Statutory Authority: RCW 28A.04.120. 85-04-010 (Order 4-85), § 180-78-050, filed 1/25/85. Statutory Authority: RCW 28A.04.120 and 28A.70.005. 81-12-024 (Order 6-81), § 180-78-050, filed 6/1/81. Statutory Authority: RCW 28A.04.120 (1), (2), and (3). 79-06-050 (Order 6-79), § 180-78-050, filed 5/22/79. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW. 78-06-069 (Order 5-78), § 180-78-050, filed 5/26/78.]

WAC 180-78-055 Program approval--Length of approval. Program approval shall be granted for from one to five years depending on the state board of education's assessment of the extent to which the program complies with approval standards set forth in WAC 180-78-050.

[Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW. 78-06-069 (Order 5-78), § 180-78-055, filed 5/26/78.]

WAC 180-78-057 Approval of courses applicable to certification. In order for any course offered by an out-of-state college or university within the state of Washington to be applicable to Washington state certification, prior approval must be obtained by the out-of-state college or university from the state board of education or its designee within the office of the superintendent of public instruction.

A course offered under such circumstances must comply with the following requirements to qualify for approval:

(1) Be offered by a college or university which has met the provisions of chapter 28B.05 RCW or be exempt therefrom;

(2) Be offered by a college or university which is accredited in its respective region by the regional accrediting association and accredited by the Northwest Regional Accrediting Association to offer courses or programs in Washington state;

(3) Be offered by a college or university which is approved in its respective home state for purposes of preparing personnel for certification to serve in the common schools;

(4) Meet the "state board of education standards for off-campus offerings in education;"

(5) File an application and provide evidence to the state board of education that the preceding requirements are met:

Provided, That no college or university within the state of Washington having an approved professional

education program shall be required to accept such coursework as part of a certificate program: *And Provided Further*, That no out-of-state college or university shall offer a program of courses within Washington state for purposes of Washington state certification without meeting all program approval requirements set forth in WAC 180-78-050.

[Statutory Authority: RCW 28A.04.120 and 28A.70.005. 81-12-024 (Order 6-81), § 180-78-057, filed 6/1/81.]

WAC 180-78-060 Preparation of superintendents. In accordance with RCW 28B.10.140, the only public institutions authorized to provide training for superintendents over and above that required for teachers' or principals' certificates shall be the University of Washington and Washington State University.

[Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW. 78-09-096 (Order 12-78), § 180-78-060, filed 9/1/78.]

Chapter 180-79 WAC

PROFESSIONAL PREPARATION CERTIFICATION REQUIREMENTS

WAC

180-79-005	Purpose.
180-79-010	Definitions.
180-79-013	Notice to prospective candidates for certification.
180-79-014	Washington state professional certification examination—SPI development.
180-79-045	Certificates—Previous standards.
180-79-060	Levels of certificates.
180-79-065	Certificate lapse, renewal, and reinstatement.
180-79-075	Certificate endorsement.
180-79-080	Authorized endorsements for teachers.
180-79-086	Minimum preparation for endorsements for teachers.
180-79-100	Personnel assignment—Expires August 31, 1987.
180-79-115	Academic and experience requirements for certification—Teachers.
180-79-120	Academic and experience requirements for certification—Administrators.
180-79-125	Academic and experience requirements for certification—Educational staff associate (ESA).
180-79-130	Minimum generic standards—General.
180-79-135	Minimum generic standards—Teachers.
180-79-150	Role and minimum generic standards—Administrators—Initial certification—Superintendents.
180-79-155	Role and minimum generic standards—Administrators—Initial certification—Principals.
180-79-160	Role and minimum generic standards—Administrators—Initial certification—Program administrators.
180-79-170	Minimum generic standards—Educational staff associates—General.
180-79-175	Role and minimum generic standards—Educational staff associate—Initial certification—Communication disorders specialists (CDS).
180-79-180	Role and minimum generic standards—Educational staff associates—Counselor.
180-79-185	Role and minimum generic standards—Educational staff associate—Occupational therapist (OT).
180-79-190	Role and minimum generic standards—Educational staff associate—Physical therapist (PT).
180-79-195	Role and minimum generic standards—Educational staff associate—School psychologist.
180-79-200	Role and minimum generic standards—Educational staff associate—Reading resource specialist.
180-79-205	Role and minimum generic standards—Educational staff associate—School nurse.
180-79-210	Role and minimum generic standards—Educational staff associate—School social worker.

- 180-79-215 Minimum generic standards—Educational staff associate—Continuing certification.
- 180-79-230 Limited certificates.
- 180-79-245 Reciprocity.
- 180-79-250 Degree and preparation required for out-of-state candidates for initial certification.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

- 180-79-015 Appeal—General. [Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW. 78-06-070 (Order 6-78), § 180-79-015, filed 5/26/78.] Repealed by 78-09-097 (Order 13-78), filed 9/1/78. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW.
- 180-79-020 Appeal procedure—Informal. [Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW. 78-06-070 (Order 6-78), § 180-79-020, filed 5/26/78.] Repealed by 78-09-097 (Order 13-78), filed 9/1/78. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW.
- 180-79-025 Appeal procedures—Formal process. [Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW. 78-06-070 (Order 6-78), § 180-79-025, filed 5/26/78.] Repealed by 78-09-097 (Order 13-78), filed 9/1/78. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW.
- 180-79-030 Certificate validity. [Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW. 78-06-070 (Order 6-78), § 180-79-030, filed 5/26/78.] Repealed by 78-09-097 (Order 13-78), filed 9/1/78. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW.
- 180-79-040 Equivalency of standards. [Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW. 78-06-070 (Order 6-78), § 180-79-040, filed 5/26/78.] Repealed by 78-09-097 (Order 13-78), filed 9/1/78. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW.
- 180-79-050 Certificate required. [Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW. 78-06-070 (Order 6-78), § 180-79-050, filed 5/26/78.] Repealed by 78-09-097 (Order 13-78), filed 9/1/78. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW.
- 180-79-055 Types of certificates. [Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW. 78-06-070 (Order 6-78), § 180-79-055, filed 5/26/78.] Repealed by 78-09-097 (Order 13-78), filed 9/1/78. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW.
- 180-79-070 Educational experience acceptable for certification. [Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW. 78-06-070 (Order 6-78), § 180-79-070, filed 5/26/78.] Repealed by 78-09-097 (Order 13-78), filed 9/1/78. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW.
- 180-79-085 Replacement of certificates. [Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW. 78-06-070 (Order 6-78), § 180-79-085, filed 5/26/78.] Repealed by 78-09-097 (Order 13-78), filed 9/1/78. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW.
- 180-79-090 Fee for certification. [Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW. 78-06-070 (Order 6-78), § 180-79-090, filed 5/26/78.] Repealed by 78-09-097 (Order 13-78), filed 9/1/78. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW.
- 180-79-095 Use of fee for certification. [Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW. 78-06-070 (Order 6-78), § 180-79-095, filed 5/26/78.] Repealed by 78-09-097 (Order 13-78), filed 9/1/78. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW.

- 180-79-105 Citizenship requirements—Alien permits—Teachers only. [Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW. 78-06-070 (Order 6-78), § 180-79-105, filed 5/26/78.] Repealed by 78-09-097 (Order 13-78), filed 9/1/78. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW.
- 180-79-110 General requirements—Teachers, administrators, educational staff associates. [Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW. 78-06-070 (Order 6-78), § 180-79-110, filed 5/26/78.] Repealed by 78-09-097 (Order 13-78), filed 9/1/78. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW.
- 180-79-235 Permits. [Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW. 78-06-070 (Order 6-78), § 180-79-235, filed 5/26/78.] Repealed by 78-09-097 (Order 13-78), filed 9/1/78. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW.
- 180-79-240 Certification of out-of-state trained teachers—Interstate educational personnel contracts. [Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW. 78-06-070 (Order 6-78), § 180-79-240, filed 5/26/78.] Repealed by 78-09-097 (Order 13-78), filed 9/1/78. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW.

WAC 180-79-005 Purpose. The purposes of this chapter are to implement RCW 28A.04.120(3) and chapter 28A.70 RCW and establish the various certificates which must be held as a condition to employment in the Washington school system and establish the conditions and procedures governing issuance and retention of those certificates.

[Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW. 78-06-070 (Order 6-78), § 180-79-005, filed 5/26/78.]

WAC 180-79-010 Definitions. The following definitions shall apply to terms used in this chapter:

(1) The terms, "agency," "program approval," "accreditation," "cooperation," "program unit," "endorsement," "interstate compact," "minimum generic standards," "program outcomes," "site visit," "general professional organization," "school organization," "college or university," and "specialized associations," as defined in WAC 180-78-010 as adopted or hereafter amended shall apply to the provisions of this chapter.

(2) "Certificate" shall mean the license issued by the superintendent of public instruction to teachers, administrators, and school specialized personnel (educational staff associates) verifying that the individual has met the requirements set forth in this chapter and authorizing the individual to serve in the schools of this state pursuant to RCW 28A.67.010.

(3) "Certificate reinstatement" shall mean the process whereby the validity of any certificate not subject to renewal may be reestablished.

(4) "Certificate renewal" shall mean the process whereby the validity of an initial certificate may be reestablished.

(5) "Certificate revocation" shall mean the process whereby an individual's certificate is rescinded pursuant to RCW 28A.70.160 and 28A.70.170.

(6) "Classroom teaching" shall mean instructing pupils in a classroom setting.

(7) "Elementary level" shall mean grades K through 8.

(8) "Educational setting" shall mean any setting, the primary purpose for which is to instruct/teach children, youth, or adults or to administer such instruction/teaching. This shall include but not be limited to state board of education approved instate public and nonpublic schools; out-of-state K-12 schools; pre-schools; educational service districts; the office of the superintendent of public instruction; and institutions of higher education: *Provided*, The office of the superintendent of public instruction shall have final authority to determine whether a specific setting qualifies as an educational setting for purposes of this chapter.

(9) "Out-of-state applicant" shall mean an applicant for a Washington state certificate who completed preparation for such certificate in a state other than Washington and who has not previously held a Washington state certificate covering the professional role for which he or she is seeking Washington state certification.

(10) "Field experience" shall mean a sequence of learning experiences which occur in actual K-12 school settings or clinical and laboratory settings. Such learning experiences are related to specified program outcomes and are designed to integrate educational theory, knowledge, and skills in actual practice under the direction of a qualified supervisor.

(11) "Secondary level" shall mean grades 7 through 12.

[Statutory Authority: RCW 28A.04.120 (1), (2), and (3). 80-06-130 (Order 9-80), § 180-79-010, filed 6/2/80. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW. 78-06-070 (Order 6-78), § 180-79-010, filed 5/26/78.]

WAC 180-79-013 Notice to prospective candidates for certification. Notice is hereby given to prospective candidates for certification that the state board of education has adopted as public policy certain fundamental changes to its current rules and regulations for professional certification and basic education program approval standards. Each Washington state college and university which has a training program of preparation for professional certification shall provide each student within such program at the commencement of the 1986-87 academic year a copy of this section of chapter 180-79 WAC. The following public policy shall affect professional certification and basic education program approval standards:

(1) Each person issued a continuing certificate—i.e., teacher, administrator, and education staff associate—shall be required as a condition to the validity of such certification to complete during a five-year period one hundred fifty clock hours of continuing education which shall be in the form of inservice and/or college or university credit. Each college or university quarter credit shall be the equivalent of ten clock hours and each semester credit shall be the equivalent of fifteen clock hours. This requirement shall be effective for most continuing certificates issued on or after August 31, 1987.

(2) Each school district, in order to receive basic education program approval, shall restrict the professional practice of teachers only to areas in which an endorsement has been received. The current requirements for obtaining an endorsement, the number of endorsements required for the continuing certificate, and the areas of endorsement shall be modified. Exceptions to the restrictive practice shall be limited to emergency circumstances and unusual situations. These requirements shall be effective only to the professional practice of teachers, with some exceptions, who receive initial or continuing certificates issued on or after August 31, 1987.

[Statutory Authority: RCW 28A.04.120(3) and 28A.70.005. 86-13-017 (Order 7-86), § 180-79-013, filed 6/10/86. Statutory Authority: RCW 28A.04.120. 86-09-011 (Order 4-86), § 180-79-013, filed 4/7/86; 85-01-016 (Order 17-84), § 180-79-013, filed 12/10/84.]

WAC 180-79-014 Washington state professional certification examination—SPI development. The superintendent of public instruction is hereby directed to develop and present to the state board of education, no later than January 1987, a prototype Washington state professional certification examination which, if adopted by the state board of education, shall be administered to future applicants for professional certification and the passage of which shall be a condition to receipt of an initial professional certification.

[Statutory Authority: RCW 28A.04.120. 85-01-016 (Order 17-84), § 180-79-014, filed 12/10/84.]

WAC 180-79-045 Certificates—Previous standards.
 (1) Certificates issued under previous standards which were issued for a specific term shall continue to be effective for that term. All persons who hold any standard teacher, administrator, or specialized personnel certificate issued under previous standards of the state board of education shall be issued a continuing certificate at such time as it is necessary for them to reinstate a standard certificate or on application and payment of the fee as specified in WAC 180-75-065(1): *Provided*, That all persons who hold any provisional or initial certificate granted under previous standards of the state board of education shall be authorized to meet requirements for standard or continuing certification as set forth in the relevant previous standards so long as the standard or continuing certificate is obtained within six calendar years of the date on which the first provisional or initial certificate was issued: *Provided further*, That all persons who hold other than provisional or standard teaching certificates issued under standards of the state board of education adopted prior to 1971 shall be issued continuing certificates if they have completed forty-five quarter hours (thirty semester hours) of preparation past the baccalaureate degree and three years of experience: *Provided further*, That persons holding provisional credentials as administrators under standards adopted by the state board of education in 1956 who have completed all requirements for the standard credential except the three years of experience as a principal or superintendent shall be issued continuing administrator certificates under these standards if they have completed at least

five years of experience in an educational setting as defined herein and three years of experience in the role of superintendent, principal, vice principal, or deputy or assistant to a principal or superintendent: *Provided further*, That any person holding a provisional certificate as a school nurse under provisions of chapter 180-84 WAC shall be granted a continuing certificate.

(2) Except as noted in subsection (1) above, certificates issued under previous standards which were issued for an indefinite period shall continue to be in effect.

(3) Until such time as programs are approved under standards set forth in chapter 180-78 WAC, but not later than June 1, 1983, as specified in WAC 180-78-025, program standards and certificate requirements set forth in chapters 180-80 and 180-84 WAC shall continue in effect.

[Statutory Authority: RCW 28A.04.120 (1), (2), and (3). 80-06-130 (Order 9-80), § 180-79-045, filed 6/2/80; 79-06-051 (Order 7-79), § 180-79-045, filed 5/22/79. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW. 78-06-070 (Order 6-78), § 180-79-045, filed 5/26/78.]

WAC 180-79-060 Levels of certificates. Three levels of certification may be issued:

(1) Preparatory certificate.

(a) The preparatory certificate is optional and authorizes training experiences under supervision in school or school related settings while the individual is participating in an approved program.

(b) The preparatory certificate is valid for one year and may be reissued on recommendation from a state board of education approved preparation program.

(c) The preparatory certificate will be issued to those teacher, administrator and educational staff associate candidates who:

(i) Meet the relevant statutory and general requirements as set forth in WAC 180-75-080 and/or 180-75-085.

(ii) Have the preparatory level knowledge and skill specified in a state board of education approved program; and

(iii) Are recommended for preparatory certification by the administrator of such program.

(d) This certificate does not authorize employment in the professional role and shall not be a certificate within the meaning of RCW 28A.67.010.

(2) Initial certificate. The initial certificate is valid for four years and authorizes school service in a particular role and allows the holder to assume independent responsibility for working with children, youth, and adults. An initial certificate shall be issued only to those persons who meet the requirements of this chapter.

(3) Continuing certificate. The continuing certificate is valid on a continuing basis and authorizes school service in a particular role and will be issued only to persons who meet the requirements of this chapter. The certificate indicates that the holder has completed additional academic, experience, and competency requirements beyond the initial certificate level.

[Statutory Authority: RCW 28A.04.120 (1), (2), and (3). 80-06-130 (Order 9-80), § 180-79-060, filed 6/2/80. Statutory Authority: RCW

28A.04.120, chapters 28A.70 and 28A.93 RCW. 78-06-070 (Order 6-78), § 180-79-060, filed 5/26/78.]

WAC 180-79-065 Certificate lapse, renewal, and reinstatement. (1) Initial certificate.

(a) The initial certificate may be renewed once for a three-year period on application and verification that the individual is formally enrolled in a planned continuing level preparation program and has completed some course work relevant thereto. A statement from a college or university where the applicant is officially enrolled in a continuing level program shall be filed with the superintendent of public instruction verifying his or her status: *Provided*, That no more than ten years has elapsed since completion of an approved preparation program for initial certification.

(b) The initial certificate may be reinstated for two three-year periods if the individual completes at least fifteen quarter hours (ten semester hours) of course work in an approved preparation program applicable to the continuing certificate.

(2) Continuing certificate.

(a) The continuing certificates of holders who were eligible for such certificates prior to August 31, 1987 and who applied for such certificates prior to July 1, 1988 will lapse if the holder does not serve at least thirty school days in an educational setting during one of seven consecutive school years. To reinstate such a lapsed continuing certificate the individual must complete fifteen quarter hours (ten semester hours) of course work in a state approved preparation program offered by a regionally accredited college or university and provide evidence of knowledge and skill in the minimum generic standards required for continuing certification: *Provided*, That course work taken more than three years prior to the date of application for reinstatement shall not satisfy this requirement and that no more than five quarter (three semester) hours of correspondence credit shall be acceptable toward renewal or reinstatement requirements set forth above. Holders of valid continuing certificates affected by this subsection, shall be entitled to have such certificate reissued and subject to the terms and conditions of the continuing education requirements of chapter 180-85 WAC.

(b) All continuing certificates not affected by the exception stated in (a) of this subsection shall lapse if the holder does not complete the continuing education requirement specified in chapter 180-85 WAC. To reinstate such a lapsed continuing certificate the individual must complete the requirements for reinstatement stated within chapter 180-85 WAC.

(3) Recency of training and experience. If an applicant has not served in an educational setting or has not completed a preparation program within the seven-year period preceding application for a certificate or has not completed fifteen quarter (ten semester) hours of course work applicable to his or her subject matter field, specialization, or pedagogy in an accredited four-year college or university within the seven years immediately preceding application for a certificate, he/she will be required to complete refresher study consisting of fifteen

quarter (ten semester) hours of course work applicable to his or her field of study, specialization, or pedagogy in order to be eligible for certification: *Provided*, That ESA applicants may be granted experience credit for service in their specialization in other than educational settings if so determined by the superintendent of public instruction or his or her designee.

[Statutory Authority: RCW 28A.04.120(3) and 28A.70.005. 86-13-017 (Order 7-86), § 180-79-065, filed 6/10/86. Statutory Authority: RCW 28A.70.005. 81-12-025 (Order 7-81), § 180-79-065, filed 6/1/81. Statutory Authority: RCW 28A.04.120 (1), (2), and (3). 80-06-130 (Order 9-80), § 180-79-065, filed 6/2/80; 79-06-051 (Order 7-79), § 180-79-065, filed 5/22/79. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW. 78-09-097 (Order 13-78), § 180-79-065, filed 9/1/78; 78-06-070 (Order 6-78), § 180-79-065, filed 5/26/78.]

WAC 180-79-075 Certificate endorsement. Professional education certificates shall be endorsed as follows:

(1) Teacher certificates shall specify the recommended assignment in subject area(s) and grade level(s): *Provided*, That notwithstanding provisions of this chapter to the contrary, applicants who have completed all requirements for continuing teaching certificates pursuant to WAC 180-79-060 prior to August 31, 1987, and whose certificates are applied for prior to July 1, 1988, and applicants who complete the requirements for standard certificates or continuing certificates pursuant to WAC 180-80-705 shall receive only an endorsement for grades K-12.

(2) Educational staff associate certificates shall identify the field of specialization by endorsement.

(3) Administrator certificates shall identify the field of specialization (principal, program administrator, superintendent) by endorsement.

Principals' initial certificates shall be endorsed for grades preschool-9, 4-12, or preschool-12.

(4) In order to change or add an endorsement to any certificate, the candidate must complete an application, pay the certification fee, and submit verification of completion of the necessary requirements.

[Statutory Authority: RCW 28A.04.120(3) and 28A.70.005. 86-13-017 (Order 7-86), § 180-79-075, filed 6/10/86. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW. 78-06-070 (Order 6-78), § 180-79-075, filed 5/26/78.]

WAC 180-79-080 Authorized endorsements for teachers. Endorsements for grade levels and subject areas within such grade levels for certificated teachers receiving endorsements on or after August 31, 1987, shall be limited to the following:

(1) Preschool through grade three endorsements shall be granted in the subject area of:

- (a) Early childhood special education.
- (b) Early childhood education.

(2) Grade kindergarten through grade eight endorsements shall be granted in the subject area of elementary education which shall include all subject areas taught in such grades.

