

revenues do not exceed one hundred fifty thousand dollars and (2) water companies who are required to file water system plans with the department of health in compliance with WAC 246-290-100. Water companies required to file such plans with the department of health shall concurrently file a copy of such plan with the commission.

[Statutory Authority: RCW 80.01.040, 92-02-083 (Order R-363, Docket No. U-911075), § 480-140-020, filed 12/31/91, effective 1/31/92; 91-08-026 (Order R-341, Docket No. U-901099), § 480-140-020, filed 3/28/91, effective 4/28/91. Statutory Authority: RCW 80.01.040 and 80.04.320, 87-01-001 (Order R-269, Cause No. U-86-121), § 480-140-020, filed 12/5/86; Order R-5, § 480-140-020, filed 6/6/69, effective 10/9/69.]

**WAC 480-140-040 Preparation.** Budgets shall be made in duplicate on forms furnished by the commission. The original and three copies shall be filed with the commission and one copy shall be kept by the company for its files. Each question must be answered fully and accurately. Where the word "none" truly and completely states the fact, it may be given as the answer to any particular inquiry or portion thereof. Do not leave blank lines. Items and schedules which do not apply to the reporting company's business and therefore cannot be filled in, shall be answered "not applicable." In no case shall any utility deviate from the requirements of these rules except upon a showing of good cause, and then only to the extent authorized by the commission in writing. For the purpose of the budget report an "individual major project," is defined according to the following schedule:

Company Construction Budget	Major Project
\$25,000 or less	\$2,000 or more
\$25,001 to \$50,000	\$2,500 or more
\$50,001 to \$100,000	\$10,000 or more
\$100,001 to \$500,000	\$15,000 or more
\$500,001 to \$1,000,000	\$50,000 or more
\$1,000,001 to \$5,000,000	\$100,000 or more
\$5,000,001 or more	\$500,000 or more

All other individual projects shall be listed by name, location, and estimated cost. For companies with utility operations in more than one state, the major project threshold shall be applied to all projects proposed to be located in the state of Washington and to all projects which will be partly or wholly allocated to Washington operations: *Provided*, That individual project description sheets shall be required only for those projects for which the assigned or allocated costs to Washington equal or exceed the threshold set forth in this rule.

[Statutory Authority: RCW 80.01.040, 92-02-083 (Order R-363, Docket No. U-911075), § 480-140-040, filed 12/31/91, effective 1/31/92; 91-08-026 (Order R-341, Docket No. U-901099), § 480-140-040, filed 3/28/91, effective 4/28/91. Statutory Authority: RCW 80.01.040 and 80.04.320, 87-01-001 (Order R-269, Cause No. U-86-121), § 480-140-040, filed 12/5/86. Statutory Authority: RCW 80.01.040 and 80.04.300 through 80.04.330, 83-06-016 (Order R-195, Cause No. U-83-02), § 480-140-040, filed 2/23/83; Order R-5, § 480-140-040, filed 6/6/69, effective 10/9/69.]

**Title 490 WAC**

**VOCATIONAL EDUCATION AND  
VOCATIONAL REHABILITATION,  
COMMISSION FOR**

**(SOCIAL AND HEALTH SERVICES, DEPT.  
OF)**

- Chapters**
- 490-02** Incorporation of federal regulations by reference.
- 490-03** Affirmative action policy.
- 490-04A** Authority and organization for commission for vocational education.
- 490-05** Full-time personnel and functions to eliminate sex discrimination and sex stereotyping.
- 490-08A** Rules of practice and procedure.
- 490-16A** Occupational training of veterans—Approval of schools.
- 490-24A** Provision for public hearings, public meetings and public information.
- 490-25A** Rules and regulations relating to public records of the commission for vocational education.
- 490-28A** Minimum qualifications of personnel.
- 490-29** Vocational education personnel training.
- 490-31** Apprenticeship programs.
- 490-32A** Definitions for terms commonly used in vocational education activities.
- 490-33** Co-op education.
- 490-34** Program evaluation and compliance auditing.
- 490-36A** Conditions for approval of local educational agency programs.
- 490-37** Adjudication and review rules and procedures.
- 490-38** Service areas of the vocational-technical institutes and outside programs.
- 490-40A** Procedures for vocational education program development and services under contracts and agreements.
- 490-48A** Vocational youth organizations.
- 490-53** Program improvement.
- 490-60A** Home and family life education.
- 490-76A** Fiscal control and fund accounting procedures.
- 490-100** Private vocational school regulations.
- 490-300** Job skills program.
- 490-325** Commission for vocational education.

**Chapter 490-02 WAC**

**INCORPORATION OF FEDERAL REGULATIONS  
BY REFERENCE**

WAC  
490-02-010 Decodified.

**DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER**

- 490-02-010 Incorporation of federal regulations by reference. [Statutory Authority: RCW 28C.04.060. 79-02-019 (Order 79-1, Resolution No. 78-32-3), § 490-02-010, filed 1/16/79.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.

**WAC 490-02-010 Decodified.** See Disposition Table at beginning of this chapter.

**Chapter 490-03 WAC**  
**AFFIRMATIVE ACTION POLICY**

WAC

- 490-03-010 Decodified.

**DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER**

- 490-03-010 Affirmative action policy. [Statutory Authority: RCW 28C.04.060. 79-02-019 (Order 79-1, Resolution No. 78-32-3), § 490-03-010, filed 1/16/79.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.

**WAC 490-03-010 Decodified.** See Disposition Table at beginning of this chapter.

**Chapter 490-04A WAC**  
**AUTHORITY AND ORGANIZATION FOR COMMISSION FOR VOCATIONAL EDUCATION**

WAC

- 490-04A-010 through 490-04A-070 Decodified.

**DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER**

- 490-04A-010 Authority and designation of state board. [Statutory Authority: RCW 28C.04.060. 79-02-019 (Order 79-1, Resolution No. 78-32-3), § 490-04A-010, filed 1/16/79; Order 75-3, § 490-04A-010, filed 12/18/75. Formerly WAC 490-04-010.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-04A-020 Organization. [Order 75-3, § 490-04A-020, filed 12/18/75. Formerly WAC 490-04-020.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-04A-040 Designation of executive officer. [Statutory Authority: RCW 28C.04.060. 79-02-019 (Order 79-1, Resolution No. 78-32-3), § 490-04A-040, filed 1/16/79; Order 75-3, § 490-04A-040, filed 12/18/75. Formerly WAC 490-04-030.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-04A-060 Functions. [Statutory Authority: RCW 28C.04.060. 79-02-019 (Order 79-1, Resolution No. 78-32-3), § 490-04A-060, filed 1/16/79.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-04A-070 Administrative structure of the commission for vocational education. [Statutory Authority: RCW 28C.04.060. 79-02-019 (Order 79-1, Resolution No. 78-32-3), § 490-04A-070, filed 1/16/79. Formerly WAC 490-04A-050.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.

**WAC 490-04A-010 through 490-04A-070 Decodified.** See Disposition Table at beginning of this chapter.

**Chapter 490-05 WAC****FULL-TIME PERSONNEL AND FUNCTIONS TO ELIMINATE SEX DISCRIMINATION AND SEX STEREOTYPING**

WAC

- 490-05-001 through 490-05-030 Decodified.

**DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER**

- 490-05-001 Full-time personnel and functions to eliminate sex discrimination and sex stereotyping. [Statutory Authority: RCW 28C.04.060. 79-02-019 (Order 79-1, Resolution No. 78-32-3), § 490-05-001, filed 1/16/79.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-05-020 Studies to carry out functions. [Statutory Authority: RCW 28C.04.060. 79-02-019 (Order 79-1, Resolution No. 78-32-3), § 490-05-020, filed 1/16/79.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-05-030 Special considerations and incentives for the reduction of sex bias and sex stereotyping in vocational education. [Statutory Authority: RCW 28C.04.060. 79-02-019 (Order 79-1, Resolution No. 78-32-3), § 490-05-030, filed 1/16/79.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.

**WAC 490-05-001 through 490-05-030 Decodified.** See Disposition Table at beginning of this chapter.

**Chapter 490-08A WAC**  
**RULES OF PRACTICE AND PROCEDURE**

WAC

- 490-08A-001 through 490-08A-020 Decodified.

**DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER**

- 490-08A-001 Appeal procedures. [Statutory Authority: RCW 28C.04.060. 79-02-019 (Order 79-1, Resolution No. 78-32-3), § 490-08A-001, filed 1/16/79.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-08A-010 Appeal procedures. [Statutory Authority: RCW 28C.04.060. 79-02-019 (Order 79-1, Resolution No. 78-32-3), § 490-08A-010, filed 1/16/79; Order 75-3, § 490-08A-010, filed 12/18/75. Formerly WAC 490-08-010.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-08A-020 Judicial review provisions. [Order 75-3, § 490-08A-020, filed 12/18/75. Formerly WAC 490-08-020.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.

**WAC 490-08A-001 through 490-08A-020 Decodified.** See Disposition Table at beginning of this chapter.

**Chapter 490-16A WAC**  
**OCCUPATIONAL TRAINING OF VETERANS—APPROVAL OF SCHOOLS**

WAC

- 490-16A-001 through 490-16A-130 Decodified.

**DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER**

- 490-16A-001 Authorization. [Order 75-3, § 490-16A-001, filed 12/18/75. Formerly WAC 490-16-001.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-16A-005 Importance of approval. [Order 75-3, § 490-16A-005, filed 12/18/75. Formerly WAC 490-16-005.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-16A-008 Conditions required for approval. [Order 75-3, § 490-16A-008, filed 12/18/75. Formerly WAC 490-16-008.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-16A-010 Applicability of standards. [Order 75-3, § 490-16A-010, filed 12/18/75. Formerly WAC 490-16-010.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-16A-015 General standards—Prior operation. [Order 75-3, § 490-16A-015, filed 12/18/75. Formerly WAC 490-16-015.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-16A-020 General standards—Minimum number of nonveteran students required. [Order 75-3, § 490-16A-020, filed 12/18/75. Formerly WAC 490-16-020.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-16A-025 General standards—Prior accreditation or licensing. [Order 75-3, § 490-16A-025, filed 12/18/75. Formerly WAC 490-16-025.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-16A-030 General standards—Accredited and nonaccredited courses. [Order 75-3, § 490-16A-030, filed 12/18/75. Formerly WAC 490-16-030.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-16A-035 General standards—Approval by state board. [Order 75-3, § 490-16A-035, filed 12/18/75. Formerly WAC 490-16-035.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-16A-040 General standards—Business organization and ethics. [Order 75-3, § 490-16A-040, filed 12/18/75. Formerly WAC 490-16-040.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-16A-045 General standards—Admission requirements. [Order 75-3, § 490-16A-045, filed 12/18/75. Formerly WAC 490-16-045.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-16A-050 General standards—Qualifications of instructors. [Order 75-3, § 490-16A-050, filed 12/18/75. Formerly WAC 490-16-050.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-16A-055 General standards—Qualifications of instructors—Number of teachers and student load. [Order 75-3, § 490-16A-055, filed 12/18/75. Formerly WAC 490-16-055.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-16A-060 General standards—Instructional content. [Order 75-3, § 490-16A-060, filed 12/18/75. Formerly WAC 490-16-060.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-16A-065 General standards—Facilities. [Order 75-3, § 490-16A-065, filed 12/18/75. Formerly WAC 490-16-065.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-16A-070 General standards—Equipment. [Order 75-3, § 490-16A-070, filed 12/18/75. Formerly WAC 490-16-070.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-16A-080 Regulations—Advertising and/or publicizing. [Order 75-3, § 490-16A-080, filed 12/18/75. Formerly WAC 490-16-080.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-16A-085 Regulations—Length of time of approval. [Order 75-3, § 490-16A-085, filed 12/18/75. Formerly WAC 490-16-085.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-16A-090 Regulations—Limited and specific nature of approval. [Order 75-3, § 490-16A-090, filed 12/18/75. Formerly WAC 490-16-090.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-16A-095 Regulations—Change of location or ownership. [Order 75-3, § 490-16A-095, filed 12/18/75. Formerly WAC 490-16-095.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-16A-100 Regulations—Approvals are not precedents. [Order 75-3, § 490-16A-100, filed 12/18/75. Formerly WAC 490-16-100.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-16A-105 Regulations—Reports. [Order 75-3, § 490-16A-105, filed 12/18/75. Formerly WAC 490-16-105.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-16A-110 Regulations—Visitations. [Order 75-3, § 490-16A-110, filed 12/18/75. Formerly WAC 490-16-110.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-16A-115 Regulations—Misrepresentation. [Order 75-3, § 490-16A-115, filed 12/18/75. Formerly WAC 490-16-115.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-16A-120 Regulations—Supporting evidence. [Order 75-3, § 490-16A-120, filed 12/18/75. Formerly WAC 490-16-120.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-16A-130 Regulations—Procedures. [Order 75-3, § 490-16A-130, filed 12/18/75. Formerly WAC 490-16-130.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.

**WAC 490-16A-001 through 490-16A-130 Decodified.** See Disposition Table at beginning of this chapter.

**Chapter 490-24A WAC****PROVISION FOR PUBLIC HEARINGS, PUBLIC MEETINGS AND PUBLIC INFORMATION**

WAC

490-24A-010 through 490-24A-030 Decodified.

**DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER**

- 490-24A-010 Public hearings procedures. [Order 75-3, § 490-24A-010, filed 12/18/75. Formerly WAC 490-24-010.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-24A-020 Public meeting procedures. [Order 75-3, § 490-24A-020, filed 12/18/75. Formerly WAC 490-24-020.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-24A-030 Public information procedures. [Order 75-3, § 490-24A-030, filed 12/18/75. Formerly WAC 490-24-030.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.

**WAC 490-24A-010 through 490-24A-030 Decodified.** See Disposition Table at beginning of this chapter.

**Chapter 490-25A WAC****RULES AND REGULATIONS RELATING TO PUBLIC RECORDS OF THE COMMISSION FOR VOCATIONAL EDUCATION**

WAC

490-25A-010 through 490-25A-060 Decodified.

**DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER**

- 490-25A-010 Purpose. [Order 75-3, § 490-25A-010, filed 12/18/75. Formerly WAC 490-25-010.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-25A-015 Definitions. [Order 75-3, § 490-25A-015, filed 12/18/75. Formerly WAC 490-25-015.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-25A-020 Description of central and field organization of CVE. [Order 75-3, § 490-25A-020, filed 12/18/75. Formerly WAC 490-25-020.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-25A-025 Public records available. [Order 75-3, § 490-25A-025, filed 12/18/75. Formerly WAC 490-25-025.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-25A-030 Requests for public records. [Order 75-3, § 490-25A-030, filed 12/18/75. Formerly WAC 490-25-030.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-25A-035 Copying. [Order 75-3, § 490-25A-035, filed 12/18/75. Formerly WAC 490-25-035.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-25A-040 Exemptions. [Order 75-3, § 490-25A-040, filed 12/18/75. Formerly WAC 490-25-040.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-25A-045 Review of denials of public records requests. [Order 75-3, § 490-25A-045, filed 12/18/75. Formerly WAC 490-25-045.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-25A-050 Protection of public records. [Order 75-3, § 490-25A-050, filed 12/18/75. Formerly WAC 490-25-050.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-25A-055 Records index. [Order 75-3, § 490-25A-055, filed 12/18/75. Formerly WAC 490-25-055.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-25A-060 Adoption of form—Appendix A. [Order 75-3, § 490-25A-060 and Appendix A, filed 12/18/75. Formerly WAC 490-25-060 and Appendix A.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.

**WAC 490-25A-010 through 490-25A-060 Decodified.** See Disposition Table at beginning of this chapter.

**Chapter 490-28A WAC****MINIMUM QUALIFICATIONS OF PERSONNEL****WAC**

490-28A-001 through 490-28A-020 Decodified.

**DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER**

- 490-28A-001 Minimum qualifications of vocational education personnel. [Statutory Authority: RCW 28C.04.060. 79-02-019 (Order 79-1, Resolution No. 78-32-3), § 490-28A-001, filed 1/16/79.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-28A-002 Minimum standards for full-time teaching personnel. [Statutory Authority: RCW 28C.04.060. 79-02-019 (Order 79-1, Resolution No. 78-32-3), § 490-28A-002, filed 1/16/79.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-28A-003 Minimum standards for trainers of vocational education personnel. [Statutory Authority: RCW 28C.04.060. 83-10-003 (Order 83-1, Resolution No. 82-54-12/3), § 490-28A-003, filed 4/21/83.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-28A-012 Minimum standards for local vocational administrative personnel. [Statutory Authority: RCW 28C.04.060. 79-02-019 (Order 79-1, Resolution No. 78-32-3), § 490-28A-012, filed 1/16/79; Order 75-3, §

490-28A-012, filed 12/18/75. Formerly WAC 490-28-012.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.

- 490-28A-013 Minimum standards of state agency personnel. [Statutory Authority: RCW 28C.04.060. 81-09-072 (Order 81-1, Resolution No. 81-45-2), § 490-28A-013, filed 4/22/81; 79-02-019 (Order 79-1, Resolution No. 78-32-3), § 490-28A-013, filed 1/16/79; Order 75-3, § 490-28A-013, filed 12/18/75. Formerly WAC 490-28-013.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-28A-014 Safety and occupational health practices standards. [Statutory Authority: RCW 28C.04.060. 79-02-019 (Order 79-1, Resolution No. 78-32-3), § 490-28A-014, filed 1/16/79.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-28A-020 Compliance with WAC 490-28A-010 by operating agencies. [Order 75-3, § 490-28A-020, filed 12/18/75. Formerly WAC 490-28-020.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.

**WAC 490-28A-001 through 490-28A-020 Decodified.** See Disposition Table at beginning of this chapter.

**Chapter 490-29 WAC****VOCATIONAL EDUCATION PERSONNEL TRAINING****WAC**

490-29-001 through 490-29-002 Decodified.

**DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER**

- 490-29-001 Vocational education personnel training. [Statutory Authority: RCW 28C.04.060. 79-02-019 (Order 79-1, Resolution No. 78-32-3), § 490-29-001, filed 1/16/79.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-29-002 Responsibility for vocational education personnel training. [Statutory Authority: RCW 28C.04.060. 79-02-019 (Order 79-1, Resolution No. 78-32-3), § 490-29-002, filed 1/16/79.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.

**WAC 490-29-001 through 490-29-002 Decodified.** See Disposition Table at beginning of this chapter.

**Chapter 490-31 WAC****APPRENTICESHIP PROGRAMS****WAC**

490-31-001 through 490-31-010 Decodified.

**DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER**

- 490-31-001 Apprenticeship programs. [Statutory Authority: RCW 28C.04.060. 79-02-019 (Order 79-1, Resolution No. 78-32-3), § 490-31-001, filed 1/16/79.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-31-010 Vocational related instruction for apprentices. [Statutory Authority: RCW 28C.04.060. 79-02-019 (Order 79-1, Resolution No. 78-32-3), § 490-31-010, filed 1/16/79.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.

**WAC 490-31-001 through 490-31-010 Decodified.** See Disposition Table at beginning of this chapter.

**Chapter 490-32A WAC**

**DEFINITIONS FOR TERMS COMMONLY USED IN VOCATIONAL EDUCATION ACTIVITIES**

WAC

490-32A-001 through 490-32A-010 Decodified.

**DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER**

- 490-32A-001 Definitions for terms commonly used in vocational education activities. [Statutory Authority: RCW 28C.04.060. 79-02-019 (Order 79-1, Resolution No. 78-32-3), § 490-32A-001, filed 1/16/79.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-32A-010 Definitions for terms. [Statutory Authority: RCW 28C.04.060. 79-02-019 (Order 79-1, Resolution No. 78-32-3), § 490-32A-010, filed 1/16/79; Order 75-3, § 490-32A-010, filed 12/18/75. Formerly WAC 490-32-010.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.

**WAC 490-32A-001 through 490-32A-010 Decodified.** See Disposition Table at beginning of this chapter.

**Chapter 490-33 WAC  
CO-OP EDUCATION**

WAC

490-33-001 through 490-33-010 Decodified.

**DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER**

- 490-33-001 Cooperative education. [Statutory Authority: RCW 28C.04.060. 79-02-019 (Order 79-1, Resolution No. 78-32-3), § 490-33-001, filed 1/16/79.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-33-010 Assurances. [Statutory Authority: RCW 28C.04.060. 79-02-019 (Order 79-1, Resolution No. 78-32-3), § 490-33-010, filed 1/16/79.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.

**WAC 490-33-001 through 490-33-010 Decodified.** See Disposition Table at beginning of this chapter.

**Chapter 490-34 WAC  
PROGRAM EVALUATION AND COMPLIANCE AUDITING**

WAC

490-34-001 through 490-34-020 Decodified.

**DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER**

- 490-34-001 Program evaluation and compliance auditing. [Statutory Authority: RCW 28C.04.060. 79-02-019 (Order 79-1, Resolution No. 78-32-3), § 490-34-001, filed 1/16/79.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-34-010 Evaluation schedule. [Statutory Authority: RCW 28C.04.060. 79-02-019 (Order 79-1, Resolution No. 78-32-3), § 490-34-010, filed 1/16/79.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-34-020 Compliance audit. [Statutory Authority: RCW 28C.04.060. 79-02-019 (Order 79-1, Resolution No. 78-32-3), § 490-34-020, filed 1/16/79.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.

**WAC 490-34-001 through 490-34-020 Decodified.** See Disposition Table at beginning of this chapter.

**Chapter 490-36A WAC**

**CONDITIONS FOR APPROVAL OF LOCAL EDUCATIONAL AGENCY PROGRAMS**

WAC

490-36A-001 through 490-36A-040 Decodified.

**DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER**

- 490-36A-001 Advisory councils and committees. [Statutory Authority: RCW 28C.04.060. 79-02-019 (Order 79-1, Resolution No. 78-32-3), § 490-36A-001, filed 1/16/79.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-36A-010 Requirement for conformance to standards. [Order 75-3, § 490-36A-010, filed 12/18/75. Formerly WAC 490-36-010.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-36A-020 Local advisory councils. [Statutory Authority: RCW 28C.04.060. 79-02-019 (Order 79-1, Resolution No. 78-32-3), § 490-36A-020, filed 1/16/79; Order 75-3, § 490-36A-020, filed 12/18/75. Formerly WAC 490-36-020.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-36A-030 Local program/craft advisory committees. [Statutory Authority: RCW 28C.04.060. 81-09-073 (Order 81-2, Resolution No. 81-45-6), § 490-36A-030, filed 4/22/81; 79-02-019 (Order 79-1, Resolution No. 78-32-3), § 490-36A-030, filed 1/16/79.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-36A-040 Local annual applications. [Statutory Authority: RCW 28C.04.060. 83-10-003 (Order 83-1, Resolution No. 82-54-12/3), § 490-36A-040, filed 4/21/83.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.

**WAC 490-36A-001 through 490-36A-040 Decodified.** See Disposition Table at beginning of this chapter.

**Chapter 490-37 WAC**

**ADJUDICATION AND REVIEW RULES AND PROCEDURES**

WAC

490-37-010 through 490-37-140 Decodified.

**DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER**

- 490-37-010 Purpose. [Order 76-1, § 490-37-010, filed 7/1/76.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-37-020 Scope. [Order 76-1, § 490-37-020, filed 7/1/76.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-37-030 Standing. [Order 76-1, § 490-37-030, filed 7/1/76.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-37-031 Questions involving programs beyond districts—Conditions precedent. [Order 77-3, § 490-37-031, filed 11/29/77.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-37-032 Decisions on new or expanded programs—Factors to be considered. [Order 77-3, § 490-37-032, filed 11/29/77.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.

- 490-37-040 Program standards issues. [Order 76-1, § 490-37-040, filed 7/1/76.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-37-050 Definitions. [Order 76-1, § 490-37-050, filed 7/1/76.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-37-060 Responsibilities and conditions. [Order 76-1, § 490-37-060, filed 7/1/76.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-37-070 Notice of dispute—Prehearing procedures. [Order 76-1, § 490-37-070, filed 7/1/76.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-37-080 Review inquiry—Prehearing procedures. [Order 76-1, § 490-37-080, filed 7/1/76.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-37-090 Hearing officer selection. [Order 76-1, § 490-37-090, filed 7/1/76.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-37-100 General provisions governing hearings. [Order 76-1, § 490-37-100, filed 7/1/76.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-37-110 Special review inquiry. [Order 76-1, § 490-37-110, filed 7/1/76.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-37-120 Decision-making process. [Order 76-1, § 490-37-120, filed 7/1/76.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-37-130 Decision-making criteria. [Order 76-1, § 490-37-130, filed 7/1/76.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-37-140 Compliance auditing. [Order 76-1, § 490-37-140, filed 7/1/76.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.

**WAC 490-37-010 through 490-37-140 Decodified.**  
See Disposition Table at beginning of this chapter.

### Chapter 490-38 WAC

#### SERVICE AREAS OF THE VOCATIONAL- TECHNICAL INSTITUTES AND OUTSIDE PROGRAMS

##### WAC

490-38-090 through 490-38-160 Decodified.

##### DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

- 490-38-090 Purpose. [Statutory Authority: Chapter 28C.04 RCW. 80-05-062 (Order 80-1, Resolution No. 80-40-4), § 490-38-090, filed 4/22/80.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-38-100 Authority. [Statutory Authority: Chapter 28C.04 RCW. 80-05-062 (Order 80-1, Resolution No. 80-40-4), § 490-38-100, filed 4/22/80.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-38-110 Definitions. [Statutory Authority: Chapter 28C.04 RCW. 80-05-062 (Order 80-1, Resolution No. 80-40-4), § 490-38-110, filed 4/22/80.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-38-120 Vocational-technical institute service areas defined. [Statutory Authority: Chapter 28C.04 RCW. 80-05-062 (Order 80-1, Resolution No. 80-40-4), § 490-38-120, filed 4/22/80.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-38-130 Operation of programs beyond district boundaries. [Statutory Authority: Chapter 28C.04 RCW. 80-05-062 (Order 80-1, Resolution No. 80-40-4), § 490-38-130, filed 4/22/80.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-38-131 Ongoing courses—Authority to complete. [Statutory Authority: Chapter 28C.04 RCW. 80-05-062 (Order 80-1, Resolution No. 80-40-4), § 490-38-131, filed

- 4/22/80.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-38-140 Operation of vocational education programs outside of districts—Authorized by the commission. [Statutory Authority: Chapter 28C.04 RCW. 80-05-062 (Order 80-1, Resolution No. 80-40-4), § 490-38-140, filed 4/22/80.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-38-150 Notice of intent—Content—Form. [Statutory Authority: Chapter 28C.04 RCW. 80-05-062 (Order 80-1, Resolution No. 80-40-4), § 490-38-150, filed 4/22/80.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-38-160 Program approval—Factors to be considered. [Statutory Authority: Chapter 28C.04 RCW. 80-05-062 (Order 80-1, Resolution No. 80-40-4), § 490-38-160, filed 4/22/80.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.