(3) Grade kindergarten through grade twelve endorsements shall be granted in:

- (a) Art

- (b) Music
- (c) Physical education
- (d) Reading
- (e) Designated foreign language
- (f) Special education
- (g) Learning resources
- (h) English as a second language
- (i) Bilingual education.

(4) Grade four through grade twelve endorsements shall be granted in:

(a) English/language arts and the specialized English/language arts subject areas of:

- (i) Drama
- (ii) English
- (iii) Journalism
- (iv) Speech.

(b) Science and the specialized science subject areas of:

- (i) Biology
- (ii) Chemistry
- (iii) Earth science
- (iv) Physics.

(c) Social studies and the specialized social studies subject areas of:

- (i) Anthropology
- (ii) Economics
- (iii) Geography
- (iv) History
- (v) Political science
- (vi) Psychology
- (vii) Sociology.

(d) The specialized subject areas of:

- (i) Agriculture
- (ii) Business and office education
- (iii) Computer science
- (iv) Distributive education
- (v) Health
- (vi) Home economics
- (vii) Industrial arts
- (viii) Mathematics.

(5) Traffic safety endorsements may be noted on certificates issued under this chapter if the candidate meets the requirements of the regulations promulgated by the superintendent of public instruction pursuant to RCW 28A.08.010(3).

[Statutory Authority: RCW 28A.04.120(3) and 28A.70.005. 86-13-017 (Order 7-86), § 180-79-080, filed 6/10/86.]

WAC 180-79-086 Minimum preparation for endorsements for teachers. Effective August 31, 1987, endorsements granted teachers shall comply with the following:

(1) Endorsements, with the exception of the broad subject area endorsements of English/language arts, science, and social studies, which shall require the satisfactory completion of a minimum of forty-five quarter hours (thirty semester hours) of course work, shall require the satisfactory completion of twenty-four quarter hours (sixteen semester hours) of course work—not including any practice teaching, internship, or other clinical or field laboratory experience courses—in the subject

area in a regionally accredited institution of higher education or in a college or university with a professional preparation program approved by the state board of education pursuant to chapter 180-79 WAC.

(2) Reasonable flexibility shall be permitted in establishing equivalencies for specified course work. The test for substitution of an equivalent course for a stated course is a factual determination that the subject matter content of the equivalent course, or combination of courses, substantially complies with the generally recognized course content of the required course.

(3) The superintendent of public instruction shall present to the state board of education prior to January 1, 1987, recommendations for rule adoption which will:

(a) Establish standards for programs of study for which endorsements may be granted in grade levels and subject areas.

(b) Authorize specific examinations and qualifying scores which will authorize the granting of endorsements in grade levels and subject areas in lieu of the course work prescribed in subsection (1) of this section.

(4) If a school district assigns a teacher to a specialized subject area(s) within the general endorsement areas of English/language arts, science, and social studies, the district must require that the teacher has a minimum of six semester hours or nine quarter hours of course work in the specialized subject area(s).

[Statutory Authority: RCW 28A.04.120(3) and 28A.70.005. 86-13-017 (Order 7-86), § 180-79-086, filed 6/10/86.]

WAC 180-79-100 Personnel assignment—Expires August 31, 1987. (1) Teachers. Local districts shall assign secondary teachers holding initial level certificates to endorsed areas and levels only. Teachers holding initial level elementary endorsement shall be assigned to elementary grades only. Teachers holding continuing level certificates should be assigned to recommended areas and levels or to areas and levels in which they have demonstrated competency during professional service: *Provided*, That teachers holding certificates endorsed for grades K-8 or 7-12 may be assigned to junior high schools and middle schools: *Provided further*, That when it is considered justifiable the superintendent of public instruction may, if requested by the school district superintendent who will provide evidence of the need for such assignment, authorize initially certificated teachers to serve at different grade levels or in different subject matter fields from those recommended.

(2) Educational staff associates. Assignments to serve in educational staff associate roles shall be limited to persons holding valid educational staff associate certificates with appropriate endorsements.

(3) Administrators. Assignment of persons to serve as principals or vice principals shall be limited to persons holding valid administrator certificates with the appropriate endorsement(s): *Provided*, That principals holding certificates endorsed for grades K-8 or 7-12 may be assigned to junior high schools and middle schools.

(4) School districts shall assign beginning teachers who hold provisional certificates issued under rules set forth in chapter 180-80 WAC to the elementary, junior

high or senior high school levels and to subject fields in accordance with the beginning teacher's preparation as recommended by the college or university where the individual completed preparation for certification. Such assignment shall obtain during the beginning teacher's first year of teaching: *Provided*, That when it is considered justifiable the superintendent of public instruction may, if requested by the school district superintendent who will provide evidence of the need for such assignment, authorize beginning teachers to teach at different grade levels or in different subject matter fields from those recommended.

(5) The provisions of this section shall expire August 31, 1987.

[Statutory Authority: RCW 28A.04.120(3) and 28A.70.005. 86-13-017 (Order 7-86), § 180-79-100, filed 6/10/86. Statutory Authority: RCW 28A.04.120 (1), (2), and (3). 80-06-130 (Order 9-80), § 180-79-100, filed 6/2/80. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW. 78-09-097 (Order 13-78), § 180-79-100, filed 9/1/78; 78-06-070 (Order 6-78), § 180-79-100, filed 5/26/78.]

WAC 180-79-115 Academic and experience requirements for certification—Teachers. Candidates for teachers' certificates shall complete the following requirements in addition to those set forth in WAC 180-75-080 and 180-75-085.

(1) Initial.

(a) Candidates for the initial certificate shall hold a baccalaureate degree from a regionally accredited college or university. Candidates for secondary, grades K through 12, or grades 4 through 12 endorsements certificates shall have completed the degree major in an academic field or the teaching specialization of reading or special education. Candidates for elementary, grades preschool through 3, or grades K through 8 certificates shall have completed the degree major in an academic field or teaching specialization. If the degree major is early childhood or elementary education, the candidate must have at least one area of emphasis in an academic field.

(b) Candidates shall give evidence that they have completed in-school, clinical, and laboratory experiences which include observations and at least eight weeks of practice teaching under supervision in a state board of education approved or accredited public or nonpublic K-12 classroom(s).

(2) Continuing.

(a) Candidates shall have completed at least forty-five quarter hours (thirty semester hours) of upper division and/or graduate work subsequent to the baccalaureate degree of which twenty-one quarter hours (fourteen semester hours) must be taken after the first year of teaching unless such candidate holds a master's or higher degree: *Provided*, That if the individual is pursuing study in a new subject matter field or specialization, the preparing college or university may accept study in lower division courses toward continuing certification.

(b) Candidates shall have completed at least three years of service in an educational setting, at least two years of which shall be as a classroom teacher in grades preschool through 12.

(c) Effective July 1, 1988, candidates shall have been granted at least two subject area endorsements.

[Statutory Authority: RCW 28A.04.120(3) and 28A.70.005. 86-13-017 (Order 7-86), § 180-79-115, filed 6/10/86. Statutory Authority: RCW 28A.04.120 (1), (2), and (3). 80-06-130 (Order 9-80), § 180-79-115, filed 6/2/80; 79-06-051 (Order 7-79), § 180-79-115, filed 5/22/79. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW. 78-09-097 (Order 13-78), § 180-79-115, filed 9/1/78; 78-06-070 (Order 6-78), § 180-79-115, filed 5/26/78.]

WAC 180-79-120 Academic and experience requirements for certification--Administrators. Candidates for the respective administrative certificate shall complete the following requirements in addition to those set forth in WAC 180-75-085.

(1) Superintendent.

(a) Initial.

(i) The candidate shall hold a master's degree and complete at least fifteen quarter hours (ten semester hours) of graduate study beyond the master's degree in education-related course work.

(ii) The candidate shall hold or be eligible to hold a valid initial or continuing teacher or ESA certificate at the time he or she applies for the initial superintendent's certificate.

(iii) The candidate shall have served as an administrator in K-12 settings for at least three years as verified by the district(s) superintendent or designee.

(iv) The candidate shall have completed a one-year internship appropriate to the role of superintendent. The internship shall provide experience under supervision in all aspects of a district's program.

(b) Continuing.

(i) The candidate shall have completed at least thirty quarter hours (twenty semester hours) of graduate work beyond the master's degree.

(ii) The candidate shall have completed at least three years of experience as superintendent, deputy superintendent, or assistant superintendent.

(2) Principal.

(a) Initial.

(i) The candidate shall hold a valid initial or continuing teacher certificate at the time he or she applies for the initial principal's certificate.

(ii) The candidate shall have completed at least three years of certificated service in a K-12 setting, including a minimum of one year of classroom teaching experience as a certificated teacher at the level for which he or she seeks certificate endorsement: *Provided*, That if the candidate has not served as a teacher, a waiver of this requirement may be requested as specified under WAC 180-75-015 and the candidate shall during the internship experience complete supervised experiences in the classroom at the level for which the certificate will be endorsed and shall demonstrate the minimum generic standards set forth in WAC 180-79-130 and 180-79-135 for teachers.

(iii) The candidate shall complete an internship at the grade level(s) for which the certificate will be endorsed. As a minimum the internship shall be of sufficient length and depth to provide experience under supervision in all aspects of the school program and participation in

activities prior to the opening and following the closing of the regular school year.

(iv) The candidate shall have completed at least thirty quarter hours (twenty semester hours) of work applicable to a graduate degree subsequent to receipt of a baccalaureate degree in an approved program for preparation of principals.

(b) Continuing.

(i) The candidate shall hold a master's degree.

(ii) The candidate shall have completed at least three years of experience as a principal, vice principal, or assistant principal.

(3) Program administrator.

(a) Initial.

(i) The candidate shall hold a valid initial or continuing teacher or educational staff associate certificate at the time he or she applies for the program administrator's initial certificate.

(ii) The candidate shall hold a master's degree.

(iii) The candidate shall have completed at least three years of certificated service in an educational setting, grades K-12.

(iv) The candidate shall have completed an internship which provides administrative experience in an area of program speciality as well as in general program administration.

(b) Continuing.

(i) The candidate shall have completed at least fifteen quarter hours (ten semester hours) of graduate work subsequent to the master's degree relevant to educational administration or his or her subject matter field(s) or specialization(s).

(ii) The candidate shall have completed at least three years of experience as a program administrator in a district-wide assignment.

[Statutory Authority: RCW 28A.70.005. 81-12-025 (Order 7-81), § 180-79-120, filed 6/1/81. Statutory Authority: RCW 28A.04.120 (1), (2), and (3). 80-06-130 (Order 9-80), § 180-79-120, filed 6/2/80; 79-06-051 (Order 7-79), § 180-79-120, filed 5/22/79. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW. 78-06-070 (Order 6-78), § 180-79-120, filed 5/26/78.]

WAC 180-79-125 Academic and experience requirements for certification--Educational staff associate (ESA). Candidates for ESA certification shall complete the following requirements in addition to those set forth in WAC 180-75-085: *Provided*, That it shall not be necessary for any candidate who holds a master's degree to obtain a second master's degree; however, the candidate shall complete all course work and experience requirements relevant to the specialization set forth in an approved preparation program for the appropriate ESA speciality. Candidates for continuing level certification shall have completed at least three years of certificated service in an educational setting in the respective ESA role for which he or she is seeking certification.

(1) Communication disorders specialist.

(a) Initial.

(i) The candidate shall have completed all requirements for the master's degree (except special examinations, projects or thesis) with a major in speech pathology and/or audiology.

(ii) The candidate shall have completed practicum experiences in communication disorders which include observation as well as practice under supervision in K-12, clinical, and field/laboratory settings.

(b) Continuing. The candidate shall hold a master's degree with a major in speech pathology and/or audiology.

(2) Counselor.

(a) Initial.

(i) The candidate shall have completed all requirements for the master's degree (except special examinations, projects or thesis) with a major in counseling.

(ii) The candidate shall have completed a supervised practicum or internship in counseling in a K-12 school setting.

(b) Continuing. The candidate shall hold a master's degree with a major in counseling.

(3) Occupational therapist.

(a) Initial.

(i) The candidate shall have completed an approved or accredited baccalaureate degree program in occupational therapy and have status as an occupational therapist registered with the American occupational therapy association.

(ii) The candidate shall have completed a practicum experience with students of ages typically served in the common schools which includes observation as well as practice under supervision in a field or clinical setting which has an educational component.

(iii) The candidate shall have successfully completed the American occupational therapy association certification examination.

(iv) The candidate shall hold a valid license as an occupational therapist in Washington state.

(b) Continuing. The candidate shall have completed at least fifteen quarter hours (ten semester hours) of graduate work or continuing education in occupational therapy or education.

(4) Physical therapist.

(a) The candidate shall hold a baccalaureate degree in physical therapy from a college or university having an approved or accredited school of physical therapy or the candidate shall hold a baccalaureate degree and a certificate in physical therapy from an accredited school of physical therapy.

(i) The candidate shall hold a current Washington state license or a probational certificate to practice as a physical therapist.

(ii) The candidate shall have completed a practicum experience with students of ages typically served in the common schools which includes observation as well as practice under supervision in a field or clinical setting which has an educational component.

(b) Continuing. The candidate shall have completed at least fifteen quarter hours (ten semester hours) of graduate work or continuing education in physical therapy or education.

(5) School psychologist.

(a) Initial.

(i) The candidate shall have completed all requirements for the master's degree (except special examinations, projects or thesis) with a major or specialization in school psychology.

(ii) The candidate shall have completed a practicum or internship under supervision in an educational setting, K-12.

(b) Continuing. The candidate shall hold a master's degree with a major or specialization in school psychology.

(6) Reading resource specialist.

(a) Initial.

(i) The candidate shall hold a valid initial or continuing level teacher's certificate at the time he or she applies for the reading resource specialist's initial certificate.

(ii) The candidate shall have completed all requirements for the master's degree (except special examinations, projects or thesis) with a major or specialization in reading.

(iii) The candidate shall have completed field experiences in an educational setting which includes observation as well as practice under supervision.

(b) Continuing. The candidate shall hold a master's degree with a major or specialization in reading.

(7) School nurse.

(a) Initial.

(i) The candidate shall hold a valid license as a registered nurse (RN) in Washington state.

(ii) The candidate shall hold a baccalaureate degree in nursing with an emphasis in school nursing or community health.

(iii) The candidate shall have completed field experiences in an educational setting, K-12, which includes observation as well as practice under supervision.

(b) Continuing. The candidate shall have completed at least forty-five quarter hours (thirty semester hours) of upper division or graduate work in education, community health, nursing or school nursing; thirty quarter hours (twenty semester hours) of which have been taken subsequent to the first year of service as a school nurse.

(8) Social worker.

(a) Initial.

(i) The candidate shall have completed all requirements for a master's degree in social work except special examinations, projects or thesis.

(ii) The candidate shall have completed a field experience or practicum in an educational setting under the supervision of a certificated master of social work. The field experience or practicum shall be with students of ages typically served in the common schools.

(b) Continuing. The candidate shall hold a master's degree in social work or an initial level certificate as a school social worker.

[Statutory Authority: RCW 28A.04.120(3) and 28A.70.005. 86-13-017 (Order 7-86), § 180-79-125, filed 6/10/86. Statutory Authority: RCW 28A.70.005. 81-12-025 (Order 7-81), § 180-79-125, filed 6/1/81. Statutory Authority: RCW 28A.04.120 (1), (2), and (3). 80-06-130 (Order 9-80), § 180-79-125, filed 6/2/80; 79-06-051 (Order 7-79), § 180-79-125, filed 5/22/79. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW. 78-09-097 (Order 13-

78), § 180-79-125, filed 9/1/78; 78-06-070 (Order 6-78), § 180-79-125, filed 5/26/78.]

WAC 180-79-130 Minimum generic standards--

General. (1) Initial level certification. A candidate for an initial certificate as a teacher, administrator, or educational staff associate must demonstrate, while completing an approved preparation program, knowledge and skill in the following areas:

(a) Socio-cultural-economic differences and human relations. The candidate has knowledge of and appreciation for the history, contributions, and traditions of various ethnic, sex, age, socio-economic, cultural, and minority groups; recognizes dehumanizing biases; creates educational environments which contribute to the self-esteem of all persons and to positive human relationships; and facilitates understanding the beliefs, values and life styles of individuals from diverse groups and cultures.

(b) Communication and consultation. The candidate has the knowledge and skill necessary to develop and present organized oral, written, and visual materials which convey ideas and feelings to pupils, parents, colleagues, school directors and others as appropriate.

(c) Exceptionality. The candidate has knowledge about the needs and characteristics of exceptional students, including handicapped and gifted. Said knowledge regarding the gifted shall include characteristics of highly capable students and curriculum development and instruction for these students. Said knowledge regarding the handicapped shall include:

(i) Federal and state laws dealing with the education of the handicapped;

(ii) Responsibility of the regular classroom teacher who is working with handicapped students in regular classrooms;

(iii) Assessment of learning problems;

(iv) Behavioral modification techniques; and

(v) Collection and interpretation of educational data.

(d) School law. The candidate has knowledge about those federal, state, and local laws, regulations, and policies which directly affect his or her role(s) and rights and responsibilities in the K-12 educational setting.

(e) Professionalism. The candidate has knowledge about relevant professional organizations and practices in a manner consistent with the profession's code of ethics.

(f) Knowledge of K-12 educational setting. The candidate has general knowledge about the nature and foundation of the educational program and system, grades K-12.

(g) Parental involvement. The candidate has knowledge about:

(i) Techniques for involving parents in support of the learning processes that affect the parents own children;

(ii) Techniques for communicating with parents concerning the importance of such support; and

(iii) Methods that can be conveyed to parents they can use to strengthen greater achievement for the parents' own children:

(h) *Provided*, That the 1984 amendments to this subsection shall become effective commencing with the beginning of the 1986-87 academic year at colleges at universities offering a professional preparation program and each such college or university shall submit to the superintendent of public instruction prior to such year documentation of compliance with this subsection, including the 1984 amendments.

(2) Continuing level certification. In addition to demonstrating in their professional roles those minimum generic standards required for initial certification, the candidate for continuing level certificate must demonstrate knowledge and skill in the following areas:

(a) Staff development and supervision. The candidate has the knowledge and skill to initiate, develop, and present instructional and informational programs for staff, board members, and parents and to supervise and evaluate personnel who report directly to him or her.

(b) Professional development and scholarship. The candidate has depth of knowledge and demonstrates a wider range of skills which enable him or her to be increasingly more effective in his or her subject matter field or specialization; participates in continuing education and professional development activities; contributes to the preparation of others who are entering the field; and recognizes his/her own limitations and strengths

(c) Research and evaluation. The candidate has the knowledge of research/evaluation techniques and skill to read and interpret research related to his or her field; to design and implement evaluation strategies; to use results of research and/or evaluation to improve programs.

(d) Referral agencies and resource personnel. The candidate has knowledge of personnel and agencies inside and outside the educational setting which may assist the teacher, pupils, and/or parents.

(e) Knowledge of alternate grade level. The candidate has knowledge about organizational patterns, special strategies, curriculum, materials, growth and development, and staff and student personnel management essential to a school building/unit at the alternate grade level from that for which his/her initial certificate may have been endorsed.

[Statutory Authority: RCW 28A.04.120. 85-01-016 (Order 17-84), § 180-79-130, filed 12/10/84. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW. 78-06-070 (Order 6-78), § 180-79-130, filed 5/26/78.]

WAC 180-79-135 Minimum generic standards--

Teachers. Initial level certification. To qualify for initial certification the candidate must demonstrate knowledge and skill in the following areas in addition to those set forth in WAC 180-79-130(1).

(1) Instructional skill. The candidate has knowledge and skill to design and conduct instructional experiences. Specifically the candidate has:

(a) Sufficient knowledge and skill to assess a student's reading level and to assist that student in meeting content area reading requirements;

(b) Sufficient knowledge about the needs of students requiring remedial instruction, assessment of learning problems, appropriate remedial methods and materials,

and ways of adapting the regular curriculum for these students; and

(c) Knowledge about and an understanding of the potential instructional uses of the computer and other technological developments:

(d) *Provided*, That the 1984 amendments to this subsection shall become effective commencing with the beginning of the 1986-87 academic year at colleges and universities offering a professional preparation program and each such college or university shall submit to the superintendent of public instruction prior to such year documentation of compliance with this subsection, including the 1984 amendments.

(2) Classroom management. The candidate has knowledge and skill necessary to organize the physical and human elements in the educational setting to foster maximum student learning.

(3) Subject matter. The candidate has breadth of knowledge of theory and content in general education and pedagogy and depth of knowledge in one or more subject matters or teaching specializations appropriate to the elementary and/or secondary levels.

(4) Pupil/student personnel. The candidate has knowledge of normal and exceptional growth and development; the unique needs, characteristics, and developmental tasks of pupils of differing ages; and normative characteristics of age groups and has the skill to use this knowledge in working with pupils individually and in groups and in designing learning experiences.

(5) Pupil discipline. The candidate has knowledge and skill necessary to manage the human dynamics of the classroom.

[Statutory Authority: RCW 28A.04.120. 85-01-016 (Order 17-84), § 180-79-135, filed 12/10/84. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW. 78-06-070 (Order 6-78), § 180-79-135, filed 5/26/78.]

WAC 180-79-150 Role and minimum generic standards--Administrators--Initial certification--Superintendents. (1) The superintendent is responsible for administration of the school district.

(2) To qualify for initial certification the candidate must demonstrate knowledge and skill in the following areas in addition to those set forth in WAC 180-79-130(1):

(a) Organizational management and accountability. The candidate has the knowledge and skill to plan, develop, coordinate, and supervise implementation and evaluation of district-wide policies, procedures, and curricular and instructional programs and to provide leadership relative to management and accountability district-wide.

(b) Facility and resource management and acquisition. The candidate has the knowledge and skill to identify facility and resource needs of the district and to coordinate procedures essential to maintenance and acquisition of facilities and resources.

(c) Personnel management. The candidate has the knowledge and skill to establish district personnel policies and practices consistent with law and negotiated

agreements in employment, assignment, supervision, evaluation, and other personnel related matters.

(d) Fiscal management. The candidate has the knowledge and skill necessary to plan, develop, and coordinate district budget preparation, district funding, and fiscal accountability.

(e) Community relations. The candidate uses staff and community resources to assess educational needs of the community, to develop district goals and objectives, to resolve school-community issues, and to implement a positive public information program.

(f) School law. The candidate knows federal, state, and local statutes, rules and regulations, policies, and court decisions which affect management and operation of the total district and its programs and has the knowledge and skill to develop policies and, as appropriate, rules and regulations for consideration and adoption by the local board of directors.

(g) Legislative process. The candidate knows how the legislative process works and has the skill to use that process.

[Statutory Authority: RCW 28A.70.005. 81-12-025 (Order 7-81), § 180-79-150, filed 6/1/81. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW. 78-06-070 (Order 6-78), § 180-79-150, filed 5/26/78.]

WAC 180-79-155 Role and minimum generic standards--Administrators--Initial certification--Principals. (1) The principal is responsible for administration of a school building.

(2) The candidate for initial certification as the principal shall demonstrate knowledge and skill in the following areas in addition to those set forth in WAC 180-79-130(1):

(a) Knowledge of the field. The candidate has knowledge and skill in areas of educational administration relevant to building management, supervision, curriculum, and instruction.

(b) Building administration and management. The candidate has knowledge and skill necessary to serve accountably in administering the unit/area of assigned responsibility. The candidate has the knowledge and skill to initiate alternate patterns of space, time, and student-staff groupings; oversee plans for the care, maintenance, and beautification of the physical environment; establish policies and procedures that govern changes in the school; and develop master and class schedules.

(c) Community relations. The candidate has knowledge and skill to use community resources in assessing and developing school programs, solving school community problems, and implementing a public information program which promotes positive interactions between the school and community.

(d) Program development and leadership. The candidate has the knowledge and skill to assist staff in developing and implementing instructional, curricular, and assessment programs.

(e) Fiscal management. The candidate has the knowledge and skill to implement principles of fiscal management and record keeping and to identify fiscal needs emanating from the program, facility, and resources.

(f) Activity coordination. The candidate has knowledge and skill to plan and develop governance policies and supervise and evaluate student activities.

(g) Auxiliary services. The candidate has knowledge and skill to coordinate auxiliary services such as health services, transportation, food services, pupil personnel services, maintenance, and learning resource programs.

(h) Staff personnel management. The candidate has knowledge and skill necessary to select, assign and evaluate staff personnel; to interpret district collective bargaining agreements relative to staff personnel; to implement district personnel policies and procedures; and to understand the dynamics of staff relationships and decision-making processes within the building or unit.

(i) Student personnel. The candidate has knowledge and skill necessary to maintain attendance and student personnel records and implement effective principles of discipline, student control, and student management.

[Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW. 78-06-070 (Order 6-78), § 180-79-155, filed 5/26/78.]

WAC 180-79-160 Role and minimum generic standards--Administrators--Initial certification--Program administrators. (1) The program administrator is responsible for management of a district-wide activity or service involving the instructional program or specialized services which directly support the instructional program.

(2) The candidate for initial level certification shall demonstrate knowledge and skill in the following areas in addition to those set forth in WAC 180-79-130(1):

(a) Knowledge of field or specialization. The candidate shall have depth of knowledge and skill in the subject matter field, instructional area, or specialization for which the program administrator certificate is to be endorsed. The candidate knows curriculum and specialized materials, equipment and facilities; theory and techniques; and principles and methods relevant to the specialization.

(b) Personnel management. The candidate has the knowledge and skill necessary to select, assign, supervise, train, and evaluate personnel within the program.

(c) Financial management. The candidate has knowledge and skill to maintain required records accurately, prepare budget requests, and manage a budget.

(d) Community relations. The candidate has the knowledge and skill to conduct or participate in citizen meetings, to assess community needs relative to the specific program, to develop programs for the community, and to promote positive school-community relationships.

(e) Program development and management. The candidate has the knowledge and skill to set goals and objectives relative to the specific program, to delegate responsibility, to stimulate subordinates to perform, to involve those with expertise and interest in development of goals, objectives, and programs.

(f) Staff development. The candidate can design and conduct inservice and continuing education experiences for personnel in the specific field or specialization.

[Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW. 78-06-070 (Order 6-78), § 180-79-160, filed 5/26/78.]

WAC 180-79-170 Minimum generic standards--Educational staff associates--General. (1) Initial level certification. In addition to the minimum generic standards set forth in WAC 180-79-130(1), candidates for initial certification as educational staff associates shall demonstrate knowledge and skill in the following areas:

(a) Management of special and technical environments. The candidate manages and organizes the materials, equipment and environment essential to implement the respective specialized program.

(b) Assessment and diagnosis. The candidate has the knowledge and skill to develop, select, administer, and interpret assessment procedures and instruments as appropriate to his/her professional role, specialization, and responsibilities.

(2) Continuing level certification. In addition to those minimum generic standards set forth in WAC 180-79-130(2) the candidate for continuing level certification shall demonstrate knowledge and skill in the following areas:

(a) Consultation. The candidate has the knowledge and skill to provide consultive services to parents, school personnel, and others; to make referral to nonschool agencies; and to participate in case conferences with other specialists and school personnel.

(b) Program development and management. The candidate has the knowledge and skill to plan, develop, and implement a program of instruction, remediation, prevention, and/or evaluation as appropriate to his/her professional specialization; to provide information to instructional staff and curriculum decision makers regarding pupil needs, community needs and resources; and works consistently to incorporate current ethical, legal, and professional developments into school policy and practice.

[Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW. 78-06-070 (Order 6-78), § 180-79-170, filed 5/26/78.]

WAC 180-79-175 Role and minimum generic standards--Educational staff associate--Initial certification--Communication disorders specialists (CDS). (1) The communication disorders specialist provides diagnostic, therapeutic, and consultive services for individuals handicapped by disorders of language, speech and/or hearing.

(2) Initial level certification.

In addition to the minimum generic standards required in WAC 180-79-130(1) and 180-79-170(1), the candidate for initial level certification shall demonstrate knowledge and skills in the following areas for initial level certification:

(a) Knowledge of field. The candidate has knowledge about normal and atypical speech development; causes and treatment of disorders of speech, language and hearing.

(b) Assessment and diagnosis. The candidate has the knowledge and skill necessary to select, administer, and

interpret assessment instruments relevant to the communication disorders specialist field; identify students who exhibit disorders of speech, language and/or hearing; and determine through diagnostic procedures or referral the nature, etiology, and severity of the specific disorders.

(c) Program development. The candidate has knowledge and skill to develop a treatment program appropriate to the specific disorder(s); to implement the program within the educational setting, including the classroom; and/or to conduct a clinical program to modify the behavior that characterizes the disorder.

(d) Program evaluation. The candidate has the knowledge and skill to conduct systematic, evaluative procedures focusing on the improvement of the speech and language program in the school setting.

(e) Consultation. The candidate has the knowledge and skill to provide consultive services to parents, school personnel, and others concerned about speech, language and/or hearing disorders and programs; to make referral to nonschool agencies; and to participate in case conferences with other specialists and school personnel.

[Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW. 78-06-070 (Order 6-78), § 180-79-175, filed 5/26/78.]

WAC 180-79-180 Role and minimum generic standards—Educational staff associates—Counselor. (1) The counselor facilitates individual development.

(2) Initial level certification. In addition to the minimum generic standards required in WAC 180-79-130(1) and 180-79-170(1) the candidate for initial level counselor certification shall demonstrate knowledge and skill in the following areas for initial level certification:

(a) Knowledge of field. The candidate has knowledge and skill in relevant fields of study including guidance services, career development and information, individual and group counseling theory and techniques, assessment and testing, vocational information, and placement.

(b) Individual and group counseling. The candidate has the knowledge and skill necessary to provide individual and/or group counseling for students requesting assistance with personal, social, vocational, or educational concerns, as well as with career and life planning.

(c) Informational services. The candidate has the knowledge and skill to provide information regarding vocations, education and training, community resources, other relevant aspects of the individual's environment and the ability to implement the referral process.

(d) Confidentiality. The candidate has knowledge of and provides services in adherence to the American personnel and guidance association code of ethics, particularly as it relates to the individual's rights to privacy and confidentiality.

[Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW. 78-06-070 (Order 6-78), § 180-79-180, filed 5/26/78.]

WAC 180-79-185 Role and minimum generic standards—Educational staff associate—Occupational therapist (OT). (1) The school occupational therapist provides service to those students whose abilities to cope

with tasks of living are threatened or impaired by developmental deficits, poverty and cultural differences, physical injury or illness, or psychological and social disability.

(2) Initial level certification. In addition to the minimum generic standards required in WAC 180-79-130(1) and 180-79-170(1) the candidate for initial level certification as an occupational therapist shall demonstrate knowledge and skill in the following areas:

(a) Knowledge of the field. The candidate has knowledge and skill about normal and atypical growth, development and performance; causes of dysfunction; and treatment thereof and foundations of occupational therapy.

(b) Assessment and diagnosis. The candidate has the knowledge and skill to select, administer, and interpret those assessment instruments and procedures which will assist in determining the student's rate and quality of growth and development and effects on the educational process and life adjustment.

(c) Program development. The candidate has the knowledge and skill to plan and implement an occupational therapy treatment program to achieve explicit goals for the student.

(d) Program records and evaluation. The candidate has the knowledge and skill to maintain required written records and to evaluate the effectiveness of the program in terms of student outcomes and program objectives.

[Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW. 78-06-070 (Order 6-78), § 180-79-185, filed 5/26/78.]

WAC 180-79-190 Role and minimum generic standards—Educational staff associate—Physical therapist (PT). (1) The physical therapist seeks to relieve disability and pain, develop or restore motor function, and maintain maximum performance within the student's capabilities.

(2) Initial level certification. In addition to the minimum generic standards required in WAC 180-79-130(1) and 180-79-170(1), the candidate for initial level certification as a physical therapist shall demonstrate knowledge and skill in the following areas:

(a) Knowledge of field. The candidate has knowledge and skill in relevant fields of study including anatomy and physiologic processes, normal and atypical growth and development, medical procedures and treatment, and history and foundations of physical therapy.

(b) Assessment and diagnosis. The candidate has the knowledge and skill to select, administer, and interpret physical therapy procedures, instruments, and techniques essential to assessment of the student's disability.

[Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW. 78-06-070 (Order 6-78), § 180-79-190, filed 5/26/78.]

WAC 180-79-195 Role and minimum generic standards—Educational staff associate—School psychologist. (1) The school psychologist is a specialist in individual differences and learning processes who applies psychological knowledge to enhance the educational progress of all children.

(2) Initial level certification. In addition to the minimum generic standards required in WAC 180-79-130(1) and 180-79-170(1), the candidate for initial level certification as a school psychologist shall demonstrate knowledge and skill in the following areas:

(a) Knowledge of the field. The candidate has knowledge and skill in relevant fields of study including learning theory, personality theory and development, individual and group testing and assessment, individual counseling and interviewing theory and techniques, basic statistics, child development, research design, exceptional children, deviant personality, curriculum, and learning theory.

(b) Academic and intellectual assessment and diagnosis. The candidate has knowledge and skill necessary to select, administer, and interpret individual intelligence tests including but not limited to the Wechsler and Stanford-Binet; individual academic tests including diagnostic and placement tests such as the Durrell, Gates-McKillop, Spache, and Wide Range Achievement Test; and group tests such as the Lorge-Thorndike, Metropolitan, and Otis.

(c) Behavioral observation and analysis. The candidate has knowledge and skill in behavioral observation including data taking, frequency measures, and qualitative and quantitative analysis of classroom behavior, and developmental and personality analysis, including perceptual, cognitive, social, affective, and language development in children and the use of such scales as the Vineland Social Maturity Scale, and Gesell Schedules.

(d) Counseling and interviewing. The candidate has the knowledge and skill necessary to provide individual counseling to students and to conduct interviews essential to information collecting from parents, teachers, and other specialists.

(e) Program development. The candidate has the knowledge and skill to make educational prescriptions, including specification of the remedial environmental changes, both curricular and behavioral, for a particular student.

(f) Consultation. The candidate has the knowledge and skill to function in multidisciplinary teams in evaluating and placing students and to confer with parents, specialists, teachers, referral personnel, and others relative to the student's characteristics and needs in the educational setting.

(g) Program evaluation and recordkeeping. The candidate has the knowledge and skill necessary to develop and implement program evaluation and maintain required program and personnel records.

(h) Professionalism. The candidate has knowledge of professional standards regarding ethical and legal practices relevant to the practice of school psychology and demonstrates knowledge and skill in written and oral reporting of assessments and remedial recommendations which will meet ethical and legal standards.

(i) Research. The candidate has knowledge and skill to evaluate research, to apply school-oriented research, and to construct criterion-referenced instruments with reference to such educational decisions as retention in grade, acceleration, and early entrance.

[Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW. 78-06-070 (Order 6-78), § 180-79-195, filed 5/26/78.]

WAC 180-79-200 Role and minimum generic standards—Educational staff associate—Reading resource specialist. (1) The reading resource specialist serves as a diagnostician, advisor, special instructor, and evaluator providing consultation, training, and assistance to classroom teachers and other personnel participating in the reading program.

(2) Initial level certification. In addition to the minimum generic standards required in WAC 180-79-130(1) and 180-79-170(1), the candidate for initial level certification as a reading resource specialist shall demonstrate knowledge and skill in the following areas:

(a) Knowledge of the field. The candidate has knowledge and skill to describe and/or demonstrate the sequence of instruction required in decoding, vocabulary development, reading comprehension, and reading study; compare approaches to reading; interpret research results; state and apply a set of psychological principles of cognitive and affective learning; describe a model of the reading process; use a model or theory as a referent for choices and practices related to reading instruction; and to select trade, text, and resource materials.

(b) Instructional skill. The candidate has the knowledge and skill to describe and/or demonstrate several ways to individualize reading instruction in the classroom and to organize the classroom for optimal learning.

(c) Program evaluation. The candidate has the knowledge and skill to evaluate developmental corrective and remedial reading programs.

(d) Assessment and diagnosis. The candidate has the knowledge and skill to assess strengths and limitations of standardized reading tests, and informal reading inventories; to diagnose reading problems; to use informal assessment techniques and procedures; to interpret pertinent data; and to identify and recommend techniques, materials or remediation to teachers, parents and others involved in the reading program.

(e) Program development. The candidate has the knowledge and skill to plan and implement a developmental reading program which will include corrective and remedial reading programs.

(f) Staff development and consultation. The candidate has the knowledge and skill to help classroom teachers improve their skills in teaching reading and to analyze and evaluate current practices, materials and programs, and interpret them to teachers.

[Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW. 78-06-070 (Order 6-78), § 180-79-200, filed 5/26/78.]

WAC 180-79-205 Role and minimum generic standards—Educational staff associate—School nurse.

(1) The school nurse, in collaboration with others, utilizes the school health program to contribute significantly to the attainment of the full health and educational potential of each student.

(2) Initial level certification. In addition to the minimum generic standards required in WAC 180-79-130(1) and 180-79-170(1), the candidate for initial

level certification as a school nurse shall demonstrate knowledge and skill in the following areas:

(a) Knowledge of field. The candidate has knowledge and skill in relevant fields of study including human growth and development; physical, mental and behavioral deviations; prevention; therapeutic treatment and community health; and school health programs.

(b) Program development and implementation. The candidate has the knowledge and skill to develop a school health program which assists students, families, and school staff to deal with health problems; responds to each student's unique developmental health needs; minimizes the effect of sudden illness or injury in the school setting; provides students, families and faculty with a basis for decision making regarding health which promotes prevention and wellness; contributes to a safe and healthy school environment; and ensures that health needs are recognized and planned for in the total school program.

[Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW. 78-06-070 (Order 6-78), § 180-79-205, filed 5/26/78.]

WAC 180-79-210 Role and minimum generic standards--Educational staff associate--School social worker. (1) The school social worker contributes to the study and adjustment of pupils' problems through understanding of human growth and development, skill in developing human relationships and use of school, community resources, and professional resources within the educational setting.

(2) Initial level certification. In addition to the minimum generic standards required in WAC 180-79-130(1) and 180-79-170(1), the candidate for initial level certification shall demonstrate knowledge and skill in the following areas:

(a) Knowledge of the field. The candidate has knowledge and skill in relevant fields of study including social science theory and research; individual and group counseling and interviewing; the components of human functioning (e.g., physical, social, cultural, psychological) and dysfunctioning, personality development theories, and their various inter-relationships; principles of human learning (e.g., limitation, reinforcement, cognitive, psycho-motor, and social learning theories); and personality development.

(b) Community relations. The candidate has knowledge and skill in policy analysis so as to:

- (i) Anticipate social needs in a community;
- (ii) Assist decision makers in making informed choices; and
- (iii) Identify the relationship and impact of social forces in motivating people in communities to organize to express their needs and preferences and to engage in social problem solving; in influencing service delivery systems; and in using leadership abilities in community, professional organizations and agency settings to change social policy.

(c) Research and evaluation. The candidate has knowledge and skill necessary to conduct research and

evaluation in social work including methods and techniques for measuring organizational performance, evaluating program effectiveness, determining the community need for various types of community action, implementing systematic data collection, and deriving and evaluating treatment interventions for client systems.

(d) Counseling and interviewing. The candidate has the knowledge and skill to consult, counsel, and interview the student individually or in a family setting; to provide assistance to the family, teachers and administrators, and other professional personnel; to cooperate with professional specialists to select and refer the student and/or his or her family to appropriate agencies and personnel within or outside the schools and to inform others about the social work program.

[Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW. 78-06-070 (Order 6-78), § 180-79-210, filed 5/26/78.]

WAC 180-79-215 Minimum generic standards--Educational staff associate--Continuing certification. In addition to those minimum generic standards required for initial certification, the candidate for continuing level certification as an educational staff associate shall demonstrate those minimum generic standards set forth in WAC 180-79-130(2) and 180-79-170(2).

[Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW. 78-06-070 (Order 6-78), § 180-79-215, filed 5/26/78.]

WAC 180-79-230 Limited certificates. The following certificates are issued under specific circumstances for limited periods of service as outlined:

(1) Consultant special certificate.

(a) The issuance of consultant special certificates is limited to:

(i) Persons highly qualified and experienced in fields of knowledge to be taught in the common or nonpublic schools;

(ii) Persons who qualify to instruct in the traffic safety program as paraprofessionals pursuant to WAC 392-153-020 (2) and (3);

(iii) Persons who qualify to teach specific subjects in the adult education program;

(iv) Persons who under previous standards hold the band and orchestra certificate; and

(v) Persons who are assigned instructional responsibility for intramural/interscholastic activities which are part of the district approved program.

(b) Such certificates are issued to individuals who are screened by the local school district or educational service district superintendents. The educational service district or local district superintendent will verify that the following criteria have been met when requesting the consultant special certificate:

(i) No person with regular certification in the field is available as verified by the district or educational service district superintendent;

(ii) The individual will be delegated primary responsibility for planning, conducting, and evaluating instructional activities and will not be serving in a paraprofessional role which would not require certification;

(iii) The individual is being certificated for a limited assignment and responsibility in a specified activity/field;

(iv) Personnel so certificated will be oriented and prepared for the specific assignment and will be apprised of any legal liability, the lines of authority, and the duration of the assignment; and

(v) The district or educational service district superintendent will indicate the basis on which he/she has determined that the individual is competent for the assignment and will verify that general requirements for certification as set forth in WAC 180-79-105 through 180-79-110 have been met.

(c) The certificate is valid for one year and only for the activity specified. The certificate may be reissued on application and evidence that requirements continue to be met: *Provided*, That the superintendent of public instruction may extend the validity of the certificate for more than one year but no more than four years.

(2) Substitute certificate.

(a) The substitute certificate entitles the holder to act as substitute during the absence of the regularly certificated staff member for a period not to exceed thirty consecutive school days during the school year in any one assignment. This certificate may be issued to:

(i) Elementary or secondary school teachers, educational staff associates or administrators whose state of Washington certificates have expired, or

(ii) Persons who have completed state approved preparation programs at regionally accredited colleges and universities for certificates within the past ten years, or

(iii) Any district unable to secure substitutes who meet these requirements may contact the office of the superintendent of public instruction to request a waiver of these requirements. Reasons for the request and qualifications of the proposed substitute shall be set forth in writing.