**WAC 490-38-090 through 490-38-160 Decodified.**  
See Disposition Table at beginning of this chapter.

### Chapter 490-40A WAC

#### PROCEDURES FOR VOCATIONAL EDUCATION PROGRAM DEVELOPMENT AND SERVICES UNDER CONTRACTS AND AGREEMENTS

##### WAC

490-40A-010 through 490-40A-040 Decodified.

##### DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

- 490-40A-010 Vocational education contracts and agreements. [Statutory Authority: RCW 28C.04.060. 79-02-019 (Order 79-1, Resolution No. 78-32-3), § 490-40A-010, filed 1/16/79; Order 75-3, § 490-40A-010, filed 12/18/75. Formerly WAC 490-40-010.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-40A-020 Agreements with other state agencies. [Statutory Authority: RCW 28C.04.060. 79-02-019 (Order 79-1, Resolution No. 78-32-3), § 490-40A-020, filed 1/16/79; Order 75-3, § 490-40A-020, filed 12/18/75. Formerly WAC 490-40-020.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-40A-040 Agreements regarding handicapped and disadvantaged persons. [Statutory Authority: RCW 28C.04.060. 79-02-019 (Order 79-1, Resolution No. 78-32-3), § 490-40A-040, filed 1/16/79; Order 75-3, § 490-40A-040, filed 12/18/75. Formerly WAC 490-40-040.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.

**WAC 490-40A-010 through 490-40A-040 Decodified.**  
See Disposition Table at beginning of this chapter.

### Chapter 490-48A WAC

#### VOCATIONAL YOUTH ORGANIZATIONS

##### WAC

490-48A-010 Decodified.

##### DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

- 490-48A-010 Vocational student organizations. [Statutory Authority: RCW 28C.04.060. 79-02-019 (Order 79-1, Resolution No. 78-32-3), § 490-48A-010, filed 1/16/79; Order 75-3, § 490-48A-010, filed

12/18/75. Formerly WAC 490-48-010.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.

**WAC 490-48A-010 Decodified.** See Disposition Table at beginning of this chapter.

### Chapter 490-53 WAC PROGRAM IMPROVEMENT

WAC

490-53-001 through 490-53-010 Decodified.

#### DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

- 490-53-001 Program improvement. [Statutory Authority: RCW 28C.04.060. 79-02-019 (Order 79-1, Resolution No. 78-32-3), § 490-53-001, filed 1/16/79.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-53-010 Research coordinating unit. [Statutory Authority: RCW 28C.04.060. 79-02-019 (Order 79-1, Resolution No. 78-32-3), § 490-53-010, filed 1/16/79.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.

**WAC 490-53-001 through 490-53-010 Decodified.** See Disposition Table at beginning of this chapter.

### Chapter 490-60A WAC HOME AND FAMILY LIFE EDUCATION

WAC

490-60A-010 through 490-60A-020 Decodified.

#### DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

- 490-60A-010 Consumer and homemaking education. [Statutory Authority: RCW 28C.04.060. 79-02-019 (Order 79-1, Resolution No. 78-32-3), § 490-60A-010, filed 1/16/79; Order 75-3, § 490-60A-010, filed 12/18/75. Formerly WAC 490-60-010.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-60A-020 Establishing and operating programs. [Order 75-3, § 490-60A-020, filed 12/18/75. Formerly WAC 490-60-020.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.

**WAC 490-60A-010 through 490-60A-020 Decodified.** See Disposition Table at beginning of this chapter.

### Chapter 490-76A WAC FISCAL CONTROL AND FUND ACCOUNTING PROCEDURES

WAC

490-76A-010 through 490-76A-060 Decodified.

#### DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

- 490-76A-010 Custody of federal funds. [Statutory Authority: RCW 28C.04.060. 79-02-019 (Order 79-1, Resolution 78-32-3), § 490-76A-010, filed 1/16/79; Order 75-3, § 490-76A-010, filed 12/18/75. Formerly WAC 490-76-010.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.

490-76A-020 Expenditure of federal funds. [Statutory Authority: RCW 28C.04.060. 79-02-019 (Order 79-1, Resolution 78-32-3), § 490-76A-020, filed 1/16/79; Order 75-3, § 490-76A-020, filed 12/18/75. Formerly WAC 490-76-020.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.

490-76A-030 Allotment availability. [Order 75-3, § 490-76A-030, filed 12/18/75. Formerly WAC 490-76-030.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.

490-76A-040 Programs and services. [Order 75-3, § 490-76A-040, filed 12/18/75. Formerly WAC 490-76-040.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.

490-76A-050 Construction costs contracts. [Order 75-3, § 490-76A-050, filed 12/18/75. Formerly WAC 490-76-050.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.

490-76A-060 Fiscal records. [Order 75-3, § 490-76A-060, filed 12/18/75. Formerly WAC 490-76-060.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.

**WAC 490-76A-010 through 490-76A-060 Decodified.** See Disposition Table at beginning of this chapter.

### Chapter 490-100 WAC PRIVATE VOCATIONAL SCHOOL REGULATIONS

WAC

- 490-100-010 Authority.
- 490-100-012 Repealed.
- 490-100-030 Definitions.
- 490-100-035 Auxiliary facilities.
- 490-100-040 Cancellation and refund policy.
- 490-100-050 Catalog, brochure, or other written material.
- 490-100-060 Enrollment contract or agreement.
- 490-100-070 Time of application.
- 490-100-080 Display of licenses—Loss or destruction—Change of name—Change of location.
- 490-100-090 Change of ownership—License nontransferable.
- 490-100-100 Application contents.
- 490-100-105 Application to operate as agent of private vocational school.
- 490-100-110 Notice of actions by governmental entities or accrediting commissions—Change of circumstances.
- 490-100-120 Fees.
- 490-100-130 Financial standards.
- 490-100-135 Admissions standards.
- 490-100-140 Program standards.
- 490-100-150 Staff qualifications.
- 490-100-160 Facilities.
- 490-100-170 Equipment and materials.
- 490-100-180 Tuition recovery fund.
- 490-100-200 Complaints.
- 490-100-205 Appeals.
- 490-100-208 Hearings.
- 490-100-210 Record retention.
- 490-100-220 School closing/change of status.
- 490-100-250 Degree-granting private vocational schools—Applicable rules.

#### DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

- 490-100-012 Duties of the agency. [Statutory Authority: Chapter 28C.10 RCW. 91-01-056, recodified as § 490-100-012, filed 12/13/90, effective 12/13/90; 87-02-019 (Resolution No. 86-81-3), § 490-800-012, filed 12/31/86.] Repealed by 91-08-029, filed 3/29/91, effective 3/29/91. Statutory Authority: Chapter 28C.10 RCW.



**WAC 490-100-010 Authority.** These rules are promulgated pursuant to the authority contained in RCW 28C.10.040(2) to implement the Private Vocational Schools Act.

[Statutory Authority: Chapter 28C.10 RCW. 91-08-029, § 490-100-010, filed 3/29/91, effective 3/29/91; 91-01-056, recodified as § 490-100-010, filed 12/13/90, effective 12/13/90; 87-02-019 (Resolution No. 86-81-3), § 490-800-010, filed 12/31/86. Statutory Authority: RCW 28C.10.010 through 28C.10.220. 86-15-075 (Order 86-78-3, Resolution No. 86-78-3), § 490-800-010, filed 7/23/86.]

**WAC 490-100-012 Repealed.** See Disposition Table at beginning of this chapter.

**WAC 490-100-030 Definitions.** (1) The following is intended to clarify the statutory exemptions (see RCW 28C.10.030):

(a) "Avocational" or "recreational" means instruction which is primarily intended for leisure and not offered for the purpose of providing a student with employable skills or with competencies that upon completion of the program, course, or class would be customarily applied to gainful employment and is not utilized by the school as a prerequisite for vocational instruction.

(b) Entities not otherwise exempt offering only workshops or seminars lasting not more than three calendar days and consisting of no more than twenty-four contact hours of instruction: *Provided*, That training is completed within the three calendar days; and a vocational education program is not being offered through a series of supplementary seminars.

(2) The term "revoke" as used in RCW 28C.10.050(2) and elsewhere in these regulations means that the agency terminates the school license. When the license is revoked, the school is no longer legally authorized to continue operating.

(3) The term "suspend" as used in RCW 28C.10.050(2) and elsewhere in these regulations means that because of deficiencies, the agency interrupts for a stated time the school's authority to make offers of training, as that is defined under RCW 28C.10.020(9), and prohibits the school for that time to begin instruction of new students, but it may remain in operation to continue training students already enrolled and in good standing on the date such suspension commences.