(b) The substitute certificate is valid for three years and may be reissued subsequently for three-year periods: *Provided*, That the superintendent of public instruction may determine in emergency situations to issue the substitute certificate to persons not fully qualified under this subsection for a period not to exceed one year.

(3) Emergency certification.

(a) Emergency certification for specific positions may be issued upon the recommendation of school district and educational service district superintendents to persons who hold the appropriate degree and have substantially completed a program of preparation in accordance with Washington requirements for certification: *Provided*, That a qualified person who holds regular certification is not available or that the position is essential and circumstances warrant consideration of issuance of an emergency certificate. The superintendent of public instruction shall determine that the issuance of such certificate is in the best interest of the state.

(b) The emergency certificate is valid for one year.

[Statutory Authority: RCW 28A.70.005, 81-12-025 (Order 7-81), § 180-79-230, filed 6/1/81. Statutory Authority: RCW 28A.04.120 (1), (2), and (3), 79-06-051 (Order 7-79), § 180-79-230, filed 5/22/79. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW. 78-06-070 (Order 6-78), § 180-79-230, filed 5/26/78.]

WAC 180-79-245 Reciprocity. Candidates for certification who hold certificates or credentials in other states or who have completed approved or accredited preparation programs in other states shall be eligible for Washington certificates as follows:

(1) Initial certificate. The initial certificate shall be issued by the superintendent of public instruction to any candidate who:

(a) Qualifies under provisions of the interstate compact or of this chapter; or

(b) Holds the appropriate degree as set forth in WAC 180-79-250; has completed a state approved preparation program at a regionally accredited college or university in the professional field for which the certificate is to be issued; and has verification by previous supervisors and instructors that he or she possesses the relevant minimum generic standards: *Provided*, That no more than seven years has elapsed since the individual completed his or her preparation or last served in a certificated position in an educational setting.

(2) Continuing certificate. The continuing certificate shall be issued on verification from a Washington state board of education approved preparation program that the individual meets relevant academic and experience requirements and minimum generic standards set forth in this chapter or directly by the superintendent of public instruction or his or her designee as set forth below:

(a) Teachers.

(i) Out-of-state candidates who meet all requirements for continuing certification as set forth in WAC 180-75-080, 180-75-085, 180-79-115, and 180-79-250 and who have verification from previous supervisors or instructors that they meet the minimum generic standards set forth in WAC 180-79-130 and 180-79-135 shall be issued a continuing certificate.

(ii) Out-of-state candidates who have not completed all requirements for continuing certification as outlined in section (a)(i) above shall proceed as follows:

(A) Out-of-state candidates who elect to complete the continuing certificate out-of-state. Candidates shall be assisted by SPI and shall meet all requirements for out-of-state candidates set forth in (2)(a)(i) above.

(B) Out-of-state candidates who elect to complete the continuing certificate in Washington state.

Candidates who need fifteen quarter hours or less of coursework and/or experience to complete the requirements for continuing certification shall be assisted by the superintendent of public instruction. The superintendent of public instruction's recommendations of coursework or experience shall be based on suggestions made by the district in which the candidates teach or have most recently taught.

Candidates who need sixteen quarter hours or more of coursework to complete the requirements for continuing certification shall be informed of and referred to an in-state approved program for completion of certificate requirements.

All candidates shall provide verification from supervisors or instructors that they meet minimum generic standards for continuing certification set forth in WAC 180-79-130 and 180-79-135.

All candidates shall provide evidence that they have completed three years of service in an educational setting, at least two years of which shall be as a classroom teacher in grades K-12.

(b) Administrators.

(i) Out-of-state candidates for any administrative certificate who meet requirements for continuing certification as set forth in WAC 180-75-085 and 180-79-120 and who have verification from previous supervisors or instructors that they meet the relevant minimum generic standards set forth in WAC 180-79-130 and 180-79-150, 180-79-155, or 180-79-160 shall be issued a continuing certificate.

(ii) Out-of-state candidates who have not completed all requirements for continuing certification as outlined in section (b)(i) above shall proceed as follows:

(A) Out-of-state candidates who elect to complete the continuing certificate out-of-state. Candidates shall be assisted by SPI and shall meet all requirements for out-of-state candidates set forth in (2)(b)(i) above.

(B) Out-of-state candidates who elect to complete the continuing certificate in Washington state.

Candidates needing fifteen quarter hours or less of coursework to fulfill certification requirements shall be assisted by SPI. SPI's recommendations shall be based on suggestions made by the district in which the administrative candidate serves.

Candidates needing more than fifteen quarter hours of coursework, or needing to meet degree requirements shall be referred to an in-state institution which has an approved program to prepare persons for the respective administrative certificate.

All candidates shall provide verification from supervisors or instructors that they meet the minimum generic standards for continuing certification set forth in WAC 180-79-130 and 180-79-150, 180-79-155, or 180-79-160.

All candidates shall provide evidence that they have completed three years of service in the respective administrative role as set forth in WAC 180-79-120.

(c) Educational staff associate. All candidates for continuing certification shall be referred to an in-state approved program for assistance and verification of minimum generic standards: *Provided*, That any out-of-state candidate who through no fault of his or her own is unable to gain admission to or review by a state board of education approved program relevant to his or her certification within a reasonable period may request that the superintendent of public instruction or his or her designee issue a continuing certificate on verification from an out-of-state college or university having a state approved preparation and certification program in the specialization and from previous supervisors that relevant academic and experience requirements and continuing level generic standards set forth in this chapter have been demonstrated within the seven-year period immediately preceding application for the certificate in Washington state or the applicant shall complete recency requirement set forth in WAC 180-79-065(3).

[Statutory Authority: RCW 28A.70.005. 81-12-025 (Order 7-81), § 180-79-245, filed 6/1/81. Statutory Authority: RCW 28A.04.120 (1),

(2), and (3). 80-06-130 (Order 9-80), § 180-79-245, filed 6/2/80; 79-06-051 (Order 7-79), § 180-79-245, filed 5/22/79. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW. 78-06-070 (Order 6-78), § 180-79-245, filed 5/26/78.]

WAC 180-79-250 Degree and preparation required for out-of-state candidates for initial certification. The superintendent of public instruction will issue an initial certificate on verification that the candidate meets relevant general and experience requirements for initial certification set forth in WAC 180-75-080, 180-75-085, and 180-79-115 through 180-79-125 and evidence of the following:

(1) Teacher. Completion of a state approved teacher education program and a baccalaureate degree from a regionally accredited college or university.

(2) Administrator.

(a) Completion of a state approved administrator preparation program in the appropriate endorsement area (superintendent, principal, or program administrator) from a regionally accredited college or university.

(b) Applicants for endorsement as a superintendent must hold a master's degree in a field related to educational administration and must have completed an internship or one year of experience as a superintendent as verified by the local district board of directors.

(c) Applicants for the principal's endorsement must hold a baccalaureate degree and must have completed thirty quarter hours (twenty semester hours) of graduate work applicable to a master's degree in educational administration and an internship under supervision or one year of experience as a school principal as verified by the district superintendent or his/her designee.

(d) Applicants for the program administrator's endorsement must hold a master's degree in a subject matter field or educational staff associate specialization and shall have served at least one year in a district-wide administrative role responsible for management of a program or special area of curriculum and instruction.

(3) Educational staff associate. Completion of a state approved preparation program in the respective educational staff associate field from a regionally accredited college or university and the following degree and licensing requirements:

(a) Psychologist. Provide evidence of completion of an approved/accredited master's degree in school psychology.

(b) Counselor. Provide evidence of completion of an approved/accredited master's degree in school counseling and guidance.

(c) Nurse. Provide evidence of completion of an approved/accredited baccalaureate degree in nursing with an emphasis in school and/or community health and licensure in Washington state as an RN.

(d) Communication disorders specialist. Provide evidence of completion of an approved/accredited master's degree program with a major in speech pathology and/or audiology.

(e) School social worker. Provide evidence of completion of an approved/accredited master's degree in social work (MSW).

(f) Occupational therapist. Provide evidence of completion of an approved/accredited baccalaureate program in occupational therapy and status as an occupational therapist registered with the American occupational therapy association.

(g) Reading resource specialist. Provide evidence of completion of an approved/accredited master's degree in the reading resource specialization.

(h) Physical therapist. Provide evidence of the following:

- (i) A baccalaureate degree;
- (ii) A certificate of completion; or
- (iii) A master's degree.

The applicant must hold a current Washington state license as a physical therapist or a valid probational certificate.

[Statutory Authority: RCW 28A.04.120 (1), (2), and (3). 80-06-130 (Order 9-80), § 180-79-250, filed 6/2/80. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW. 78-06-070 (Order 6-78), § 180-79-250, filed 5/26/78.]

Chapter 180-80 WAC

TEACHER EDUCATION AND CERTIFICATION

WAC

- 180-80-205 Washington program of teacher education—Provisional and standard certificates.
- 180-80-210 Washington program of teacher education—Provisional certificate.
- 180-80-215 Washington program of teacher education—Standard certificate.
- 180-80-280 Administrators' credentials—Requirements—Types—Effective date—Interpretation of standards.
- 180-80-285 Administrators' credentials—Credit hour and degree requirements.
- 180-80-290 Administrators' credentials—Study program—Principals' credentials.
- 180-80-295 Administrators' credentials—Study program—Superintendent's credentials.
- 180-80-300 Administrators' credentials—Experience requirements.
- 180-80-301 Administrators' credentials—Teacher's certificate a prerequisite.
- 180-80-302 Administrators' credentials—General requirements for determination of applicant eligibility.
- 180-80-303 Administrators' credentials—Administrative positions authorized.
- 180-80-312 Administrators' credentials—Period of validity and reinstatement of credentials.
- 180-80-530 Guidelines and standards for programs of preparation leading to teacher certification—Preservice program.
- 180-80-705 Guidelines and standards for development and approval of programs of preparation—Certification.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

- 180-80-195 Purpose. [Order 11-77, § 180-80-195, filed 9/13/77; Order 5-77, § 180-80-195, filed 6/1/77.] Repealed by 78-06-063 (Order 7-78), filed 5/25/78. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW.
- 180-80-200 Teachers—General provisions. [Statutory Authority: RCW 28A.04.120. 78-03-013 (Order 1-78), § 180-80-200, filed 2/8/78; Order 11-77, § 180-80-200, filed 9/13/77; Order 4-76, § 180-80-200, filed 3/23/76; Order 1-76, § 180-80-200, filed 2/3/76; Order 2-75, § 180-80-200, filed 2/4/75, effective 7/1/75; Order 11-70, § 180-80-200, filed 10/30/70,

- effective 11/30/70; § I, filed 10/4/62; certification rules (C.R.), § I, filed 3/24/60. Former subsection (5), State history and government, filed 6/20/67, recodified as WAC 180-80-202.] Repealed by 78-06-063 (Order 7-78), filed 5/25/78. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW.
- 180-80-201 Evaluation of preparation and experience to determine equivalency of qualifications for teacher certification. [Order 9-71, § 180-80-201, filed 10/13/71.] Repealed by 78-06-063 (Order 7-78), filed 5/25/78. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW.
- 180-80-202 State history and government. [Order 6-76, § 180-80-202, filed 5/27/75; Order 11-70, § 180-80-202, filed 10/30/70, effective 11/30/70; § 180-80-200(5) and § 180-80-255, filed 6/20/67, effective 7/21/67; § I, filed 10/4/62; certification rules (C.R.), § I, filed 3/24/60; § III (part), filed 10/4/62; § IIIA (part), filed 3/24/60.] Repealed by 78-06-063 (Order 7-78), filed 5/25/78. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW.
- 180-80-217 Extension of common school certification to experienced college teachers. [Order 1-76, § 180-80-217, filed 2/3/76; Order 11-70, § 180-80-217, filed 10/30/70, effective 11/30/70; Order, filed 6/21/63, effective 7/22/63.] Repealed by 78-06-063 (Order 7-78), filed 5/25/78. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW.
- 180-80-220 Vocational education certification—Qualifications for—General provisions. [Order 5-77, § 180-80-220, filed 6/1/77; Order 1-76, § 180-80-220, filed 2/3/76; Order 11-70, § 180-80-220, filed 10/30/70, effective 11/30/70; § IIB (part), filed 10/4/62; § IID (part), filed 3/24/60.] Repealed by 78-06-063 (Order 7-78), filed 5/25/78. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW.
- 180-80-225 Vocational certificates—Agriculture. [§ IIB (part), filed 10/4/62; § IID (part), filed 3/24/60.] Repealed by Order 11-70, filed 10/30/70, effective 11/30/70. See WAC 180-80-220.
- 180-80-230 Vocational certificates—Distributive education. [§ IIB (part), filed 10/4/62; § IID (part), filed 3/24/60.] Repealed by Order 11-70, filed 10/30/70, effective 11/30/70. See WAC 180-80-220.
- 180-80-235 Vocational certificates—Trade and industry. [§ IIB (part), filed 10/4/62; § IID (part), filed 3/24/60.] Repealed by Order 11-70, filed 10/30/70, effective 11/30/70. See WAC 180-80-220.
- 180-80-240 Junior college certificate. [§ IIC, filed 10/4/62; Rule 2b, filed 6/27/61; § IIE, filed 3/24/60.] Repealed by Order 11-70, filed 10/30/70, effective 11/30/70.
- 180-80-245 Adult education certification. [Order 1-76, § 180-80-245, filed 2/3/76; Order 11-70, § 180-80-245, filed 10/30/70, effective 11/30/70; § IID, filed 10/4/62; Rule 2b, filed 6/27/61.] Repealed by 78-06-063 (Order 7-78), filed 5/25/78. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW.
- 180-80-247 High school librarian certification. [Order 11-70, § 180-80-247, filed 10/30/70, effective 11/30/70; § IIE, filed 10/4/62; rule IIF, filed 3/24/60; formerly codified in WAC 180-80-250.] Repealed by 78-06-063 (Order 7-78), filed 5/25/78. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW.
- 180-80-250 Special and substitute certificates. [Order 11-77, § 180-80-250, filed 9/13/77; Order 5-77, § 180-80-250, filed 6/1/77; Order 1-76, § 180-80-250, filed 2/3/76; Order 7-75, § 180-80-250, filed 7/22/75; Order 4-75, § 180-80-250, filed 3/31/75; Order 11-70, § 180-80-250, filed 10/30/70, effective 11/30/70; § IIE, filed 10/4/62; Rule IIF, filed 3/24/60.] Repealed by 78-06-063 (Order 7-78), filed 5/25/78. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW.

- 180-80-251 Permits. [Permanent and Emergency Order 15-77, § 180-80-251, filed 12/7/77, effective 12/7/77; Order 11-77, § 180-80-251, filed 9/13/77.] Repealed by 78-06-063 (Order 7-78), filed 5/25/78. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW.
- 180-80-255 Certification of teachers from out-of-state—Requirement as to Washington or Pacific Northwest history and government. [§ 180-80-255, filed 6/20/67, effective 7/21/67; § III (part), filed 10/4/62; § IIIA (part), filed 3/24/60.] Repealed by Order 11-70, filed 10/30/70, effective 11/30/70. See WAC 180-80-202.
- 180-80-256 Certification of out-of-state trained teachers—Interstate educational personnel contracts. [Order 11-70, § 180-80-256, filed 10/30/70, effective 11/30/70.] Repealed by 78-06-063 (Order 7-78), filed 5/25/78. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW.
- 180-80-258 Certification of out-of-state trained teachers—General provisions. [Order 11-70, § 180-80-258, filed 10/30/70, effective 11/30/70; § III (part), filed 10/4/62; § IIIA (part), filed 3/24/60; formerly codified as WAC 180-80-255.] Repealed by 78-06-063 (Order 7-78), filed 5/25/78. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW.
- 180-80-260 Certification of out-of-state trained teachers—Elementary certificates. [Order 5-77, § 180-80-260, filed 6/1/77; Order 11-70, § 180-80-260, filed 10/30/70, effective 11/30/70; § IIIA, filed 10/4/62; § 3B, filed 3/24/60; provision relating to fifth year in out-of-state institution formerly codified in WAC 180-80-215(2b)(ii).] Repealed by 78-06-063 (Order 7-78), filed 5/25/78. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW.
- 180-80-265 Certification of out-of-state trained teachers—Secondary certificates. [Order 5-77, § 180-80-265, filed 6/1/77; Order 11-70, § 180-80-265, filed 10/30/70, effective 11/30/70; § IIIB, filed 10/4/62; § IIIC, filed 3/24/60; provision relating to fifth year in out-of-state institution formerly codified in WAC 180-80-215(2b)(ii).] Repealed by 78-06-063 (Order 7-78), filed 5/25/78. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW.
- 180-80-270 Certification of teachers from out-of-state—Elementary and secondary schools. [§ IIIC, filed 10/4/62.] Repealed by Order 11-70, filed 10/30/70, effective 11/30/70. See WAC 180-80-260 and 180-80-265.
- 180-80-275 Accreditation of private teachers of music. [Order 9-71, § 180-80-275, filed 10/13/71.] Repealed by 78-06-063 (Order 7-78), filed 5/25/78. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW; and
Certification of teachers from out-of-state—Order of issuance of certificates. [§ IIID, filed 10/4/62.] Repealed by Order 11-70, filed 10/30/70, effective 11/30/70. See WAC 180-80-210 and 180-80-215.
- 180-80-304 Administrators' credentials—Assistant principals—Assistant superintendents. [Order 11-70, § 180-80-304, filed 10/30/70, effective 11/30/70; § IVD (part), filed 10/4/62; § VD (part), filed 3/24/60; formerly codified in WAC 180-80-310.] Repealed by 78-06-063 (Order 7-78), filed 5/25/78. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW.
- 180-80-305 Administrators' credentials—Procedures—For guidance of applicants. [Order 1-76, § 180-80-305, filed 2/3/76; Order 11-70, § 180-80-305, filed 10/30/70, effective 11/30/70; § IVC (part), filed 10/4/62; § VB (part), filed 3/24/60.] Repealed by 78-06-063 (Order 7-78), filed 5/25/78. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW.
- 180-80-310 Administrators' credentials—Out-of-state applicants—Out-of-state study. [Order 11-70, § 180-80-310, filed 10/30/70, effective 11/30/70; § IVD (part), filed 10/4/62; § VD (part), filed 3/24/60.] Repealed by 78-06-063 (Order 7-78), filed 5/25/78. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW.
- 180-80-315 Appendix I—How to obtain a certificate—Original or initial certificate. [Appendix I, § A, filed 10/4/62; Appendix I, § A, filed 3/24/60.] Repealed by Order 11-70, filed 10/30/70, effective 11/30/70.
- 180-80-320 Appendix I—Renewals, reinstatements, conversions and duplicate certificates. [Appendix I, § B, filed 10/4/62; Appendix I, § A, filed 3/24/60.] Repealed by Order 11-70, filed 10/30/70, effective 11/30/70.
- 180-80-325 Appendix II—Alien teacher permits and certification—Aliens who do not qualify as exchange teachers from foreign countries. [Appendix II, filed 10/4/62.] Repealed by Order 11-70, filed 10/30/70, effective 11/30/70. See WAC 180-80-200(2).
- 180-80-330 Appendix III—Exchange teachers from foreign countries. [Appendix III, filed 10/4/62.] Repealed by Order 11-70, filed 10/30/70, effective 11/30/70. See WAC 180-80-200(2).
- 180-80-335 Appendix IV—Revocation of certificates. [Appendix IV, filed 10/4/62.] Repealed by Order 11-70, filed 10/30/70, effective 11/30/70.
- 180-80-340 Appendix V—Offices of county superintendents of schools. [Appendix V, filed 10/4/62.] Repealed by Order 11-70, filed 10/30/70, effective 11/30/70.
- 180-80-345 Appendix VI—Teacher education institutions in Washington. [Appendix VI, filed 10/4/62.] Repealed by Order 11-70, filed 10/30/70, effective 11/30/70.
- 180-80-350 Appendix VII—Junior colleges in the state of Washington. [Appendix VII, filed 10/4/62.] Repealed by Order 11-70, filed 10/30/70, effective 11/30/70. See WAC 180-80-202 relating to courses in Washington state history and government and WAC 180-80-522 relating to acceptance of community college work on transfer basis.
- 180-80-355 Appendix VIII—Teacher placement. [Appendix VIII, filed 10/4/62.] Repealed by Order 11-70, filed 10/30/70, effective 11/30/70.
- 180-80-360 Appendix IX—Teachers' retirement and Social Security. [Appendix IX, filed 10/4/62.] Repealed by Order 11-70, filed 10/30/70, effective 11/30/70.
- 180-80-510 Guidelines and standards for programs of preparation leading to teacher certification—Basic principles and major features. [Order 11-70, § 180-80-510, filed 10/30/70, effective 11/30/70; Foreword, filed 10/4/62; Introduction (part), filed 10/4/62, formerly codified in WAC 180-80-515.] Repealed by 78-06-063 (Order 7-78), filed 5/25/78. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW.
- 180-80-515 Teacher education—Introduction. [Introduction, filed 10/4/62.] Repealed by Order 11-70, filed 10/30/70, effective 11/30/70. See WAC 180-80-510 for pertinent statements of principle formerly codified in WAC 180-80-515.
- 180-80-520 Guidelines and standards for programs of preparation leading to teacher certification—Institution to plan program—Definition of teaching role. [Order 11-70, § 180-80-520, filed 10/30/70, effective 11/30/70; § A, filed 10/4/62.] Repealed by 78-06-063 (Order 7-78), filed 5/25/78. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW.
- 180-80-522 Guidelines and standards for programs of preparation leading to teacher certification—Community college participation in teacher preparation. [Order 11-70, § 180-80-522, filed 10/30/70, effective 11/30/70; filed 6/21/63, effective 7/22/63; formerly codified as WAC 180-80-532.] Repealed by 78-06-063 (Order 7-78), filed 5/25/78. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW.