[Statutory Authority: Chapter 28C.10 RCW. 91-08-029, § 490-100-030, filed 3/29/91, effective 3/29/91; 91-01-056, recodified as § 490-100-030, filed 12/13/90, effective 12/13/90; 87-02-019 (Resolution No. 86-81-3), § 490-800-030, filed 12/31/86. Statutory Authority: RCW 28C.10.010 through 28C.10.220. 86-15-075 (Order 86-78-3, Resolution No. 86-78-3), § 490-800-030, filed 7/23/86.]

**WAC 490-100-035 Auxiliary facilities.** (See RCW 28C.10.020(7).) Any location within the state of Washington at which an entity provides postsecondary education in any form or manner for the purpose of instructing, training, or preparing persons for any vocation or profession is deemed to be a private vocational school within the meaning of RCW 28C.10.020(7), except for case-by-case exemptions that may be granted for activities that meet the following definition of "auxiliary facility."

(1) Upon application to the agency on forms provided for that purpose, a licensed private vocational school may be authorized to provide training services at an additional physical site termed an "auxiliary facility."

To qualify for the designation "auxiliary facility," the site must be established by the licensee to meet one or more of the following criteria:

(a) To absorb a temporary overload which the licensed facility cannot accommodate; or

(b) To provide a single, specialized kind of training activity, generally on a short-term basis, under circumstances that cannot readily be accommodated at the licensed facility; or

(c) To provide training under contract(s) with a public agency, private company, or other sponsoring entity: *Provided*, That no fiduciary responsibility is created between students and the licensee under such arrangements: *Provided further*, That the training offered is not open to general enrollment.

(2) To have any of its activities classified as an "auxiliary facility" and not subject to being licensed as a private vocational school, a licensee must secure approval from the agency in advance of conducting operations at such a site by documenting that it meets one of the above definitions and in addition that:

(a) The instructional program(s), site administration, and training provided at the auxiliary facility are significantly integrated with the licensee's primary facility; and

(b) The address of the auxiliary facility will not be represented as a school location.

(3) Activities carried forward at an auxiliary facility must be regularly incorporated into operational and financial data reported to the agency by the licensee: *Provided*, That income derived from activities conducted under contract (see: Subsection (1)(c) of this section) will not be included as "tuition income" for purposes of calculating license fees and/or contributions to the tuition recovery fund.

[Statutory Authority: Chapter 28C.10 RCW. 91-08-029, § 490-100-035, filed 3/29/91, effective 3/29/91; 91-01-056, recodified as § 490-100-035, filed 12/13/90, effective 12/13/90.]

**WAC 490-100-040 Cancellation and refund policy.** (See RCW 28C.10.050 (1)(b).) As a condition of licensing, each school must adhere to the following uniform state-wide minimum cancellation and refund policy: *Provided*, That any refund due to students receiving federal financial assistance, grant, or loan, will be refunded by the school to the particular federal financial aid program in accordance with federal law:

(1) A full refund of all money paid if the applicant is not accepted by the school;

(2) A full refund of tuition and fees paid if the applicant withdraws not later than midnight on the fifth business day (excluding Sundays and holidays) after signing the contract or making an initial payment, provided that the applicant has not commenced training;

(3) After five business days (excluding Sundays and holidays), the school may retain an established registration fee equal to ten percent of the total tuition cost, or



one hundred dollars, whichever is less. "Registration fee" refers to any fee, however named, covering those expenses incurred by an institution in processing student applications and establishing a student records system;

(4) The official date of termination of a student shall be the last date of recorded attendance when withdrawal occurs in any of the following manners:

(a) When the school receives notice of the student's intention to discontinue the training program;

(b) When the student is terminated for a violation of a published school policy which provides for termination;

(c) When a student, without notice to the institution, fails to attend classes for thirty calendar days.

(5) If training is terminated after entering classes, the student is financially obligated to the school according to the following formulas or maximum charges:

(a) Termination during first week or ten percent of instruction, whichever is less. School may retain ten percent of tuition cost plus registration fee established under subsection (3) of this section;

(b) Termination after first week or ten percent of instruction, whichever is less, but prior to completion of twenty-five percent of contracted instructional time. School may retain twenty-five percent of tuition cost plus registration fee established under subsection (3) of this section;

(c) Termination after completion of first twenty-five percent but prior to completion of fifty percent of contracted instructional time. School may retain fifty percent of tuition cost plus registration fee established under subsection (3) of this section;

(d) Termination after completion of more than fifty percent of contracted instructional time. School may retain the full tuition cost plus registration fee established under subsection (3) of this section.

(6) If a school continues to operate under its license but discontinues instruction in any program after training of students has begun, the students enrolled in the discontinued program are entitled to a prorata refund of all tuition and fees paid unless comparable training is arranged by the school to be provided at another public or private vocational school and such arrangements are agreed to in writing by the student as provided by WAC 490-100-220(4).

(a) Notice in advance of the discontinuance must be provided to the agency and to students in writing, including at the least data required under WAC 490-100-220(2).

(b) The term "discontinued" generally applies to the elimination by the school of a particular course offering prior to its completion. However, the term includes circumstances where program(s) commenced at a specific location under terms of an enrollment agreement are relocated to substituted physical site.

(c) A student affected by relocation may voluntarily accept transportation and other arrangements offered by the school in order to continue his/her training or may file a refund claim.

(d) Requests for refunds pursuant to this provision must be made in writing by the enrolled student within thirty calendar days following discontinuation of the

program. Money due the applicant/student shall be refunded within thirty calendar days after receipt of the request.

[Statutory Authority: Chapter 28C.10 RCW. 91-08-029, § 490-100-040, filed 3/29/91, effective 3/29/91; 91-01-056, recodified as § 490-100-040, filed 12/13/90, effective 12/13/90; 87-02-019 (Resolution No. 86-81-3), § 490-800-040, filed 12/31/86. Statutory Authority: RCW 28C.10.010 through 28C.10.220. 86-15-075 (Order 86-78-3, Resolution No. 86-78-3), § 490-800-040, filed 7/23/86.]

**WAC 490-100-050 Catalog, brochure, or other written material.** (See RCW 28C.10.050 (1)(c).) The catalog/bulletin shall be the school's principal printed means to explain its operations and requirements to prospective and enrolled students. For this reason, it shall be current, comprehensive, and accurate. Each school shall publish a catalog, brochure, or other written material which shall include the following:

(1) Date of publication;

(2) Names of owners having a ten percent or more equity ownership and officers, including any governing boards, and parent corporation, if a subsidiary;

(3) Names, addresses, and telephone numbers of the school's administrative offices and all auxiliary facilities;

(4) Names and qualifications of teaching faculty. Such lists shall be accurate as of the date of catalog publication. Any changes of faculty shall be noted on a catalog errata sheet provided each student prior to entering classes;

(5) The school calendar, including hours of operation, holidays, enrollment periods, and the beginning and ending dates of terms, courses, or programs as may be appropriate;

(6) Admission procedure, policies, and regulations describing accurately and completely all prerequisites (e.g., GED, physical requirements, etc.) and:

(a) Fulfilling the skills assessment requirements adopted/developed by the school and applied to each applicant as part of the admissions process;

(b) Completing successfully the programs of study in which they are interested; and

(c) Qualifying for the fields of employment for which their education is designed.

(7) A description of the exact nature and kind of placement assistance offered, if any. If no assistance is offered, the school shall make this fact known;

(8) The school's policy regarding student conduct, including causes for dismissal and conditions for readmission;

(9) The school's policy and regulations relative to leave, absences, class cuts, makeup work, tardiness, and interruptions for unsatisfactory attendance;

(10) The school's policy and regulations relative to standards of progress required of the student. This policy will define the grading system of the school, the minimum grades considered satisfactory, conditions for interruption for unsatisfactory grades or progress, and a description of the probationary period, if any, allowed by the school, and conditions for reentrance for those students dismissed for unsatisfactory progress. A statement will be furnished to the student regarding the student's progress.

(11) An accurate description, whether through words, photos, or other means, of the school's facilities, equipment, and physical plant used for training with a description of the equipment available for student use and the maximum or usual class size;

(12) Total cost of training including registration fee, if any, tuition, books, supplies, equipment, laboratory usage, student activities, insurance and all other charges and expenses necessary for completion of the program;

(13) A description of each course of instruction, including:

(a) Specific course objectives: The educational or vocational objective of each course or program including the name of occupations for which the course or program purports to train;

(b) The number of clock or credit hours of instruction and types of instruction (e.g., correspondence, classroom, lab, computer assisted) in each course and the average length of time in weeks or months normally required for completion;

(c) If instruction is calculated in credit hours, the catalog must contain at least one statement describing the contact hour conversion formula applied by the school: The number of contact hours applicable to each quarter or semester credit hour of lecture, laboratory/practicum, and/or internship/externship.

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

(e) The scope and sequence of courses or programs required to achieve the educational objective;

(f) A statement indicating what type of certificates, diplomas or other educational credentials are awarded upon graduation or successful completion.

(14) Policy and regulations relative to refund of unearned tuition, fees, and other charges, which must meet the minimum cancellation and refund policy set forth in these rules, including procedures a student shall follow to cancel enrollment before or after instruction has begun;

(15) The following statement shall appear prominently on either the first or last printed page or inside the front or back cover: THIS SCHOOL IS LICENSED UNDER CHAPTER 28C.10 RCW; INQUIRIES OR COMPLAINTS REGARDING THIS OR ANY OTHER PRIVATE VOCATIONAL SCHOOL MAY BE MADE TO THE: WASHINGTON STATE BOARD FOR VOCATIONAL EDUCATION, BUILDING 17, AIRINDUSTRIAL PARK, MAILSTOP LS-10, OLYMPIA, WASHINGTON 98504-6110 (206/753-5673);

(16) Availability of financial aid, grants and scholarships, if any;

(17) Supplements or errata sheets for the catalog/bulletin or other written materials shall be filed with the agency prior to being used (see RCW 28C.10.110(2)):

(a) Supplement pages or errata sheets shall be fastened to or otherwise made an integral part of that publication;

(b) The catalog/bulletin supplement or errata sheets shall include the publication date;

(c) In event that information on a supplement or errata sheet supplants any other information contained in the catalog/bulletin, the insert shall specifically identify the information it contradicts or replaces, including at the least an appropriate page reference.

[Statutory Authority: Chapter 28C.10 RCW. 91-08-029, § 490-100-050, filed 3/29/91, effective 3/29/91; 91-01-056, recodified as § 490-100-050, filed 12/13/90, effective 12/13/90; 87-02-019 (Resolution No. 86-81-3), § 490-800-050, filed 12/31/86. Statutory Authority: RCW 28C.10.010 through 28C.10.220. 86-15-075 (Order 86-78-3, Resolution No. 86-78-3), § 490-800-050, filed 7/23/86.]

**WAC 490-100-060 Enrollment contract or agreement.** (See RCW 28C.10.050 (1)(d).) "Enrollment agreement" is any agreement, instrument or note, however named, which creates or evidences an obligation binding a student to purchase a course of instruction from a school. Each school shall use an enrollment contract or agreement that includes:

(1) The school's cancellation and refund policy, in accordance with these rules, displayed in a type size no smaller than that used to meet any other requirements of this section;

(2) The following statement: THIS SCHOOL IS LICENSED UNDER CHAPTER 28C.10 RCW; INQUIRIES OR COMPLAINTS REGARDING THIS OR ANY OTHER PRIVATE VOCATIONAL SCHOOL MAY BE MADE TO THE: WASHINGTON STATE BOARD FOR VOCATIONAL EDUCATION; BUILDING 17, AIRINDUSTRIAL PARK; MAILSTOP LS-10; OLYMPIA, WASHINGTON 98504-6110; (206/753-5673);

(3) Information that will clearly and completely define the terms of the agreement between the student and the school, including at least the following:

(a) The name and address of the school and the student;

(b) The title of the educational services, date training is to begin, and the number of hours or units of instruction or lessons for which the student is enrolled;

(c) The cost incurred by the student or his/her sponsor in order to complete the training. Such costs shall be itemized and shall include tuition, fees, books, supplies (where appropriate), and all other charges made by the school necessary to complete the training. The student enrollment agreement shall outline the methods of payment or the payment schedule;

(d) A statement acknowledging receipt of a copy of the school's catalog and student enrollment agreement by the student;

(e) Language explaining that the agreement will be binding only when officially accepted and the agreement is fully completed, signed and dated by the student and chief administrative officer or authorized representative of the school prior to the time instruction begins.

(4) A statement that any changes in the agreement shall not be binding on either the student or the school unless such changes have been approved in writing by

the chief administrative officer or an authorized representative of the school and by the student or the student's parent or guardian if he/she is a minor;

(5) "NOTICE TO THE BUYER" which includes the following statements in a position above the space reserved for the student's signature:

(a) "DO NOT SIGN THIS AGREEMENT BEFORE YOU READ IT OR IF IT CONTAINS ANY BLANK SPACES. THIS IS A LEGAL INSTRUMENT.

(b) ALL PAGES OF THE CONTRACT ARE BINDING.

(c) READ BOTH SIDES OF ALL PAGES BEFORE SIGNING.

(d) YOU ARE ENTITLED TO AN EXACT COPY OF THE AGREEMENT, SCHOOL CATALOG AND ANY OTHER PAPERS YOU SIGN.

(e) YOU MAY CANCEL THIS CONTRACT BY PROVIDING WRITTEN NOTICE OF SUCH CANCELLATION TO THE SCHOOL AT ITS ADDRESS SHOWN ON THE CONTRACT WHICH NOTICE SHALL BE POSTMARKED NOT LATER THAN MIDNIGHT OF THE FIFTH BUSINESS DAY (EXCLUDING SUNDAYS AND HOLIDAYS) FOLLOWING YOUR SIGNING THIS CONTRACT OR THE WRITTEN NOTICE MAY BE PERSONALLY OR OTHERWISE DELIVERED TO THE SCHOOL WITHIN THAT TIME. IN EVENT OF DISPUTE OVER TIMELY NOTICE, THE BURDEN TO PROVE SERVICE RESTS ON THE SENDER.

(f) IT IS AN UNFAIR BUSINESS PRACTICE FOR THE SCHOOL TO SELL, DISCOUNT OR OTHERWISE TRANSFER THIS CONTRACT OR PROMISSORY NOTE WITHOUT THE SIGNED WRITTEN CONSENT OF THE STUDENT OR HIS/HER FINANCIAL SPONSORS AND A WRITTEN STATEMENT NOTIFYING ALL PARTIES THAT THE CANCELLATION AND REFUND POLICY CONTINUES TO APPLY."

(6) Physically attached to each completed contract shall be a one-page form constructed by the agency and supplied in prototype to each licensee, containing acknowledgements signed by the school and the enrollee relating to the student's rights, responsibilities, and loan repayment obligations; and attesting that the school counseled the enrollee against incurring excessive debt burdens.

(7) The school shall retain a copy of the student enrollment agreement and one copy shall be delivered to the student at the time of execution or by return mail when the enrollment is solicited by mail.

[Statutory Authority: Chapter 28C.10 RCW. 91-08-029, § 490-100-060, filed 3/29/91, effective 3/29/91; 91-01-056, recodified as § 490-100-060, filed 12/13/90, effective 12/13/90; 87-02-019 (Resolution No. 86-81-3), § 490-800-060, filed 12/31/86. Statutory Authority: RCW 28C.10.010 through 28C.10.220. 86-15-075 (Order 86-78-3, Resolution No. 86-78-3), § 490-800-060, filed 7/23/86.]

**WAC 490-100-070 Time of application.** (See RCW 28C.10.060.) (1) **Initial licensing.** Any entity desiring to operate a private vocational school(s) must initially be licensed by the agency no later than thirty calendar days prior to the date on which it first offers educational services;

(2) **Renewal.** Each private vocational school must annually renew its license. No later than thirty calendar days prior to the anniversary date of its license, the private vocational school must file a completed application for license renewal, including a financial statement, attested to by the chief administrative officer, and amend

any statements or materials on file which are no longer accurate.

(3) A license may be denied, revoked, or suspended by the agency's executive director or his/her designee for just cause.

(4) **Transition.** A training location in operation on or before June 7, 1990, as an "additional instruction site" (WAC 490-100-100(2)) under a license issued to a common owner but which site is required to be individually licensed as a private vocational school, as a consequence of the enactment of RCW 28C.10.020(7) shall be considered to be licensed under chapter 28C.10 RCW until the expiration date of the license under which its owning entity was operating on June 7, 1990: *Provided*, That during such transition, an affected "additional instruction site" remains otherwise in compliance with the provisions of the act and these rules: *Provided further*, That the license of its owning entity remains valid throughout the transition period described.

[Statutory Authority: Chapter 28C.10 RCW. 91-08-029, § 490-100-070, filed 3/29/91, effective 3/29/91; 91-01-056, recodified as § 490-100-070, filed 12/13/90, effective 12/13/90; 87-02-019 (Resolution No. 86-81-3), § 490-800-070, filed 12/31/86. Statutory Authority: RCW 28C.10.010 through 28C.10.220. 86-15-075 (Order 86-78-3, Resolution No. 86-78-3), § 490-800-070, filed 7/23/86.]

**WAC 490-100-080 Display of licenses--Loss or destruction--Change of name--Change of location.** (See RCW 28C.10.060.) (1) Licenses shall be issued in the name of the applicant school showing that name, its address, and phone number. In the instance of schools under a common ownership, the name and address of the owning entity shall also be shown.

(2) A certificate shall be issued to each auxiliary facility for which approval is requested and granted in accordance with the provisions of WAC 490-100-100. It shall contain the identifications described under subsection (1) of this section.

(3) **Display.** Each school shall prominently display its license and/or certificate issued to an auxiliary facility to the public, prospective students, and other interested persons at each location.

(4) **Loss or destruction.** Upon the loss or destruction of any license and/or certificate issued to an auxiliary facility, application for a duplicate and payment of the appropriate license reissuance fee must be made to the agency. See WAC 490-100-120(4).