- 180-80-525 Guidelines and standards for programs of preparation leading to teacher certification—Selection, retention and recommendation of teacher candidates. [Order 11-70, § 180-80-525, filed 10/30/70, effective 11/30/70; § B, filed 10/4/62.] Repealed by 78-06-063 (Order 7-78), filed 5/25/78. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW.
- 180-80-532 Policy relating to community college participation in teacher preparation. [Filed 6/21/63, effective 7/22/63.] Repealed by Order 11-70, filed 10/30/70, effective 11/30/70. See WAC 180-80-522 for provisions formerly codified in WAC 180-80-532.
- 180-80-533 Guidelines and standards for programs of preparation leading to teacher certification—Assignment of beginning teachers. [Order 1-76, § 180-80-533, filed 2/3/76; Order 11-70, § 180-80-533, filed 10/30/70, effective 11/30/70; § H (part), filed 10/4/62; formerly codified in WAC 180-80-555.] Repealed by 78-06-063 (Order 7-78), filed 5/25/78. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW.
- 180-80-535 Guidelines and standards for programs of preparation leading to teacher certification—Follow-up of beginning teacher graduates. [Order 11-70, § 180-80-535, filed 10/30/70, effective 11/30/70; § D, filed 10/4/62.] Repealed by 78-06-063 (Order 7-78), filed 5/25/78. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW.
- 180-80-540 Guidelines and standards for programs of preparation leading to teacher certification—Fifth-year program. [Order 11-70, § 180-80-540, filed 10/30/70, effective 11/30/70; § E, filed 10/4/62.] Repealed by 78-06-063 (Order 7-78), filed 5/25/78. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW.
- 180-80-545 Guidelines and standards for programs of preparation leading to teacher certification—Program planning. [Order 1-76, § 180-80-545, filed 2/3/76; Order 11-70, § 180-80-545, filed 10/30/70, effective 11/30/70; § F, filed 10/4/62.] Repealed by 78-06-063 (Order 7-78), filed 5/25/78. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW.
- 180-80-550 Guidelines and standards for programs of preparation leading to teacher certification—Program approval and review. [Order 11-70, § 180-80-550, filed 10/30/70, effective 11/30/70; § G, filed 10/4/62.] Repealed by 78-06-063 (Order 7-78), filed 5/25/78. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW.
- 180-80-555 Certification and assignment. [§ H, filed 10/4/62.] Repealed by Order 11-70, filed 10/30/70, effective 11/30/70. See the following sections for provisions formerly codified in WAC 180-80-555: WAC 180-80-533 relating to assignment of beginning teachers; WAC 180-80-210 relating to provisional certification; WAC 180-80-215 relating to standard certification; and WAC 180-80-256, 180-80-258, 180-80-260 and 180-80-265 relating to out-of-state teacher candidates.
- 180-80-575 Appendix: Operational definitions of teacher competence and teacher roles. [Appendix, filed 10/4/62.] Repealed by Order 11-70, filed 10/30/70, effective 11/30/70. See WAC 180-80-520 for definition of teaching role.
- 180-80-580 Form—Fifth college year. [Form, filed 10/4/62.] Repealed by Order 11-70, filed 10/30/70, effective 11/30/70.
- 180-80-600 Substandard certification of teachers. [Order 1-76, § 180-80-600, filed 2/3/76; Order 11-70, § 180-80-600, filed 10/30/70, effective 11/30/70; SBE Bulletin No. 48-62, filed 4/2/62; Regulations for Substandard Teacher Certification, 1961-62, filed 5/25/61.] Repealed by 78-06-063 (Order 7-78), filed 5/25/78. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW.
- 180-80-610 Educational experience acceptable for teacher certification. [Statutory Authority: RCW 28A.04.120, 78-03-013 (Order 1-78), § 180-80-610, filed 2/8/78; Order 1-76, § 180-80-610, filed 2/3/76; Order 7-75, § 180-80-610, filed 7/22/75; Order 11-70, § 180-80-610, filed 10/30/70, effective 11/30/70; Rules (part), filed 6/27/61, effective 7/28/61.] Repealed by 78-06-063 (Order 7-78), filed 5/25/78. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW.
- 180-80-700 Guidelines and standards for development and approval of programs of preparation—Certification of school professional personnel. [Order 3-71, § 180-80-700, filed 7/13/71, effective 9/1/71.] Repealed by 78-06-063 (Order 7-78), filed 5/25/78. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW.
- 180-80-710 Guidelines and standards for development and approval of programs of preparation—Consortium of agencies defined. [Order 3-71, § 180-80-710, filed 7/13/71, effective 9/1/71.] Repealed by 78-06-063 (Order 7-78), filed 5/25/78. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW.
- 180-80-720 Guidelines and standards for development and approval of programs of preparation—Consortium programs. [Order 3-71, § 180-80-720, filed 7/13/71, effective 9/1/71.] Repealed by 78-06-063 (Order 7-78), filed 5/25/78. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW.
- 180-80-730 Guidelines and standards for development and approval of programs of preparation—State board of education and superintendent of public instruction. [Order 3-71, § 180-80-730, filed 7/13/71, effective 9/1/71.] Repealed by 78-06-063 (Order 7-78), filed 5/25/78. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW.
- 180-80-740 Guidelines and standards for development and approval of programs of preparation—Effective date of issuance of certificates. [Order 3-71, § 180-80-740, filed 7/13/71, effective 9/1/71.] Repealed by 78-06-063 (Order 7-78), filed 5/25/78. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW.

WAC 180-80-205 Washington program of teacher education—Provisional and standard certificates. (1) The three phases of the Washington program of teacher education are:

First. Four years of college education leading to the provisional certificate.

Second. Three years of teaching experience under the cooperative guidance of the colleges, local school districts and educational service district superintendents.

Third. A fifth year of college study leading to the standard certificate. This study may be taken during a regular college year or during summer sessions.

(2) Beginning teachers receive preparation and supervised experience with students in the various school grades to give them an understanding of both elementary and secondary school programs. Major emphasis may be placed on one level or both levels or in a specific subject field, grades K through 12. (See WAC 180-80-530 relating to guidelines and standards for teacher education leading to teacher certification.)

[Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW, 78-06-063 (Order 7-78), § 180-80-205, filed 5/25/78; Order 5-77, § 180-80-205, filed 6/1/77; Order 1-76, § 180-80-205, filed

2/3/76; Order 11-70, § 180-80-205, filed 10/30/70, effective 11/30/70; § IIA (part), filed 10/4/62; § IIA (part), filed 3/24/60.]

WAC 180-80-210 Washington program of teacher education—Provisional certificate. (1) Eligibility. Graduates of programs of teacher education approved by the state board of education are eligible for the provisional certificate.

(2) Recommended program pattern. The recommended program pattern includes:

Broad liberal education	35 percent
Subject matter specialization	35 percent
Professional study	20 percent
Electives	10 percent

(3) Teaching authorization. Grades kindergarten through twelve.

(4) Validity. Provisional certificates are valid for three years and renewable for a second three-year period as in subsection (5) below set forth.

(5) Initial issuance—Renewal. Provisional certificates based on satisfactory completion of a four-year preservice program are issued for a period of three years upon recommendation of teacher education institutions and are renewable once through the office of the superintendent of public instruction for a three-year period. The bases for renewal of a provisional certificate are as follows:

(a) Completion of twelve additional quarter hours (eight semester hours) acceptable toward the fifth college year program and applicable to the field of preparation and evidence of successful teaching.

(b) On application from persons who have not taught during the initial three-year life of the certificate.

(6) Reinstatement. A second provisional certificate may be reinstated upon completion of twelve quarter hours (eight semester hours) applicable to the field of preparation of the applicant and earned within the seven-year period immediately preceding the date of application for renewal.

[Order 7-75, § 180-80-210, filed 7/22/75; Order 1-73, § 180-80-210, filed 2/28/73; Order 11-70, § 180-80-210, filed 10/30/70, effective 11/30/70; § IIA (part), filed 10/4/62; § IIA (part), filed 3/24/60.]

WAC 180-80-215 Washington program of teacher education—Standard certificate. (1) Eligibility. Teachers who have held provisional certificates or the equivalent based on four years of college study, have completed the fifth-year college program of studies and three years of teaching experience which, as a whole, are judged satisfactory are eligible for the standard certificate.

(2) Standards and procedures for the fifth college year.

(a) Choice of college. The fifth year of teacher education is to be completed following a period of at least one year of initial teaching experience. The teacher may complete this study during an academic year or summer sessions in an approved institution of his/her choice as follows:

(i) In a Washington state institution with a teacher education program approved by the state board of education. The institution chosen shall be responsible for recommending the teacher for the standard certificate.

(ii) In an approved out-of-state institution. The teacher's preservice institution shall be responsible for recommending him/her for the standard certificate. Prior approval of the teacher's program by his/her preservice institution is required in conformity with the fifth-year pattern of study outlined in subdivision (b) below.

(b) The fifth-year pattern of study. The teacher's fifth-year program shall be approved by the recommending institution.

(i) The preservice institution may designate fifth-year requirements to the extent of half of the program subject to the approval of the recommending institution.

(ii) Study shall be in both academic and professional fields. The fifth year shall include a minimum of 45 quarter hours of which at least 50 per cent are in upper division undergraduate and graduate level courses. Not more than five quarter hours (three semester hours) of credit obtained through accredited programs of correspondence study may be approved. A minimum of half of the fifth year shall be taken in residence in the recommending institution or in an approved out-of-state institution. It is recommended that only fifteen of the 45 required quarter hours be completed prior to or during the first year of teaching experience: *Provided*, That teacher education institutions may permit individual students to take as many as 30 quarter hours of the fifth year prior to teaching experience.

(3) Teaching authorization. Grades kindergarten through twelve.

(4) Validity—Reinstatement. Standard certificates are valid on a continuing basis while the teacher is in professional service and for a period of seven years thereafter. Reinstatement shall be in accordance with requirements set forth in WAC 180-79-065(2).

(5) Issuance. Standard certificates are issued on recommendation of teacher education institutions upon completion of fifth-year standards and recommendation of the superintendent(s) or chief school administrator(s) of the school district(s) or school(s) in which the applicant has completed three years of teaching experience which as a whole are judged satisfactory: *Provided*, That upon consideration of each application each superintendent or chief school administrator must indicate either (1) satisfactory completion of teaching experience, or (2) not satisfactory at this time: *Provided further*, if the superintendent(s) or chief school administrator(s) of the school district(s) or school(s) in which the applicant has completed three years of teaching experience will not certify that the applicant's experience was satisfactory, the affected teacher may appeal the decision to the state board of education.

(6) Notwithstanding any other provision of chapter 180-80 WAC to the contrary, the requirement that a person have completed three years of satisfactory teaching experience as a condition to the issuance or reissuance of a standard elementary or secondary certificate

shall not apply to either (i) those persons who, on or before October 9, 1975, had either been issued a provisional certificate or were eligible for provisional certificate by virtue of their completion of a teacher education program approved by the state board of education for purposes of such certification, or (ii) those persons who held a standard elementary or secondary certificate on or before October 9, 1975. Any such person shall be eligible for a standard elementary or secondary certificate and the reissuance of the same upon completion of two years of satisfactory teaching experience and such other requirements as are imposed by chapter 180-80 WAC.

(7) Upon receipt of a written notice of appeal pursuant to subsection (5) of this section, the section within the office of the superintendent of public instruction having responsibility for certification shall investigate the matter and determine whether or not probable cause exists to believe that the required teaching experience of the applicant may have been unsatisfactory.

(a) If it is determined that probable cause does not exist, the applicant shall be issued a standard certificate, provided that he or she otherwise meets the requirements established by this chapter.

(b) If it is determined that probable cause does exist, a hearing shall be scheduled and conducted by either the state board of education or any hearing officer designated by the board. The section within the office of the superintendent of public instruction having responsibility for certification shall be responsible for presenting such evidence and arguments as may exist in support of a finding that the applicant's required teaching experience was unsatisfactory. The applicant shall be responsible for presenting such arguments and evidence as may exist in support of a finding that the applicant's teaching experience was satisfactory.

(c) The state board of education may deny the applicant a standard certificate in the event the record supports a finding that the applicant either:

(i) Failed to perform satisfactorily for a substantial portion of his or her required teaching experience and had been placed upon probation on one or more occasions pursuant to RCW 28A.67.065 or

(ii) Failed to perform satisfactorily on one or more occasions in a manner that constitutes one or more of the grounds for revocation of certificate set forth in RCW 28A.70.160, as now or hereafter amended.

(d) The applicant's provisional or other certification shall remain in force and effect pending a determination pursuant to subdivisions (7)(a) or (7)(b) of this section.

[Statutory Authority: RCW 28A.04.120 (1), (2), and (3). 79-06-052 (Order 8-79), § 180-80-215, filed 5/22/79; Order 11-77, § 180-80-215, filed 9/13/77; Order 16-75, § 180-80-215, filed 12/11/75; Order 10-75, § 180-80-215, filed 9/9/75; Order 1-73, § 180-80-215, filed 2/28/73; Order 11-70, § 180-80-215, filed 10/30/70, effective 11/30/70; § IIA (part), filed 10/4/62; § IIA (part), filed 3/24/60.]

WAC 180-80-280 Administrators' credentials--Requirements--Types--Effective date--Interpretation of standards. The issuance of administrators' credentials shall be in accordance with the requirements hereinafter in WAC 180-80-285 through 180-80-312 set forth.

The types of such credentials shall be provisional and standard and shall be designated elementary principal, secondary principal, general principal and superintendent, respectively.

[Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW. 78-06-063 (Order 7-78), § 180-80-280, filed 5/25/78; Order 13-75, § 180-80-280, filed 10/28/75; Order 11-70, § 180-80-280, filed 10/30/70, effective 11/30/70; § IV (part), filed 10/4/62; § 5 (part), filed 3/24/60.]

WAC 180-80-285 Administrators' credentials--Credit hour and degree requirements. Credit hour and degree requirements for administrators' credentials shall be as set forth below: *Provided*, That not more than twenty-five per cent of the credit requirements for each of the credentials may be earned by extension.

(1) **Principals' credentials--Elementary, secondary and general.** The study prescribed herein must be taken at a state of Washington institution authorized by law or approved by the state board of education for the preparation of principals: *Provided*, That credits earned in an out-of-state institution recognized for the preparation of principals by the appropriate state educational agency may be accepted.

(a) Provisional: 24 quarter hours beyond bachelor's degree in an approved program consistent with the provisions of WAC 180-80-290, 9 hours of which must have been earned after completion of the fifth college year.

(b) Standard: 12 quarter hours in an approved program consistent with the provisions of WAC 180-80-290 earned after issuance of the provisional credential; and a master's degree.

(2) **Superintendent's credentials.** The study prescribed herein must be taken at the University of Washington or Washington State University: *Provided*, That credits earned in an out-of-state institution recognized for the preparation of superintendents by the appropriate state educational agency may be accepted.

(a) Provisional: 12 quarter hours in an approved program consistent with the provisions of WAC 180-80-295 in addition to those required for standard principal's credential; and a master's or higher degree.

(b) Standard: 12 quarter hours in an approved program consistent with the provisions of WAC 180-80-295 in addition to those required for provisional superintendent's credential.

[Order 11-70, § 180-80-285, filed 10/30/70, effective 11/30/70; § IVA (part), filed 10/4/62; § VA (part), filed 3/24/60; provisions relating to training institutions formerly codified in WAC 180-80-295.]

WAC 180-80-290 Administrators' credentials--Study program--Principals' credentials. The candidate's study program for a principal's credential is subject to prior approval by the teacher education institution. It shall be planned with the candidate by the institution to meet the particular needs of the candidate in accordance with the program as hereinafter prescribed.

(1) **Fields of study.** Fields of study shall include school administration, curriculum and supervision. Studies to

strengthen candidate's general education are to be required where necessary. Graduate study standards are to be met.

(2) **Specific studies.** Studies are to be planned to develop understanding and competence in:

(a) The learning process and its bearing upon the leadership responsibilities and activities of the principal, upon the curriculum and upon methods and organization of instruction.

(b) Growth and development of children and youth. Breadth and depth of knowledge and insight in this area should be applied to study of school program development.

(c) Analysis of the bases for good human relations and development of insight and skill in working with individuals and groups.

(d) Leadership of teachers in terms of working with people, the development of the program of instruction and the solution of problems of instruction; techniques for working with teachers to improve teaching procedures.

(e) Understanding of the organization and scope of the total school program; leadership in the organization and daily management of the school program.

(f) Leadership in the organization of school and community resources in the improvement of the public school program.

(g) The relationship of economic and sociological backgrounds and philosophical contributions to the development of education in the United States.

(h) The application of research techniques to the educational program and the use of research results in school situations.

(3) **Laboratory experience.** Laboratory and internship type experiences as needed are to be provided. These shall be supervised school administrative experiences in school situations and are to be planned with the candidate by the teacher education institution and school administrators.

[Order 11-70, § 180-80-290, filed 10/30/70, effective 11/30/70; § IVA (part), filed 10/4/62; § VA (part), filed 3/24/60.]

WAC 180-80-295 Administrators' credentials—Study program—Superintendent's credentials. The candidate's study program for a superintendent's credential is subject to prior approval by the teacher education institution. It shall be planned with the candidate by the institution to meet the particular needs of the candidate in accordance with the program as hereinafter prescribed.

(1) **Fields of study.** Fields of study shall include school administration, curriculum and supervision. Studies to strengthen candidate's general education are to be required where necessary. Graduate study standards are to be met.

(2) **Specific studies.** Studies are to be planned to increase understanding and competence in:

(a) Leadership capacity in the organization of school and community resources in improvement of the public schools.

(b) School and public administration and finance; efficient business management of schools.

(c) Leadership of the school staff in development of the educational program.

(d) School and community organizations and structure with particular reference to competence in leading the school and community in continuous and long-range educational planning.

(e) Historical, comparative, philosophical, psychological and social foundations of education. Particular reference is to be given to public education in Washington, its organization, development, basic principles and problems.

(3) **Laboratory experience.** Laboratory and internship type experiences as needed are to be provided. Candidates with experience as principals at one level only are to have laboratory experience at the other level.

Laboratory experiences shall be supervised school administrative experiences in school situations. They are to be planned with the candidate by the teacher education institution and school administrators.

[Order 11-70, § 180-80-295, filed 10/30/70, effective 11/30/70; § IVA (part), filed 10/4/60; § VA (part), filed 3/24/60.]

WAC 180-80-300 Administrators' credentials—Experience requirements. Experience requirements for administrators' credentials shall be as set forth below.

(1) **Elementary principal's credentials.**

(a) Provisional: Three years of successful teaching experience of which a minimum of two years shall be in an organized elementary school. Two years of the three-year experience requirement shall be as a full-time classroom teacher.

(b) Standard: Three years of successful principal experience after issuance of the provisional credential of which a minimum of two years shall be in an organized elementary school of six or more teachers. Fifty percent or more of the regular school day must be devoted to administrative responsibilities during the three-year period.

(2) **Secondary principal's credentials.**

(a) Provisional: Three years of successful teaching experience of which a minimum of two years shall be in an organized junior, senior or four-year high school. Two years of the three-year experience requirement shall be as a full-time classroom teacher.

(b) Standard: Three years of successful experience as a principal after issuance of the provisional credential of which a minimum of two years shall be in an accredited junior, senior or four-year high school. Fifty percent or more of the regular school day must be devoted to administrative responsibilities during the three-year period.

(3) **General principal's credentials.**

(a) Provisional: Three years of successful teaching experience of which a minimum of one year shall be in an organized junior, senior or four-year high school and a minimum of one year in an organized elementary school.

(b) Standard: Three years of successful experience as a principal after issuance of the provisional credential of which a minimum of one year shall be in an organized elementary school of six or more teachers and a minimum of one year in an accredited junior, senior or four-

year high school. Fifty percent or more of the regular school day must be devoted to administrative responsibilities during the three-year period.

(4) Superintendent's credentials.

(a) Provisional: A minimum of four years of successful administrative experience after the candidate has secured a principal's credential. Fifty percent or more of the regular school day must be devoted to administrative, supervisory or consultant responsibilities during the four-year period. Administrative experience may be in:

(i) An elementary school of six or more teachers, or an accredited junior, senior or four-year high school; OR

(ii) A specialized area of the school program, provided the activity and responsibility are concerned with all teachers and students in a school or school system. (School program and curriculum consultants, supervisors and directors, and school business officials, as well as school principals and assistant principals, may qualify.)

(b) Standard: Three years of successful experience as a superintendent after issuance of the provisional credential.

[Order 11-70, § 180-80-300, filed 10/30/70, effective 11/30/70; § IVB, filed 10/4/62; § VB, filed 3/24/60.]

WAC 180-80-301 Administrators' credentials--
Teacher's certificate a prerequisite. The appropriate valid standard certificate shall be a prerequisite to issuance of an administrator's credential as set forth below.

(1) **Elementary principal's credential.** The candidate for an elementary principal's credential must hold a valid six-year standard elementary, standard elementary, standard general or standard certificate.

(2) **Secondary principal's credential.** The candidate for a secondary principal's credential must hold a valid standard secondary, standard general or standard certificate.

(3) **General principal's credential.** The candidate for a general principal's credential must hold a valid standard general or standard certificate or the equivalent as determined by the superintendent of public instruction.

(4) **Superintendent's credential.** The candidate for a superintendent's credential must hold a valid standard elementary, standard secondary, standard general or standard certificate.

[Order 11-70, § 180-80-301, filed 10/30/70, effective 11/30/70; § IVD (part), filed 10/4/62; § VD (part), filed 3/24/60; Formerly WAC 180-80-310.]

WAC 180-80-302 Administrators' credentials--
General requirements for determination of applicant eligibility. (1) **Evaluation of applicant's experience and administrative potentiality.**

(a) School administrators responsible for the applicant's supervision are to evaluate his teaching and/or administrative success and suggest areas of study and other experiences needed.

(b) The teacher education institution upon evaluation of applicant's administrative potentiality and readiness shall determine admissibility to the administrator preparation program.

(1986 Ed.)

(2) **Recommendation of candidate for credential by teacher education institution.** The teacher education institution, upon completion of the candidate's program of study or at its discretion, shall forward the application and all supporting papers and records of progress to the superintendent of public instruction with a recommendation as to the candidate's eligibility for the credential.

(3) **Determination of eligibility by superintendent of public instruction.** The superintendent of public instruction shall judge eligibility of the candidate on the basis of the criteria set forth below and shall grant the credential only upon determination that the requirements have been satisfied.

(a) Fulfillment by candidate of the preparation and experience standards hereinbefore in WAC 180-80-280 through 180-80-301 set forth.

(b) Official evidence of success in positions previously held by candidate.

(c) Establishment beyond reasonable doubt that candidate possesses the qualities of leadership necessary for school administration.

[Order 11-70, § 180-80-302, filed 10/30/70, effective 11/30/70; § IVC (part) and IVD (part), filed 10/4/62; § VB (part) and VD (part), filed 3/24/60; Formerly WAC 180-80-305 and 180-80-310.]

WAC 180-80-303 Administrators' credentials--
Administrative positions authorized. (1) **Elementary principals' credentials.** Valid elementary principals' credentials authorize holders to serve as principals of elementary schools and junior high schools.

(2) **Secondary principals' credentials.** Valid secondary principals' credentials authorize holders to serve as principals of junior, senior, four-year and six-year high schools.

(3) **General principals' credentials.** Valid general principals' credentials authorize holders to serve as principals of elementary schools and junior, senior, four-year and six-year high schools.

(4) **Superintendents' credentials.** Valid superintendents' credentials authorize holders to serve as superintendents of school districts with one or more elementary schools and one or more high schools. A valid superintendent's credential authorizes also service as principal on any level covered by the holder's certificate for teaching.

[Order 11-70, § 180-80-303, filed 10/30/70, effective 11/30/70; § IVD (part), filed 10/4/62; § VD (part), filed 3/24/60; Formerly WAC 180-80-310.]

WAC 180-80-312 Administrators' credentials--
Period of validity and reinstatement of credentials. (1) **Period of validity.** Standard administrators' credentials are valid as long as the holders' certificates to teach remain valid. Provisional administrators' credentials are valid for not more than four years of administrative experience in elementary schools of six or more teachers or in accredited junior, senior, four-year or six-year high schools: *Provided*, That the holders' certificates to teach continue to remain valid during the prescribed period.

[Title 180 WAC--p 177]

(2) **Reinstatement.** Credentials that lapse shall be reinstated in accordance with requirements set forth in WAC 180-79-065(3).

[Statutory Authority: RCW 28A.04.120 (1), (2), and (3). 79-06-052 (Order 8-79), § 180-80-312, filed 5/22/79; Order 11-70, § 180-80-312, filed 10/30/70, effective 11/30/70; § IVD (part), filed 10/4/62; § VD (part), filed 3/24/60; Formerly WAC 180-80-310.]

WAC 180-80-530 Guidelines and standards for programs of preparation leading to teacher certification—Preservice program. The preservice preparation of all teachers shall include:

(1) **Broad education in the liberal arts and sciences.** All elementary and secondary school teachers should be liberally educated persons. They should have the understanding, the knowledge, the appreciation and the sensitivity attainable by study and learning that range across such areas as the humanities, the arts, the social sciences and the natural sciences and mathematics. It is suggested that this broad education begin in the freshman year and continue throughout the college preparation of the teacher. This education should comprise approximately thirty-five per cent of the four years of undergraduate study.

(2) **Preparation in fields or areas of learning applicable to the curriculum of the public schools.** Every teacher candidate should undertake special study in depth and achieve scholarly competence in some field or area of learning. This competence should rest upon systematic knowledge, understanding of basic principles and acquaintance with methods of research appropriate to the field of learning. The study in the major should begin early in the college career and should continue throughout the four years. This preparation should comprise approximately thirty-five per cent of the four years of undergraduate study.

(3) **Preparation in professional education.** Systematic study of education as a profession is necessary for those who would continue to grow in professional stature.

Every elementary and secondary school teacher needs an understanding of the role and possibilities of education in society, the basic social trends and intellectual currents that affect education and the issues of public policy that bear upon education.

All teachers need an understanding of the processes of human growth and development, the mental, emotional and physical behavior of learners and the psychology of learning, adjustment, motivation and personality. Evaluation of the goals and outcomes of education should be an essential aspect of this area.

All teachers need an understanding of the purpose, structure, administration, control and operation of the school system and the range of educational programs and curriculum patterns. The teacher needs to know how his responsibilities relate to those of administrators, guidance counselors, curriculum and other specialists who are needed in a large and complex enterprise. Such understandings are needed in order for the teacher to adequately conceive his own special role in the total educational enterprise and take his part as an active and responsible member of the profession.

All prospective teachers should engage in thoroughgoing supervised experiences that are planned for induction into the first teaching position. This should include observation, participation, student teaching and competence in methods of teaching and in the use of instructional resources. Experiences with all phases and levels of the public school system should be included. This preparation should comprise approximately twenty per cent of the four years of undergraduate study.

(4) **Student electives.** Approximately ten per cent of the four-year program should be used by the student for electives.

[Order 11-70, § 180-80-530, filed 10/30/70, effective 11/30/70; § C, filed 10/4/62.]

WAC 180-80-705 Guidelines and standards for development and approval of programs of preparation—Certification. (1) **Three types of certificates are provided:**

(a) The teacher certificate authorizes service in the primary role of teaching.

(b) The administrator certificate authorizes service in the primary role of general school administration, program administration and/or supervision.

(c) The educational staff associate certificate authorizes service in roles of specialized assistance to the learner, the teacher, the administrator and/or the educational program.

(2) **Three levels of certificates are provided for each certificate type:**

(a) The preparatory certificate authorizes experiences in school or school-related settings designed to develop competence at the "initial" level of certification. This certificate is valid for one year and is renewable.

(b) The initial certificate authorizes school service in a particular role and allows the holder to assume independent responsibility for working with children, youth and adults. This certificate is valid for three years and is renewable.

(c) The continuing certificate authorizes school service on a career basis and assumes continued professional development. The continuing certificate is valid as long as the holder continues in service and for seven years thereafter.

TYPES OF LEVELS OF CERTIFICATES
(Figure 1)

Types of Certificates	Teacher	Administrator	Educational Staff Associate
Levels of Certificates	Continuing	Continuing	Continuing
	Initial	Initial	Initial
	Preparatory	Preparatory	Preparatory

(3) **Certificate endorsements.** Initial and continuing certificates will be endorsed to indicate grade level(s), content area(s) and/or specialization(s) for which the professional is or has been prepared.

(4) **Reinstatement of initial or continuing certificates.** The initial or continuing certificate shall be reinstated in

accordance with requirements set forth in WAC 180-79-065.

(5) Reciprocity.

In-state candidates:

(a) Holders of initial certificates shall be admitted to programs leading to continuing certification.

(b) Holders of provisional certificates or credentials awarded under previously adopted state board of education rules and regulations may be admitted to programs leading to continuing certification, provided they meet entry level requirements.

(c) Holders of standard certificates or of valid teacher certificates issued prior to 1949 may be admitted to programs leading to initial or continuing certification, provided they meet entry level requirements, without jeopardizing their prior certification status.

[Statutory Authority: RCW 28A.04.120 (1), (2), and (3). 79-06-052 (Order 8-79), § 180-80-705, filed 5/22/79; Order 3-71, § 180-80-705, filed 7/13/71, effective 9/1/71.]

Chapter 180-84 WAC

SPECIALIZED PERSONNEL STANDARDS

WAC

180-84-015	Certification of school psychologists—Role and function.
180-84-020	Certification of school psychologists—Certification requirements.
180-84-025	Certification of school psychologists—Academic requirements.
180-84-050	Certification of school social workers—Role and function.
180-84-055	Certification of school social workers—Educational requirements.
180-84-060	Certification of school social workers—Certification requirements.
180-84-075	Certification of school nurses—Role and function.
180-84-080	Certification of school nurses—Recommendation as to nursing specialization.
180-84-090	Certification of school nurses—Certification requirements.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

180-84-010	Basic principles. [Order 12-70, § 180-84-010, filed 10/30/70; Rules (part), effective 7/10/61.] Repealed by 78-06-062 (Order 8-78), filed 5/25/78. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW. Later promulgation, see chapters 180-78 and 180-79 WAC.
180-84-085	Certification of school nurses—Educational backgrounds. [Rules (part), effective 7/10/61.] Repealed by Order 12-70, filed 10/30/70.
180-84-510	Educational staff associate certification—Role and function. [Order 5-68, § 180-84-510, filed 10/1/68, effective 7/1/69.] Repealed by Order 4-71, filed 7/13/71, effective 9/1/71.
180-84-515	Educational staff associate certification—Forms of certification. [Order 5-68, § 180-84-515, filed 10/1/68, effective 7/1/69.] Repealed by Order 4-71, filed 7/13/71, effective 9/1/71.
180-84-520	Educational staff associate certification—Qualifying standards. [Order 5-68, § 180-84-520, filed 10/1/68, effective 7/1/69.] Repealed by Order 4-71, filed 7/13/71, effective 9/1/71.
180-84-530	Educational staff associate certification—Preparation—Steps in planning preparation experiences. [Order 5-68, § 180-84-530, filed 10/1/68, effective

7/1/69.] Repealed by Order 4-71, filed 7/13/71, effective 9/1/71.

180-84-540 Educational staff associate certification—Career considerations. [Order 5-68, § 180-84-540, filed 10/1/68, effective 7/1/69.] Repealed by Order 4-71, filed 7/13/71, effective 9/1/71.

180-84-550 Educational staff associate certification—Approval of preparation programs required. [Order 5-68, § 180-84-550, filed 10/1/68, effective 7/1/69.] Repealed by Order 4-71, filed 7/13/71, effective 9/1/71.

180-84-560 Certification of school nurses—Assignment of personnel. [Order 5-68, § 180-84-560, filed 10/1/68, effective 7/1/69.] Repealed by 78-06-062 (Order 8-78), filed 5/25/78. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW. Later promulgation, see chapters 180-78 and 180-79 WAC.

180-84-565 Educational staff associate certification—Effective date of issuance—Specialized personnel certificates discontinued. [Order 4-71, § 180-84-565, filed 7/13/71, effective 9/1/71; Order 12-70, § 180-84-565, filed 10/30/70; Order 5-68, § 180-84-565, filed 10/1/68, effective 7/1/69.] Repealed by 78-06-062 (Order 8-78), filed 5/25/78. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW. Later promulgation, see chapters 180-78 and 180-79 WAC.

WAC 180-84-015 Certification of school psychologists—Role and function. (1) The school psychologist is one with competency in psychological techniques and skills in their application to the educational setting. He uses the specialized knowledge of diagnosis, learning and interpersonal relationships to assist school personnel to enrich the experience and growth of all children and to recognize and deal with exceptional children.

(2) The school psychologist serves in an advisory capacity to school personnel and may perform the following functions:

(a) Measuring the intellectual, social and emotional development of children and interpreting the results of psychological studies.

(b) Diagnosing educational and personal disabilities and collaborating in the planning of reeducational and therapeutic programs.

(c) Identifying exceptional children and collaborating in the planning of appropriate educational and social placements and programs.

(d) Developing ways to facilitate the learning and adjustment of children.

(e) Helping teachers and administrators to understand child behavior and intellectual and personality differences as they apply to the individual pupil and the class.

(f) Serving in a consultative capacity in curriculum planning.

(g) Encouraging and initiating research and helping to utilize research findings for the solution of school problems.

[Order 12-70, § 180-84-015, filed 10/30/70; Rules (part), effective 7/10/61.]

WAC 180-84-020 Certification of school psychologists—Certification requirements. School psychologists shall hold either provisional or standard certificates valid under the same conditions as prescribed for provisional

or standard certificates for teaching. The minimum requirements for certification shall be as follows:

(1) **Provisional certificate.**

(a) Master's degree with a major in psychology to include areas listed in WAC 180-84-025 below (the word "area" as used herein refers to areas of knowledge rather than to specific courses), or

The completion of all course work toward a master's degree except the thesis requirement.

(b) Completion of a minimum of fifteen quarter hours of professional education courses including practice teaching or directed laboratory experiences in a school situation.

(2) **Standard certificate.**

(a) Fulfillment of all requirements for the provisional certificate.

(b) Master's degree with a major in psychology.

(c) Successful completion of two years of experience as a school psychologist, one of which must be under supervision.

(3) **School psychologist in supervisory capacity.** It is expected that school psychologists functioning in a supervisory capacity will hold a doctorate in psychology and will have had considerable experience as a school psychologist in addition to satisfying the minimum requirements set forth in subsections (1) and/or (2) above.

[Order 12-70, § 180-84-020, filed 10/30/70; Rules (part), effective 7/10/61.]

WAC 180-84-025 Certification of school psychologists—Academic requirements. (1) **Basic education areas.** A minimum of fifteen quarter hours of credit in the basic education areas listed below.

(a) Directed laboratory experience in a school setting.

(b) Education of the exceptional child.

(c) Philosophy, organization and administration of the American school system.

(2) **Basic psychology areas.** Studies in the basic psychology areas listed below.

(a) Introductory psychology.

(b) Statistics.

(c) Child growth and development.

(d) Psychology of adjustment or mental hygiene.

(e) Psychology of learning.

(f) Social psychology or sociology.

(3) **Clinical psychology and personality areas.** Studies in the basic psychology and personality areas listed below.

(a) Abnormal psychology.

(b) Personality theory.

(c) Tests and measurements.

(d) Individual intelligence testing—Children.*

(e) Individual intelligence testing—Adults.*

(f) Introduction to personality testing.*

(g) Interviewing and counseling.

(h) Diagnosis of the exceptional child.

(i) Practicum in diagnosis and report writing.*

(Battery of tests)

*Supervision is necessary for the work required in these courses.

[Title 180 WAC—p 180]

[Order 12-70, § 180-84-025, filed 10/30/70; Rules (part), effective 7/10/61.]

WAC 180-84-050 Certification of school social workers—Role and function. (1) The school social worker supplements the professional contribution of the teacher and other school personnel in helping children to constructively use the educational opportunity provided in the schools. Through a working relationship with the teacher there is mutual sharing in the understanding of a child's behavior and planning for the child as well as increased awareness of the emotional interaction and behavior of the classroom group.

(2) The aim of the school social worker is to help the school identify children who present social and emotional difficulties and to give social work service which will enable these children to make satisfactory progress in the classroom. This aim is achieved through:

(a) Consultation service to teachers, principals and other school personnel.

(b) Individual or group help to parents and children.

(c) Liaison service in utilizing community resources for the benefit of children.

[Order 12-70, § 180-84-050, filed 10/30/70; Rules (part), effective 7/10/61.]

WAC 180-84-055 Certification of school social workers—Educational requirements. The competencies needed in the school social worker are a specialized social work skill, thorough knowledge of behavior causation, human growth and community resources, and the ability to work with professional personnel in the school and community.

Professional education in social work is required on a postgraduate level in a school of social work accredited by the council on social work education and which offers a two-year postgraduate program leading to a master's degree in social science.

(1) **Undergraduate preparation.** Undergraduate preparation for professional study in social work shall be as recommended by the council on social work education comprising a broad liberal arts education with a concentration in social work.

(2) **Master's degree.** A master's degree in social work requires satisfactory completion of the prescribed curriculum in a school of social work of a two-year postgraduate study accredited by the council on social work education; the equivalent of six quarters of directed laboratory experience in an approved social agency, clinic or institution for two to three days per week; and completion of either an individual or group research project.

[Order 12-70, § 180-84-055, filed 10/30/70; Rules (part), effective 7/10/61.]

WAC 180-84-060 Certification of school social workers—Certification requirements. School social workers shall hold either provisional or standard certificates valid under the same conditions as prescribed for provisional or standard certificates for teaching. The minimum requirements for certification shall be as follows:

(1) **Provisional certificate.**

(a) Master's degree from a school of social work accredited by the council on social work education, or the following combination:

- (i) Bachelor's degree from an approved institution;
- (ii) One full year of postgraduate study in a school of social work accredited by the council on social work education, one full year of directed field placement in an agency approved by the school of social work; and
- (iii) Two years of successful experience under the supervision of a qualified supervisor in an approved family or children's agency, or two years of successful teaching experience.

(b) Completion of a minimum of fifteen quarter hours of professional education courses, including practice teaching or directed laboratory experiences in a school situation and orientation to the school philosophy, methods, organization and group activity.

(2) Standard certificate.

(a) Fulfillment of all requirements for the provisional certificate.

(b) Master's degree from a school of social work accredited by the council on social work education.

(c) Completion of two years of successful experience as a school social worker.

[Order 12-70, § 180-84-060, filed 10/30/70; Rules (part), effective 7/10/61.]

WAC 180-84-075 Certification of school nurses-- Role and function. The school nurse, understanding her functions as related to the school program and as a professionally trained person, gives help to children, parents and school personnel through an educational approach. She participates with others in the school in planning and developing the school health program which takes into consideration the personal and environmental needs of the child and promotes the health of the school personnel. The general functions of the school nurse may include the following:

- (1) Giving leadership and guidance in the development of a total school health program.
- (2) Participating in the formulation of policies, standards and objectives of a school health program.
- (3) Participating in the coordination of the school program with the total health program of the school and community.
- (4) Participating in health curriculum planning and evaluation.
- (5) Using health services as a means of direct and indirect health education.
- (6) Assisting in planning and conducting in-service health education for school personnel.
- (7) Serving as a consultant or resource person to the administrator, parents, children and teachers in regard to the health needs of the children.
- (8) Acquainting the administration and other school personnel with health problems and resources in the school, home and community.
- (9) Assisting in planning the budget for health services.
- (10) Serving as a member of the school health council.

(1986 Ed.)

(11) Participating in faculty and parents' meetings.

[Order 12-70, § 180-84-075, filed 10/30/70.]

WAC 180-84-080 Certification of school nurses-- Recommendation as to nursing specialization. The certification requirements prescribed in WAC 180-84-090 below promote the view that nursing specialization should be on a graduate level within the field of school nursing. The recommended program is as follows:

(1) Preparation in school nursing.

(a) Theory courses selected from areas of nursing, health education, public health **14 to 17 credits.**

(e.g., theory and practice of principles, information and skills especially needed by school nurses.)

(b) Directed laboratory or field work experience **3 to 6 credits.**

(To provide an opportunity to practice a complete school nursing service in a school situation.)

(i) Service to pupils: Health appraisal, follow-up of findings, teacher/nurse and nurse/parent conferences, use of records, cooperation with other professions in the school and use of community resources, selection of methods and materials for health teaching of children.

(ii) Participation in the total school program: Staff meetings, nurse/principal conferences and orientation to administrative planning, school policies and school law.

(2) Individual research 10 to 15 credits.

Includes individual study and reporting of problems related to the field and methods and research techniques.

(3) Supporting courses 12 to 15 credits.

Should include courses selected from fields such as education and social work (e.g., methods, school administration, audio-visual aids, philosophy of education, educational psychology, interviewing).

[Order 12-70, § 180-84-080, filed 10/30/70.]

WAC 180-84-090 Certification of school nurses-- Certification requirements. School nurses shall hold either provisional or standard certificates. Provisional and standard certificates for school nurses shall be valid on a continuing basis while the holders thereof are in school service and for a period of five years thereafter. The minimum requirements for such certification shall be as set forth below.