(5) **Change of name.** No licensee shall adopt or make a change in its name prior to providing written notification to the agency together with payment of the appropriate license reissuance fee. See WAC 490-100-120(5).

(6) **Change of location.** No change in the location of premises including auxiliary facilities, if any, shall be made without applying to and obtaining prior written consent of the agency and making payment of the appropriate license reissuance fee. See WAC 490-100-120(6).

[Statutory Authority: Chapter 28C.10 RCW. 91-08-029, § 490-100-080, filed 3/29/91, effective 3/29/91; 91-01-056, recodified as § 490-100-080, filed 12/13/90, effective 12/13/90; 87-02-019 (Resolution No. 86-81-3), § 490-800-080, filed 12/31/86. Statutory Authority: RCW 28C.10.010 through 28C.10.220. 86-15-075 (Order 86-78-3, Resolution No. 86-78-3), § 490-800-080, filed 7/23/86.]

**WAC 490-100-090 Change of ownership--License nontransferable.** (See RCW 28C.10.060.) (1) The ownership of a licensed entity is deemed to have changed at the consummation of:

- (a) A sale by the sole proprietor of a school;
- (b) A change in the majority interest of general partners of a partnership owning a school; or
- (c) A sale or transfer of stock occurs that creates a change in the majority interest in the issued and outstanding shares of a corporation owning a school.

(2) No license issued under this chapter is transferrable. Simultaneous with consummating the change(s) described under subsection (1) of this section, the license(s) issued to the existing owner(s) expires.

(3) The provisions of subsection (2) of this section notwithstanding, to maintain a continuity of operation, the new ownership must make application for a new license no less than fifteen calendar days prior to the change of ownership. The agency may extend the existing license for a maximum sixty calendar days beyond the date that ownership changes: *Provided*, That the new applicant's chief administrative officer furnishes a written statement asserting that all conditions set forth in the act and these rules are being met or will be met before offering training or education in the period during which the application for new license is pending.

(4) In event the new owner(s) fail to obtain a license in no more than sixty calendar days after the date of sale or transfer of ownership and no further extension of time has been granted by the agency, continued operation beyond that date as a private vocational school will constitute a violation of RCW 28C.10.090.

[Statutory Authority: Chapter 28C.10 RCW. 91-08-029, § 490-100-090, filed 3/29/91, effective 3/29/91; 91-01-056, recodified as § 490-100-090, filed 12/13/90, effective 12/13/90; 87-02-019 (Resolution No. 86-81-3), § 490-800-090, filed 12/31/86. Statutory Authority: RCW 28C.10.010 through 28C.10.220. 86-15-075 (Order 86-78-3, Resolution No. 86-78-3), § 490-800-090, filed 7/23/86.]

**WAC 490-100-100 Application contents.** (See RCW 28C.10.050 and 28C.10.060.) Any entity desiring to operate a private vocational school shall apply for license to the agency on forms provided by the agency which shall include the following information attested to by the school's chief administrative officer.

**(1) Owners, shareholders, and directors:**

(a) The complete legal name of the school, current telephone number, current mailing address, the school's physical address, and date of establishment;

(b) The form of ownership of the school, whether sole proprietorship, partnership, limited partnership, or corporation;

(c) Names, addresses, phone numbers, birthdates, prior school affiliations and capacities, and any other appropriate information of all those with ten percent or more ownership interest;

(d) A school which is a corporation or a subsidiary of another corporation shall submit to the agency as part of the school's application current evidence that the corporation is registered with the Washington secretary of state's office and the name, address and telephone number of the corporation's registered agent;

(e) "Ownership" of a school means:

(i) In the case of a school owned by an individual, that individual;

(ii) In the case of a school owned by a partnership, all full, silent and limited partners having a ten percent or more ownership interest;

(iii) In the case of a school owned by a corporation, the corporation, each corporate director, officer, and each shareholder owning shares of issued and outstanding stock aggregating at least ten percent of the total of the issued and outstanding shares.

(2) **Schools under common ownership.** Application(s) for initial and renewal licensing may be submitted by a single entity on behalf of each private vocational school under its common ownership: *Provided*, That the owning entity controls the licensee's recruiting activities, faculty, and administrators, course curricula and guidelines for teaching, and is otherwise wholly accountable for its operations.

(a) Each license issued to a private vocational school under common ownership shall be valid only for the location listed in the initial and renewal applications and the name and address of the owning entity shall be shown thereon in addition to information identifying the individual site.

(b) A single location may be identified by the owning entity as the principal facility for recordkeeping.

(3) **Financial statement.** Each school must annually disclose to the agency information reflecting the financial condition of the school at the close of its most recent fiscal or calendar year to demonstrate that it has sufficient financial resources to fulfill its commitments to students. Entities operating a private vocational school must submit:

(a) The fiscal year dates utilized for the school's operations;

(b) A financial statement in a format supplied by the agency that:

(i) Is certified true and accurate by the school's chief administrative officer or his/her designee; and

(ii) Covers the period of the most recently completed of the periods established in (a) of this subsection.

(c) On a showing by the school that inadequate time exists to produce such data in the interval between the ending date of the period established in (a) of this subsection and the due date of an application, the agency will adjust the license period of the school to provide a reasonable interval.

(d) Any entity just starting operations at the time of initial licensing must substitute for the financial statement described under (b) of this subsection, a proposed operating budget for its initial twelve months' period of operation using a format provided by the agency.

(e) Any entity seeking initial licensing as a private vocational school which has operated another business or businesses for one year or more prior to filing an application under chapter 28C.10 RCW, shall include in its initial application, in addition to the requirements under (d) of this subsection, a financial statement for any one or more such additional business(es) that is prepared by a certified public accountant and/or certified by its chief

administrative officer, covering the period of its most recently completed fiscal year.

(f) The owning entity of multiple schools under a common ownership may file financial information with initial or renewal license applications that consists of a single, consolidated financial statement and balance sheet for the corporate entity, as described under (b) of this subsection: *Provided*, That it is accompanied by data extracted therefrom that documents total tuition earnings for each licensee under its common ownership at the close of its most recent fiscal year of operation, or lacking historic data, projects total tuition earnings for a subject school in its first or next completed twelve months of operation.

(4) **Financial references.** The applicant shall furnish the name(s) of one or more bank(s) or other financial institution(s) that may be consulted as financial reference(s) for the entity and school, together with a statement authorizing the agency to verify such information by consulting with the references furnished.

(5) A copy of the applicant's catalog.

(6) A copy of the applicant's enrollment agreement/contract.

(7) Administrators/instructors educational and occupational records, employing qualification forms supplied by the agency for that purpose, evidencing names, Social Security numbers, addresses, phone numbers, positions, education, experience, prior school affiliations, and birthdates.

[Statutory Authority: Chapter 28C.10 RCW. 91-08-029, § 490-100-100, filed 3/29/91, effective 3/29/91; 91-01-056, recodified as § 490-100-100, filed 12/13/90, effective 12/13/90; 87-14-007 (Resolution No. 87-86-4), § 490-800-100, filed 6/22/87; 87-02-019 (Resolution No. 86-81-3), § 490-800-100, filed 12/31/86. Statutory Authority: RCW 28C.10.010 through 28C.10.220. 86-15-075 (Order 86-78-3, Resolution No. 86-78-3), § 490-800-100, filed 7/23/86.]

**WAC 490-100-105 Application to operate as agent of private vocational school.** (See RCW 28C.10.060.)

(1) No person shall act in this state as an agent for a private vocational school unless the board has approved the individual's registration as an agent as part of the school's license.

(2) The application shall be in writing, upon forms prepared and supplied by the agency and shall contain at least the following:

(a) The full name, Social Security number, current address, and phone number of the individual applying for registration;

(b) The name, current address, and phone number of the vocational school proposed to be represented;

(c) The past employment record of the applicant;

(d) The signatures of the applicant and chief administrative officer of the school.

(3) Each agent registered under this chapter shall be considered for all purposes under chapter 28C.10 RCW to be acting as an agent of the licensee submitting his/her application and no person can be independently registered to perform those functions.

(4) Each school shall provide training to a sales agent prior to his/her representing the school in that capacity that includes:

(a) Knowledge of the Private Vocational School Act (chapter 28C.10 RCW) and the regulations contained in this chapter.

(b) A detailed understanding of the school's catalog, enrollment contract, and refund policy.

(c) An organized review of the school's policies and practices governing the ethical conduct of sales agents.

(5) In the instance of an individual who applies to represent a private vocational school that is domiciled in another state and does not operate training facility(ies) within Washington state, the application shall be accompanied by the fee in WAC 490-100-120(2).

(6) Each school to whom the agent is registered shall notify the agency in writing within no more than thirty calendar days following the date that the registered agent ceases to perform those services.

[Statutory Authority: Chapter 28C.10 RCW. 91-08-029, § 490-100-105, filed 3/29/91, effective 3/29/91; 91-01-056, recodified as § 490-100-105, filed 12/13/90, effective 12/13/90; 87-02-019 (Resolution No. 86-81-3), § 490-800-105, filed 12/31/86. Statutory Authority: RCW 28C.10.010 through 28C.10.220. 86-15-075 (Order 86-78-3, Resolution No. 86-78-3), § 490-800-105, filed 7/23/86.]