(1) Provisional certificate.

(a) Registered nurse licensed in the state of Washington.

(b) Bachelor's degree in a program accredited or approved for first level positions in public health nursing, or certificate in public health nursing, or the equivalent, with three years of successful supervised experience in a public health program which includes experience in school nursing.

(c) Completion of a minimum of fifteen quarter hours of professional education courses including practice teaching or directed laboratory experiences in a school situation and orientation to the school philosophy, methods and organization.

(2) Standard certificate.

[Title 180 WAC--p 181]

(a) Two years of successful experience in school nursing under the provisional certificate.

(b) Master's degree with a major in school nursing or its equivalent in public health nursing.

It is recommended that school nurses employed in staff leadership positions, or in positions where such leadership is not provided, hold standard certification.

[Order 12-70, § 180-84-090, filed 10/30/70; Rules (part), effective 7/10/61.]

Chapter 180-85 WAC

PROFESSIONAL CERTIFICATION—CONTINUING EDUCATION REQUIREMENT

WAC

180-85-005	Authority.
180-85-010	Purpose.
180-85-015	Public policy goal.
180-85-020	Effective date and applicable certificates.
180-85-025	Continuing education—Definition.
180-85-030	Continuing education credit hour—Definition.
180-85-035	Lapse date—Definition.
180-85-040	Lapsed—Definition.
180-85-045	Approved in-service education agency—Definition.
180-85-075	Continuing education requirement.
180-85-080	College and university transcripts.
180-85-100	Calculation of lapse dates.
180-85-105	SPI initial notice to certificate holders of continuing education requirement.
180-85-110	SPI subsequent notice to certificate holders of continuing education requirement.
180-85-115	SPI notice of lapsed certificate.
180-85-120	Appeal from determination of lapsed status.
180-85-130	Reinstatement of lapsed certificate.
180-85-135	Practicing with lapsed certificate.
180-85-200	In-service education approval standards.
180-85-205	Required recordkeeping by approved in-service education agencies.
180-85-210	Assurances of compliance with program and record-keeping standards.
180-85-215	Selective audit of records of in-service education agencies.
180-85-220	Noncompliance—Substantial compliance rule.
180-85-225	Appeal to state board of education.

WAC 180-85-005 Authority. The authority for this chapter is RCW 28A.70.005 which authorizes the state board of education to establish, publish, and enforce rules and regulations determining eligibility for and certification of personnel employed in the common schools of this state. (Note: RCW 28A.02.201 (3)(a) requires most private school classroom teachers to hold appropriate Washington state certification with few exceptions).

[Statutory Authority: RCW 28A.70.005. 86-13-018 (Order 8-86), § 180-85-005, filed 6/10/86.]

WAC 180-85-010 Purpose. The purpose of this chapter is to set forth policies and procedures for a program of continuing education as a condition to the validity of certain professional certificates issued by the superintendent of public instruction pursuant to rules and regulations of the state board of education.

[Statutory Authority: RCW 28A.70.005. 86-13-018 (Order 8-86), § 180-85-010, filed 6/10/86.]

WAC 180-85-015 Public policy goal. The public policy goal of this chapter is to promote, recognize, and require the continuing professional and educational development of educators who are certified to practice their professions in the elementary and secondary schools of this state.

[Statutory Authority: RCW 28A.70.005. 86-13-018 (Order 8-86), § 180-85-015, filed 6/10/86.]

WAC 180-85-020 Effective date and applicable certificates. The provisions of this chapter shall apply to the following certificates issued on or after August 31, 1987:

(1) Continuing certificates as provided in chapter 180-79 WAC.

(2) Standard certificates as provided in chapters 180-80 and 180-84 WAC.

(3) *Provided*, That applicants who have completed all requirements for a continuing or standard certificates prior to August 31, 1987, and who apply for such certificate prior to July 1, 1988, shall be exempt from the continuing education requirements of this chapter.

[Statutory Authority: RCW 28A.70.005. 86-13-018 (Order 8-86), § 180-85-020, filed 6/10/86.]

WAC 180-85-025 Continuing education—Definition. As used in this chapter, the term "continuing education" shall mean:

(1) All college and/or university credit awarded by a regionally accredited institution of higher education or by a college or university with a professional preparation program approved by the state board of education pursuant to chapter 180-78 WAC.

(2) All continuing education credit hours awarded in conformance with the in-service education procedures and standards specified in this chapter by an approved in-service education agency.

[Statutory Authority: RCW 28A.70.005. 86-13-018 (Order 8-86), § 180-85-025, filed 6/10/86.]

WAC 180-85-030 Continuing education credit hour—Definition. As used in this chapter, the term "continuing education credit hour" shall mean:

(1) For each college or university semester hour credit, fifteen hours of continuing education credit hours shall be granted.

(2) For each college or university quarter hour credit, ten hours of continuing education credit hours shall be granted.

(3) For each sixty minutes of approved in-service education including reasonable time for breaks, and passing time and organized meals if such meals are included within the planned in-service education program, one continuing education credit hour shall be granted. In the application of this subsection, the in-service education provider shall determine what is reasonable and what is within the planned in-service education program.

[Statutory Authority: RCW 28A.70.005. 86-13-018 (Order 8-86), § 180-85-030, filed 6/10/86.]

WAC 180-85-035 Lapse date—Definition. As used in this chapter, the term "lapse date" shall mean the date upon which the professional certificate affected by this chapter will lapse if the holder fails to complete the continuing education requirement of this chapter.

[Statutory Authority: RCW 28A.70.005. 86-13-018 (Order 8-86), § 180-85-035, filed 6/10/86.]

WAC 180-85-040 Lapsed—Definition. As used in this chapter, the term "lapsed" shall mean that the certificate has expired and such certificate is no longer valid under the laws of the state of Washington.

[Statutory Authority: RCW 28A.70.005. 86-13-018 (Order 8-86), § 180-85-040, filed 6/10/86.]

WAC 180-85-045 Approved in-service education agency—Definition. As used in this chapter, the term "approved in-service education agency" shall mean an agency approved by the state board of education to provide in-service education programs and to grant continuing education credit hours to all or a selective group of educators. Such agency must demonstrate the following characteristics:

(1) The agency is one of the following entities:

(a) A college or university referenced in WAC 180-85-025(1);

(b) A professional organization which for the purpose of this chapter shall mean any local, state, regional, or national organization composed primarily of teachers, administrators, and/or educational staff associates;

(c) A school district, an educational service district, and the superintendent of public instruction; or

(d) An approved private school which for the purpose of this chapter shall mean the same as provided in WAC 180-90-112.

(2) The agency has either a committee or board of directors which provides prior approval to proposed in-service education programs that are designed to meet the program standards set forth in WAC 180-85-200.

[Statutory Authority: RCW 28A.70.005. 86-13-018 (Order 8-86), § 180-85-045, filed 6/10/86.]

WAC 180-85-075 Continuing education requirement. Each holder of a professional education certificate affected by this chapter shall be required to complete one hundred fifty credit hours of continuing education prior to his or her initial lapse date and during each period between subsequent lapse dates.

[Statutory Authority: RCW 28A.70.005. 86-13-018 (Order 8-86), § 180-85-075, filed 6/10/86.]

WAC 180-85-080 College and university transcripts. Holders of certificates affected by this chapter, from time to time, shall cause the transmission to the superintendent of public instruction of official college or university transcripts which substantiate the completion of course work that the holder desires to have applied to his or her continuing education requirement. Such transcript shall be recorded by the superintendent of public instruction in the holder's certification file. However, the

holder must notify the superintendent of public instruction that the transcript has been submitted to the superintendent of public instruction for application to his or her continuing education credit hours as a condition to receiving such credit hours.

[Statutory Authority: RCW 28A.70.005. 86-13-018 (Order 8-86), § 180-85-080, filed 6/10/86.]

WAC 180-85-100 Calculation of lapse dates. The lapse dates of certificates affected by this chapter shall be calculated as follows:

(1) Certificates issued prior to July 1 of a given year shall have a lapse date of June 30 of the subsequent fifth calendar year and of each fifth calendar year thereafter.

(2) Certificates issued on or after July 1 of a given year shall have a lapse date of June 30 of the subsequent sixth calendar year and of each fifth calendar year thereafter.

(3) If a holder of an affected professional certificate qualifies for a different affected professional certificate—e.g., a holder of a continuing teaching certificate who subsequently qualifies for a continuing administrative certificate—the lapse dates of the new affected professional certificate shall be the same as provided on the first affected professional certificate.

[Statutory Authority: RCW 28A.70.005. 86-13-018 (Order 8-86), § 180-85-100, filed 6/10/86.]

WAC 180-85-105 SPI initial notice to certificate holders of continuing education requirement. Upon issuance or reinstatement of an affected professional certificate, the superintendent of public instruction shall provide such holder with a written explanation of the continuing education requirements of this chapter and the holder's responsibility to keep accurate records demonstrating attendance at approved in-service education programs in order to challenge discrepancies in reports by approved in-service education agencies and to transmit college and university transcripts in a timely manner in order to demonstrate completion of such courses prior to lapse dates.

[Statutory Authority: RCW 28A.70.005. 86-13-018 (Order 8-86), § 180-85-105, filed 6/10/86.]

WAC 180-85-110 SPI subsequent notice to certificate holders of continuing education requirement. On or before February 1 of the year prior to the lapse date for affected certificate holders, the superintendent of public instruction shall notify by mail each affected certificate holder who has not completed the one hundred fifty continuing credit hours since the commencement of his or her current lapse period, that his or her certificate will lapse as of June 30 of the following calendar year unless the continuing education requirement is met. Included with such notice shall be a statement indicating the number of continuing credit hours remaining to be completed by such holder prior to the lapse date and a written explanation of the continuing education requirements of this chapter. In the event such notice is returned to the superintendent of public instruction for any reason, the name and certification number of each

such person shall be placed upon a list which shall be circulated in the form of a bulletin by the superintendent of public instruction to each school district, approved private school, and educational service district with a request to notify such employees, if employed by such agency, of the forthcoming lapse date and to notify the superintendent of public instruction of any change in name or address.

[Statutory Authority: RCW 28A.70.005. 86-13-018 (Order 8-86), § 180-85-110, filed 6/10/86.]

WAC 180-85-115 SPI notice of lapsed certificate.

On or before August 1 of each year, the superintendent of public instruction shall notify by certified mail each affected certificate holder whose certificate has lapsed the preceding June 30th of such status. The notice shall include procedures for reinstatement and procedures for disputing the lapsed status. In addition, on or before August 15 of each year, the superintendent of public instruction shall notify by bulletin each school district, approved private school, and educational service district of the name and certificate number of each holder of an affected certificate whose certificate has lapsed the preceding June 30th.

[Statutory Authority: RCW 28A.70.005. 86-13-018 (Order 8-86), § 180-85-115, filed 6/10/86.]

WAC 180-85-120 Appeal from determination of lapsed status. Any certificate holder who contests the determination by the superintendent of public instruction that his or her certificate has lapsed shall be entitled to appeal such determination in accordance with the procedures specified in WAC 180-75-020 through 180-75-033. Any such appeal shall operate as a stay of lapsing until a final administrative level decision has been rendered.

[Statutory Authority: RCW 28A.70.005. 86-13-018 (Order 8-86), § 180-85-120, filed 6/10/86.]

WAC 180-85-130 Reinstatement of lapsed certificate. A holder of a lapsed certificate may reinstate such lapsed certificate by presenting evidence to the superintendent of public instruction of completing the continuing education credit hour requirement within the previous five years from the date of reinstatement application. The next lapse dates on a reinstated professional certificate shall be recalculated and shall be the same as if a new certificate under the provisions of WAC 180-85-100.

[Statutory Authority: RCW 28A.70.005. 86-13-018 (Order 8-86), § 180-85-130, filed 6/10/86.]

WAC 180-85-135 Practicing with lapsed certificate. The written explanation of the continuing education requirements required by WAC 180-85-105 shall include the following:

(1) A lapsed certificate is no longer valid under the laws of the state of Washington.

(2) Applicants who request reinstatement of their professional certificates must give evidence of good moral character and personal fitness.

[Title 180 WAC—p 184]

(3) Applicants for reinstatement of professional certificates shall be required to attest that they have not intentionally and knowingly practiced in a professional position for which certification is required under the rules of the state board of education after the date on which their certificates lapsed or submit a statement as to why such practice, if conducted, should not reflect on such applicant's good moral character or personal fitness at the time of application.

[Statutory Authority: RCW 28A.70.005. 86-13-018 (Order 8-86), § 180-85-135, filed 6/10/86.]

WAC 180-85-200 In-service education approval standards. In-service education programs provided by approved in-service education agencies shall meet the following program standards:

(1) The basis for determination of need for a particular in-service education program shall be documented.

(2) The objectives of the in-service program—i.e., intended outcomes—shall be written for each in-service education program.

(3) The content of the in-service education program shall include applicable current research and/or application of established professional practices.

(4) All in-service education instructors shall have academic and/or professional experience which specifically qualifies them to conduct the in-service education program—e.g., a person with expertise in a particular subject, field, or occupation.

(5) Program materials, including the program agenda, prepared, designed, or selected for the in-service education program shall be available to all attendees.

(6) The physical facility, including necessary equipment, for the in-service education program shall be chosen to meet the needs of all participants.

(7) The in-service education program shall be evaluated by the participants to determine the success of the program, including the following:

(a) The extent to which the written objectives—i.e., subsection (2) of this section—have been met;

(b) The quality of the physical facilities in which the program was offered;

(c) The quality of the presentation by each instructor;

(d) The quality of the program materials provided; and

(e) Suggestions for improving the program if repeated.

(8) The in-service education agency shall compile the evaluations required in subsection (7) of this section in summary form.

(9) The designated administrator of each in-service education program shall assess the value and success of such program and periodically report his or her findings to the governing or advisory board which authorized the in-service program.

(10) The standards for recordkeeping as provided in WAC 180-85-205 shall apply.

[Statutory Authority: RCW 28A.70.005. 86-13-018 (Order 8-86), § 180-85-200, filed 6/10/86.]

WAC 180-85-205 Required recordkeeping by approved in-service education agencies. Each approved in-service education agency shall provide the following record service:

(1) Documentation that the in-service education program received the prior approval by the board or committee provided in WAC 180-85-045(2).

(2) Documentation that each program standard required in WAC 180-85-200 has been met for each in-service education program including the following:

(a) A copy of the needs statement required by WAC 180-85-200(1);

(b) A copy of the written objectives required by WAC 180-85-200(2);

(c) A copy of the program agenda which shall reflect the content required by WAC 180-85-200(3) and shall demonstrate compliance with the calculation of continuing education credit hours in accordance with the definition prescribed in WAC 180-85-030(3);

(d) A summary of the academic and/or professional experience of each in-service education instructor in sufficient detail to demonstrate compliance with WAC 180-85-100(4);

(e) A copy of all program materials available to attendees as required by WAC 180-85-200(5);

(f) A statement of the type of physical facilities, including necessary equipment, and why such facilities and equipment were anticipated to meet the needs of all participants as required by WAC 180-85-200(6);

(g) A copy of the form used to conduct the evaluations required by WAC 180-85-200(7);

(h) A copy of the summary of evaluations required by WAC 180-85-200(8); and

(i) A copy of the minutes of the board or advisory committee which demonstrates that such board or advisory committee reviewed the assessment required by WAC 180-85-200(9).

(3) A list, for each in-service education program, of all participants who have requested continuing education credit hours by signing a registration form made available at the in-service education program. Such registration form shall provide space for the registrant to indicate he or she is requesting fewer hours than the amount calculated for the entire in-service education program due to partial attendance.

(4) The name, certification number, the number of continuing education credits granted for each registrant of an in-service education program, and the date, title, and sponsor of each in-service program shall be transmitted to the superintendent of public instruction or his or her designated recordkeeping agency within forty-five days of the completion of all or a portion of each in-service education program.

(5) The registrant claiming continuing education credit hours shall be provided evidence of attendance at the in-service education program within forty-five days of completion of the in-service education program and upon request if such request is made within seven calendar years of such in-service education program, including the number of continuing education credit hours granted and reported pursuant to subsection (4) of this

section. In addition, the registrant shall be given specific instructions regarding the need to preserve the record and how to correct the record if attendance or credit hours has been reported by the approved in-service education agency inaccurately.

(6) The above records shall be available for inspection by the superintendent of public instruction for a period of seven calendar years from the date of each in-service education program.

[Statutory Authority: RCW 28A.70.005. 86-13-018 (Order 8-86), § 180-85-205, filed 6/10/86.]

WAC 180-85-210 Assurances of compliance with program and recordkeeping standards. Annual assurances by approved in-service education agencies shall be completed as follows:

(1) School districts shall be requested, when submitting the annual basic education compliance report, to provide an assurance that any in-service education program to be provided by such district and for which continuing education credit hours will be granted shall comply with the applicable program and recordkeeping standards within this chapter.

(2) Approved private schools shall be requested, when applying for annual approval, to provide an assurance that any in-service education program to be provided by such private school and for which continuing education credit hours will be granted shall comply with the applicable program and recordkeeping standards within this chapter.

(3) Other in-service education agencies seeking approval status shall provide on forms provided by the superintendent of public instruction, an annual assurance that any in-service education program to be provided by such agency and for which continuing education credit hours will be granted shall comply with the applicable program standards and recordkeeping within this chapter. Such forms shall contain such other information related to the continuing education program provided by the approved in-service agency as requested by the superintendent of public instruction.

[Statutory Authority: RCW 28A.70.005. 86-13-018 (Order 8-86), § 180-85-210, filed 6/10/86.]

WAC 180-85-215 Selective audit of records of in-service education agencies. The superintendent of public instruction shall audit school district compliance with the provisions of this chapter as a part of the state staff review provided by WAC 180-16-195(2). All other approved in-service education agencies shall be audited by the superintendent of public instruction on a selective basis, which may include responses to complaints or other evidence of possible noncompliance, with the number of actual audits per year left to the discretion of the superintendent of public instruction.

[Statutory Authority: RCW 28A.70.005. 86-13-018 (Order 8-86), § 180-85-215, filed 6/10/86.]

WAC 180-85-220 Noncompliance--Substantial compliance rule. If an audit by the superintendent of

public instruction finds that an approved in-service education agency is not in substantial compliance with the provisions of this chapter, the superintendent of public instruction shall document violations of the regulations—i.e., written findings of fact and conclusions of law—and notify such provider of corrective action necessary to achieve substantial compliance. If such agency fails to provide an assurance within twenty calendar days that such corrective action will be implemented, the superintendent of public instruction shall notify the agency that it is no longer eligible to provide continuing education credit hours in its in-service education program until the agency provides an assurance to the superintendent of public instruction that corrective action will be implemented which will satisfy the substantial compliance standard.

[Statutory Authority: RCW 28A.70.005. 86-13-018 (Order 8-86), § 180-85-220, filed 6/10/86.]

WAC 180-85-225 Appeal to state board of education. Any finding of noncompliance by the superintendent of public instruction pursuant to WAC 180-85-120 may be appealed to the state board of education for review. The filing of a notice of appeal shall cause a stay of any order by the superintendent of public instruction until the state board of education makes an independent determination on the issue of substantial compliance. If the state board of education concurs that the approved in-service education agency has failed to substantially comply with the applicable provisions of this chapter, the state board of education shall prescribe the corrective action necessary to achieve substantial compliance. Such agency, upon receipt of notice of action by the state board of education, shall be denied the authority to grant any continuing education credit hours for any subsequent in-service education program until the agency provides an assurance to the superintendent of public instruction that corrective action prescribed by the state board of education will be implemented.

[Statutory Authority: RCW 28A.70.005. 86-13-018 (Order 8-86), § 180-85-225, filed 6/10/86.]

Chapter 180-90 WAC PRIVATE SCHOOLS

WAC

180-90-105	Authority.
180-90-110	Purpose.
180-90-112	Definition—Approved private school.
180-90-115	Definition—Private school.
180-90-119	Definition—Reasonable health and fire safety requirements.
180-90-120	Definitions—Deviations.
180-90-123	Definition—Total program hour offering.
180-90-130	Approval—Annual certification.
180-90-133	SPI report to SBE—No adverse findings.
180-90-135	SPI adverse findings—Report to private school.
180-90-137	SPI report to SBE—Adverse findings.
180-90-139	Approval action by SBE.
180-90-145	Approval—Annual certification and initial application—Exception.
180-90-150	Appeals.
180-90-160	Minimum standards and certificate form.

[Title 180 WAC—p 186]

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

180-90-010	Approval of private and/or parochial schools—Authority for rules—Scope. [Order 3-72, § 180-90-010, filed 6/27/72.] Repealed by Order 1-75, filed 2/4/75.
180-90-015	Approval of private and/or parochial schools—Intent. [Order 3-72, § 180-90-015, filed 6/27/72.] Repealed by Order 1-75, filed 2/4/75.
180-90-020	Approval of private and/or parochial schools—Definitions. [Order 3-72, § 180-90-020, filed 6/27/72.] Repealed by Order 1-75, filed 2/4/75.
180-90-030	Approval of private and/or parochial schools—Standards for purposes of approval. [Order 3-72, § 180-90-030, filed 6/27/72.] Repealed by Order 1-75, filed 2/4/75.
180-90-040	Approval of private and/or parochial schools—Annual certification. [Order 3-72, § 180-90-040, filed 6/27/72.] Repealed by Order 1-75, filed 2/4/75.
180-90-050	Approval of private and/or parochial schools—Discrimination—Race. [Order 3-72, § 180-90-050, filed 6/27/72.] Repealed by Order 1-75, filed 2/4/75.
180-90-060	Approval of private and/or parochial schools—Application and approval procedure—Administration. [Order 3-72, § 180-90-060, filed 6/27/72.] Repealed by Order 1-75, filed 2/4/75.
180-90-140	Initial application for approval. [Statutory Authority: RCW 28A.04.120(4). 82-04-004 (Order 3-82), § 180-90-140, filed 1/21/82; Order 2-77, § 180-90-140, filed 3/24/77; Order 1-76, § 180-90-140, filed 2/3/76; Order 1-75, § 180-90-140, filed 2/4/75.] Repealed by 85-24-056 (Order 23-85), filed 12/2/85. Statutory Authority: RCW 28A.02.240.

WAC 180-90-105 Authority. The authority for this chapter is RCW 28A.02.240 which authorizes the state board of education to promulgate rules and regulations for the approval of private schools for the purpose of implementing RCW 28A.27.010.

[Statutory Authority: RCW 28A.02.240. 85-24-056 (Order 23-85), § 180-90-105, filed 12/2/85.]

WAC 180-90-110 Purpose. The purpose of this chapter is to establish the procedures and conditions governing the approval of private schools by the state board of education.

[Statutory Authority: RCW 28A.02.240. 85-24-056 (Order 23-85), § 180-90-110, filed 12/2/85; Order 2-77, § 180-90-110, filed 3/24/77; Order 1-75, § 180-90-110, filed 2/4/75.]

WAC 180-90-112 Definition—Approved private school. As used in this chapter the term "approved private school" shall mean a private school which has been approved by the state board of education in accordance with the minimum standards for approval as prescribed in this chapter.

[Statutory Authority: RCW 28A.02.240. 85-24-056 (Order 23-85), § 180-90-112, filed 12/2/85.]

WAC 180-90-115 Definition—Private school. As used in this chapter, the term "private school" shall mean a nonpublic school, including parochial or independent schools, and nonpublic school districts, including parochial and independent school districts, carrying out a program for any or all of the grades one through twelve.

[Statutory Authority: RCW 28A.02.240. 85-24-056 (Order 23-85), § 180-90-115, filed 12/2/85.]

WAC 180-90-119 Definition--Reasonable health and fire safety requirements. As used in this chapter, the term (1) "reasonable health requirements" shall mean those standards contained in chapter 248-64 WAC as adopted by the state board of health.

(2) "Reasonable fire safety requirements" shall mean those standards adopted by the state fire marshal pursuant to chapter 48.48 RCW.

[Statutory Authority: RCW 28A.02.240. 85-24-056 (Order 23-85), § 180-90-119, filed 12/2/85.]

WAC 180-90-120 Definitions--Deviations. As used in this chapter the term:

(1) "Minor deviation" shall mean a variance from the standards established by these regulations which represents little or no threat to the health or safety of students and school personnel, and which does not raise a question as to the ability of the school to provide an educational program which is in substantial compliance with the minimum standards set forth in WAC 180-90-160, and which, therefore, does not preclude the granting of full approval.

(2) "Major deviation" shall mean a variance from the standards established by these regulations which represents little or no threat to the health or safety of students and school personnel but raises a question as to the ability of the school to provide an educational program which substantially complies with the minimum standards set forth in WAC 180-90-160, but is not so serious as to constitute an unacceptable deviation.

(3) "Unacceptable deviation" shall mean a variance from the standards established by these regulations which either:

(a) Constitutes a serious, imminent threat to the health or safety of students or school personnel; or

(b) Demonstrates that the school is not capable of providing an educational program which substantially complies with the minimum standards set forth in WAC 180-90-160.

[Statutory Authority: RCW 28A.02.240. 85-24-056 (Order 23-85), § 180-90-120, filed 12/2/85. Statutory Authority: RCW 28A.02.201 et seq. and 28A.04.120(4). 78-06-064 (Order 9-78), § 180-90-120, filed 5/25/78; Order 2-77, § 180-90-120, filed 3/24/77; Order 1-75, § 180-90-120, filed 2/4/75.]

WAC 180-90-123 Definition--Total program hour offering. As used in this chapter, the term "total program hour offering" shall mean those hours when students are provided the opportunity to engage in educational activity planned by and under the direction of school staff, as directed by the administration and board of directors, inclusive of intermissions for class changes, recess and teacher/parent-guardian conferences which are planned and scheduled by the district for the purpose of discussing students' educational needs for progress, and exclusive of time actually spent for meals.

[Statutory Authority: RCW 28A.02.240. 85-24-056 (Order 23-85), § 180-90-123, filed 12/2/85.]

(1986 Ed.)

WAC 180-90-130 Approval--Annual certification.

At least ninety days prior to the commencement of the annual school term or period, the chief administrator of each private school shall file with the superintendent of public instruction, in accordance with procedures established by the superintendent of public instruction, a certificate of compliance in the form and substance set forth in WAC 180-90-160.

The superintendent of public instruction shall review each certificate. The review shall be completed within thirty days after receipt of a completed application.

[Statutory Authority: RCW 28A.02.240. 85-24-056 (Order 23-85), § 180-90-130, filed 12/2/85. Statutory Authority: RCW 28A.04.120(4). 82-04-004 (Order 3-82), § 180-90-130, filed 1/21/82; Order 2-77, § 180-90-130, filed 3/24/77; Order 1-75, § 180-90-130, filed 2/4/75.]

WAC 180-90-133 SPI report to SBE--No adverse findings.

If the superintendent of public instruction finds no minor, major, or unacceptable deviations, the superintendent of public instruction shall so notify the private school and shall recommend full approval of the private school to the state board of education.

[Statutory Authority: RCW 28A.02.240. 85-24-056 (Order 23-85), § 180-90-133, filed 12/2/85.]

WAC 180-90-135 SPI adverse findings--Report to private school. If the superintendent of public instruction finds deviation, the private school shall be notified in writing of any minor, major, or unacceptable deviations.

[Statutory Authority: RCW 28A.02.240. 85-24-056 (Order 23-85), § 180-90-135, filed 12/2/85.]

WAC 180-90-137 SPI report to SBE--Adverse findings.

If the superintendent of public instruction finds minor, major, or unacceptable deviations, the superintendent of public instruction shall not transmit the recommendation regarding approval status to the state board of education until the private school submits a narrative report indicating agreement or not with the findings of the superintendent of public instruction and any proposed remedial action to address the reported deviations. Upon receipt of the narrative report, the superintendent of public instruction shall transmit the recommendation and the narrative report to the state board of education.

[Statutory Authority: RCW 28A.02.240. 85-24-056 (Order 23-85), § 180-90-137, filed 12/2/85.]

WAC 180-90-139 Approval action by SBE. The state board of education shall take one of the following actions:

(1) If no deviations are found, the state board of education shall grant full approval.

(2) If minor deviations are found and the private school acknowledges the existence of such deviations and indicates an intent to correct such deviations in its narrative response, the state board of education shall grant full approval.

(3) If major deviations are found and the private school in its narrative report assures compliance by the

[Title 180 WAC--p 187]

commencement of the annual school term, the state board of education shall grant full approval.

(4) If major deviations are found and the private school in its narrative report, supplemented by direct testimony to the state board of education, demonstrates it is not practical to correct such major deviations prior to the commencement of the annual school term but establishes to the satisfaction of the state board of education its commitment to correct such deviation as soon as is practical, the state board of education shall grant such private school provisional approval for the period of time the state board of education determines is necessary to correct the major deviation but no longer than one year.

(5) If unacceptable deviations are found or if the private school fails to comply with corrective conditions within subsection (2), (3), or (4) of this section for minor or major deviations, state board of education approval shall be denied.

[Statutory Authority: RCW 28A.02.240. 85-24-056 (Order 23-85), § 180-90-139, filed 12/2/85.]

WAC 180-90-145 Approval--Annual certification and initial application--Exception. Any private school which is unable to file its application at least 90 days prior to the commencement of the annual school term or period may in any event request that the superintendent of public instruction to review the application and that the superintendent's findings and recommendations be submitted to the state board of education. This request shall be granted if the superintendent finds that the private school was not sufficiently developed prior to the 90 day time period to enable it to comply with that requirement. The superintendent of public instruction shall have the discretion to grant the request in other exceptional circumstances. If said request is granted, the review shall be completed within thirty days and the findings and recommendations presented to the state board of education.

[Statutory Authority: RCW 28A.02.240. 85-24-056 (Order 23-85), § 180-90-145, filed 12/2/85; Order 2-77, § 180-90-145, filed 3/24/77.]

WAC 180-90-150 Appeals. Pursuant to RCW 28A.02.230 any private school may appeal the actions of the superintendent of public instruction or state board of education as provided in chapter 34.04 RCW and chapter 180-08 WAC.

[Statutory Authority: RCW 28A.02.240. 85-24-056 (Order 23-85), § 180-90-150, filed 12/2/85; Order 2-77, § 180-90-150, filed 3/24/77; Order 1-75, § 180-90-150, filed 2/4/75.]

WAC 180-90-160 Minimum standards and certificate form. The annual certificate required by WAC 180-90-130 shall be in substantial compliance with the form and substance of the following:

CERTIFICATE OF COMPLIANCE
WITH STATE STANDARDS

ESD/County/Public School
District/Private School
or Private School
District Address

I, _____, do hereby certify that I am the principal or chief administrator of the above named school; that said school is located at the address listed above, and conducts grades _____ through _____ with a projected enrollment of _____; and that said school is scheduled to meet throughout the _____ school year, the following standards with the exception only of such deviations, if any, as are set forth in an attachment to this certificate of compliance

or

I, _____, do hereby certify that I am the superintendent of the above named private school district; and that the private schools under my jurisdiction are scheduled to meet throughout the school year, the following standards with the exception only of such deviations as are set forth in an attachment to this certificate of compliance; and that a list of such schools, including the grades conducted and the projected enrollment for each school, accompanies this certificate:

(1) The minimum school year for instructional purposes consists of no less than 180 school days or the equivalent in annual minimum program hour offerings as prescribed in RCW 28A.58.754.

(2) On each school day, pupils enrolled in the school are provided the opportunity to be engaged in educational activity planned by and under the direction of the staff, as directed by the administration and/or governing board; and that pupils are provided a total program hour offering as prescribed in RCW 28A.58.754 except that the percentages for basic skills, work skills, and optional subjects and activities prescribed in RCW 28A.58.754 do not apply to private schools and that the total program hour offering, except as otherwise specifically provided in RCW 28A.58.754, made available is at least:

- (a) 2700 hours for students in grades one through three.
- (b) 2970 hours for students in grades four through six.
- (c) 1980 hours for students in grades seven and eight.
- (d) 4320 hours for students in grades nine through twelve.

(3) All classroom teachers hold appropriate Washington State certification except for:

(a) Teachers for religious courses or courses for which no counterpart exists in the public schools; and/or

(b) People of recognized professional competence who are not certificated, but who teach or will teach students under the supervision of a certificated person in exceptional cases; the certificated person who supervises and the circumstances necessitating the employment of the noncertificated person(s) are listed on the reverse of this certificate.

(4) If the school operates an extension program for parents, guardians, or persons having legal custody of a child to teach children in their custody, the extension program meets the following requirements:

(a) The parent, guardian, or custodian is supervised by a person certified under chapter 28A.70 RCW and who is employed by the school;

(b) The planning by the certified person and the parent, guardian, or person having legal custody includes

objectives consistent with this subsection and subsections (1), (2), (5), (6), and (7) of this section;

(c) The certified person spends a minimum average each month of one contact hour per week with each student under his or her supervision who is enrolled in the extension program;

(d) Each student's progress is evaluated by the certified person; and

(e) The certified person does not supervise more than thirty students enrolled in the approved private school's extension program.

(5) Measures have been taken to safeguard all permanent records against loss or damage through either the storage of such records in fire-resistant containers or facilities, or the retention of duplicates in a separate and distinct area;

(6) The physical facilities of the school are adequate to meet the program offered, and all school facilities and practices are in substantial compliance with reasonable health and fire safety standards, as substantiated by current inspection reports of appropriate health and fire safety officials which are on file in the chief administrator's office;

(7) The school's curriculum includes instruction in the basic skills of occupational education, science, mathematics, language, social studies, history, health, reading, writing, spelling, and the development of appreciation of art and music in sufficient units for meeting state board of education graduation requirements, as set forth in chapter 180-51 WAC;

(8) The school or its organized district maintains up-to-date policy statements related to the administration and operation of the school or district;

(9) The school does not engage in a policy of racial segregation or discrimination;

(10) The governing authority of this private school or private school district has been apprised of the requirements of chapter 180-90 WAC relating to the minimum requirements for approval of private schools and such governing authority has further been apprised of all deviations from the rules and regulations of the state board of education and the standards contained in chapter 180-90 WAC. I have reported all such deviations herewith.

DATED this ---- day of -----, 19---

(signed)

(title)

(phone number)

[Statutory Authority: RCW 28A.02.240. 85-24-056 (Order 23-85), § 180-90-160, filed 12/2/85. Statutory Authority: RCW 28A.04.120(4). 82-04-004 (Order 3-82), § 180-90-160, filed 1/21/82. Statutory Authority: RCW 28A.02.201 et seq. and 28A.04.120(4). 78-06-064 (Order 9-78), § 180-90-160, filed 5/25/78; Order 2-77, § 180-90-160, filed 3/24/77; Order 1-76, § 180-90-160, filed 2/3/76; Order 1-75, § 180-90-160, filed 2/4/75.]

Chapter 180-95 WAC
EDUCATIONAL CLINICS

WAC

180-95-005	Purpose.
180-95-010	Definitions.
180-95-020	Criteria for certification of educational clinics.
180-95-030	Application procedures for certification as an educational clinic.
180-95-040	Length of certification.
180-95-050	Withdrawal of certification as an educational clinic.
180-95-060	Fee revision—Appeal procedure.

WAC 180-95-005 Purpose. The purpose of this chapter is to implement RCW 28A.97.010, 28A.97.020, 28A.97.030, 28A.97.040, 28A.97.050 and to establish the criteria and procedures to be used in certification of an educational clinic.

[Statutory Authority: RCW 28A.04.120. 78-03-014 (Order 2-78), § 180-95-005, filed 2/8/78.]

WAC 180-95-010 Definitions. The following definitions shall apply to terms used in this chapter:

(1) "Educational clinic" shall mean a private educational institution certified by the state board of education which employs a clinical, client-centered approach and is devoted to (a) teaching the basic academic skills including specific attention to improvement of student motivation for achieving and (b) employment orientation: *Provided*, That no educational clinic certified by the state board of education pursuant to this section shall be deemed a common school under RCW 28A.01-.060 or a private school for the purposes of RCW 28A-.02.201 through 28A.02.250, or proprietary school under chapter 18.82 RCW.

(2) "Basic academic skills" shall mean the study of mathematics, speech, language, reading and composition, science, history, literature and political science or civics; it shall not include courses of a vocational training nature and courses deemed nonessential to the accrediting of common schools or the approval of private schools under RCW 28A.04.120.

(3) "A clinical, client-centered basis" shall mean an approach to education which includes the individual diagnosis of the person's educational abilities, determining and setting of individual goals, prescribing and providing individual programs of instruction, and evaluating the individual student's progress in his or her educational program.

(4) "Individual diagnostic procedure" shall mean the individual assessment by a certified teacher, or when deemed necessary, by a psychometrist, psychologist, and/or another professional who is appropriately certified or licensed to conduct specific diagnostic evaluations and to prescribe an individual educational and instructional program in conjunction with the teacher, student, parents, and others as necessary.

(5) "General educational development (GED) tests" shall mean that battery of tests designed and published by the GED testing service of the American council on education to measure the major outcomes and concepts generally associated with four years of high school education. Each GED testing center must have a current

contract with the American council on education and be authorized by the state superintendent of public instruction.

(6) "Educational gain" shall mean (a) measurable increases in the student's achievement, (b) increased motivation for achieving, and/or (c) increased knowledge and skills relevant to employment orientation as defined in (8) below: *Provided*, That consideration is given to the student's background in determining the extent of such gain.

(7) "Eligible common school dropout" shall be defined as set forth in WAC 392-185-010(2).

(8) "Employment orientation" shall normally include, but not be restricted to instruction and practical experience in the following areas: Job applications, interview techniques, expectations for attendance and production, learning to translate skills and abilities in terms of job needs, examination by the student of job descriptions and exploration of the student's ability to fulfill the job needs.

[Statutory Authority: RCW 28A.04.120. 78-03-014 (Order 2-78), § 180-95-010, filed 2/8/78.]

WAC 180-95-020 Criteria for certification of educational clinics. To be certified as an educational clinic, a private educational institution must apply to the state board of education and provide evidence that it:

(1) Qualifies under the definition set forth in WAC 180-95-010(1).

(2) Offers instruction in the basic academic skills as defined in WAC 180-95-010(2) and employment orientation as defined in WAC 180-95-010(8).

(3) Employs, for purposes of diagnosing and instructing students, professionally trained personnel who meet requirements for certification set forth in chapters 180-80 and/or 180-84 WAC: *Provided*, That for specific diagnostic evaluations, a professional who is otherwise appropriately licensed does not have to meet certification requirements.

(4) Operates on a clinical, client-centered basis as defined in WAC 180-95-010(3).

(5) Conducts individualized diagnosis and instruction which includes as a minimum:

(a) Consideration by qualified personnel of the student's achievement, abilities, interests, and aptitudes;

(b) Delineation of individual learning objectives and education and/or employment goals;

(c) Development and implementation of curriculum and instruction appropriate to diagnosed needs and specified objectives and goals;

(d) Provision for evaluation of the student's progress toward and attainment of learning objectives and education and/or employment goals.

(6) Produces educational gains in students which relate directly to the individual learning objectives and educational and/or employment goals established for the student.

(7) Maintains accurate and complete financial and personnel records.

[Title 180 WAC—p 190]

(8) Is financially sound and capable of fulfilling its educational commitment, i.e., that it has definite and certain resources to meet its current obligations.

[Statutory Authority: RCW 28A.04.120. 78-03-014 (Order 2-78), § 180-95-020, filed 2/8/78.]

WAC 180-95-030 Application procedures for certification as an educational clinic. A private educational institution shall apply for certification to the state board of education on a form provided by the state board of education. The state board of education or its designee(s) shall determine by on-site visitation and documentary evidence submitted by the applicant whether all criteria set forth in WAC 180-95-020 are satisfied. The state board of education shall notify the applicant institution of its certification status within ten weeks after the date state board of education receives a completed application.

[Statutory Authority: RCW 28A.04.120. 78-03-014 (Order 2-78), § 180-95-030, filed 2/8/78.]

WAC 180-95-040 Length of certification. A private educational institution shall be certified as an educational clinic by the state board of education for no more than three years and shall report annually any changes relevant to certification criteria set forth in WAC 180-95-020 to the state board of education on a form provided by the state board of education.

[Statutory Authority: RCW 28A.04.120. 78-03-014 (Order 2-78), § 180-95-040, filed 2/8/78.]

WAC 180-95-050 Withdrawal of certification as an educational clinic. The state board of education may withdraw certification if the board finds that a clinic fails:

(1) To provide adequate instruction in basic academic skills which shall mean:

(a) The clinic does not offer or make provision for instruction in all the basic skills defined in WAC 180-95-010(2), or

(b) Evidence/data do not verify educational gains which relate directly to the individual learning objectives and the educational and/or employment goals established, or

(c) The clinic does not provide opportunities for employment orientation.

(2) To meet any of the criteria for certification of educational clinics as established in WAC 180-95-020.

[Statutory Authority: RCW 28A.04.120. 78-03-014 (Order 2-78), § 180-95-050, filed 2/8/78.]

WAC 180-95-060 Fee revision—Appeal procedure. The state board of education shall either grant or deny proposed fee revisions no later than its second regularly scheduled meeting after receipt of notification of such appeal and shall conduct such an appeal as follows:

(1) The time and place for filing an appeal from the decision of the superintendent of public instruction to deny a requested fee revision shall be as stated in WAC 392-185-080.

(2) The decision on appeal will be based solely on the record. The record will consist of (a) the documentation in support of the increase submitted by the certified educational clinic to the superintendent of public instruction, (b) a statement by the superintendent of public instruction setting forth the reasons the fee revision was denied, (c) any other information or documentation the state board of education may request, and (d) the additional documentation (if any) that the certified educational clinic may submit in rebuttal of the superintendent of public instruction's statement.

(3) The decision of the state board of education shall be final. The decision of the state board of education may not be appealed to superior court.

[Statutory Authority: RCW 28A.04.120. 78-03-014 (Order 2-78), § 180-95-060, filed 2/8/78.]