**WAC 490-100-110 Notice of actions by governmental entities or accrediting commissions—Change of circumstances.** (See RCW 28C.10.060.)

At the time of original and renewal applications, the entity shall present the agency with details of any consent orders with the Federal Trade Commission and notification of any adverse actions which have been taken by any federal or state agencies, including courts or accrediting commissions and shall inform the agency in writing of actions being taken to correct deficiencies cited. Any change of circumstance, including bankruptcy, which would amend information reported in the application for initial license/license renewal form must be filed with the agency within ten calendar days of the change by the chief administrative officer.

[Statutory Authority: Chapter 28C.10 RCW. 91-08-029, § 490-100-110, filed 3/29/91, effective 3/29/91; 91-01-056, recodified as § 490-100-110, filed 12/13/90, effective 12/13/90; 87-02-019 (Resolution No. 86-81-3), § 490-800-110, filed 12/31/86. Statutory Authority: RCW 28C.10.010 through 28C.10.220. 86-15-075 (Order 86-78-3, Resolution No. 86-78-3), § 490-800-110, filed 7/23/86.]

**WAC 490-100-120 Fees.** (See RCW 28C.10.060(3).) (1) Annual fee:

(a) For in-state schools, the annual licensing fee is based on total annual tuition income.

(b) For out-of-state schools, the annual licensing fee is based on total annual tuition income received from or on behalf of Washington state residents.

(c) Schools not having been in operation prior to the date of their initial licensing shall base their annual fee upon estimated total annual tuition income.

Total Annual Tuition Income	License Fee
Up to \$25,000.....	\$ 250
\$25,001 to \$50,000.....	\$ 500
\$50,001 to \$100,000.....	\$ 600

Total Annual Tuition Income	License Fee
\$100,001 to \$250,000.....	\$ 750
\$250,001 to \$500,000.....	\$1,000
\$500,001 to \$1,000,000.....	\$1,500
\$1,000,001 to \$2,500,000.....	\$2,000
Over \$2,500,001 .....	\$2,500

(2) Agents representing out-of-state schools: \$120 annual fee per agent per school represented.

(3) Fee for late filing of renewal application: \$25 per day for the thirty calendar days prior to the expiration of the current school license;

(4) Loss or destruction of license/auxiliary certificate. Reissuance fee: \$25.

(5) Change of name. Reissuance fee: \$25.

(6) Change of location. Reissuance fee: \$25.

(7) Auxiliary location. Certificate issuance fee: \$25.

[Statutory Authority: Chapter 28C.10 RCW. 91-08-029, § 490-100-120, filed 3/29/91, effective 3/29/91; 91-01-056, recodified as § 490-100-120, filed 12/13/90, effective 12/13/90; 87-02-019 (Resolution No. 86-81-3), § 490-800-120, filed 12/31/86. Statutory Authority: RCW 28C.10.010 through 28C.10.220. 86-15-075 (Order 86-78-3, Resolution No. 86-78-3), § 490-800-120, filed 7/23/86.]

**WAC 490-100-130 Financial standards.** (See RCW 28C.10.050 (1)(a).) The school must demonstrate that it has sufficient financial resources to:

(1) Fulfill its contracted obligations to students;

(2) Meet all refund obligations incurred under a uniform state-wide cancellation and refund policy as specified in these rules;

(3) Meet the school's operational expenses and maintain its financial obligations;

(4) Make scheduled contributions to the tuition recovery fund as required under WAC 490-100-180.

[Statutory Authority: Chapter 28C.10 RCW. 91-08-029, § 490-100-130, filed 3/29/91, effective 3/29/91; 91-01-056, recodified as § 490-100-130, filed 12/13/90, effective 12/13/90; 87-14-007 (Resolution No. 87-86-4), § 490-800-130, filed 6/22/87; 87-02-019 (Resolution No. 86-81-3), § 490-800-130, filed 12/31/86. Statutory Authority: RCW 28C.10.010 through 28C.10.220. 86-15-075 (Order 86-78-3, Resolution No. 86-78-3), § 490-800-130, filed 7/23/86.]

**WAC 490-100-135 Admissions standards.** (See RCW 28C.10.050 (1)(g).) Prior to enrolling any individual into a program of study each school shall assess in accordance with the following guidelines the appropriate employment prerequisites, basic skills, and relevant aptitudes of each individual applying for enrollment to determine that he/she has the ability to complete and benefit from the program or programs he/she is considering.

(1) Within sixty calendar days following the adoption of this section, each current licensee shall file with the agency a description of the methodology it employs to comply with the requirements under this section and each entity applying to be licensed as a private vocational school under chapter 28C.10 RCW shall include such information in its application. Any subsequent substantive change(s) in the methodology initially submitted

shall be reported to the agency no more than fifteen calendar days after such change is adopted.

(2) The individual's ability to benefit shall be measured against current prerequisites for employment in the job objective established for the program, e.g., prior work and health history, driving and arrest records, and evaluations of any applicable physiological factors such as vision acuity, color perception, lifting and weight bearing capabilities, and manual dexterity.

(3) The individual's academic abilities shall be considered adequate to meet learning needs upon demonstration that he/she has earned a high school diploma or General Educational Development (GED) Certificate.

(4) To assess the academic capabilities of individuals applying for admission who have not earned a high school diploma or GED, the school shall adopt or devise a test or tests with the demonstrated capability to:

(a) Validate that the individual possesses skills, competencies, and knowledge that correlates with grades, course or program completion or other measures of success in the program of study, or;

(b) Validate that the individual's academic skills, competencies, and knowledge are at a level equivalent to that of persons completing a high school education;

(c) Provide a periodic, organized review comparing success ratios of accepted students with test cut-off scores and incorporating appropriate cut-off adjustments.

(5) The agency will accept as prima facie evidence of meeting the criteria in subsection (4) of this section a statement by the school indicating that the testing used to determine ability to benefit has been published by the American College Testing Service (ACT) and/or reviewed and approved by the American Council on Education (ACE).

(6) The following must be part of the methodology developed for assessment:

(a) In the event that tests are administered by school officials, evidence that they are being administered as intended by the publisher/test developers;

(b) Information about the test security procedures employed, evidencing that students have no advance information about the exact questions or tasks and that answers cannot be supplied by a third party while completing the test(s);

(c) Information about test scoring procedures employed, evidencing that if tests are scored by school officials the tests are being evaluated as intended by the publisher/test developer;

(d) Information that the test(s) does/do not contain information that is offensive with regard to gender, age, native language, ethnic origin, or handicapping conditions.

(7) Records resulting from the assessment of ability to benefit must be included as a regular part of the records of each entering student.

[Statutory Authority: Chapter 28C.10 RCW. 91-08-029, § 490-100-135, filed 3/29/91, effective 3/29/91.]

**WAC 490-100-140 Program standards.** (See RCW 28C.10.050 and 28C.10.060.) The school shall design



and implement programs that by content and instructional strategies have the capacity to provide educational services that will adequately achieve the stated objectives for which the educational services are offered. In evaluating program offerings, the agency will use as a guideline their comparability, if any, to similar programs leading to similar educational objectives that have been established by other comparable schools.

[Statutory Authority: Chapter 28C.10 RCW. 91-08-029, § 490-100-140, filed 3/29/91, effective 3/29/91; 91-01-056, recodified as § 490-100-140, filed 12/13/90, effective 12/13/90; 87-02-019 (Resolution No. 86-81-3), § 490-800-140, filed 12/31/86. Statutory Authority: RCW 28C.10.010 through 28C.10.220. 86-15-075 (Order 86-78-3, Resolution No. 86-78-3), § 490-800-140, filed 7/23/86.]

**WAC 490-100-150 Staff qualifications.** (See RCW 28C.10.050 and 28C.10.060.) (1) The education and experience qualifications of administrators, instructional staff, and other personnel shall adequately insure that the students will receive educational services consistent with the stated objectives for which the educational services are offered.

(2) No school licensed under this chapter shall use the services of any administrative or instructional personnel for more than thirty calendar days after their initial employment or following the effective date of this section, whichever shall first occur, without completing and filing with the agency information regarding their qualifications. Such information shall be submitted on forms provided by the agency for that purpose.

(3) Each licensee shall establish and enforce specific written policies setting standards for qualification, supervision, and evaluation of administrators, faculty, and staff. As a minimum, the following qualifications shall be required:

(a) School directors must have at least two years of prior experience in either school or business administration, teaching, or other experience related to their duties within the school's organization;

(b) If the graduated student is required to be licensed, certificated, or rated as a condition to employment in the job objective of a program, an instructor teaching a related class or course must hold or be qualified to hold such a license, certificate, or rating, and must possess at least two years of work experience or two years of post-secondary training in the subject which they instruct, or any equivalent combination of both: *Provided*, That current evidence of being qualified to teach that is issued by a regulatory agency, board, or commission of this or another state is acceptable in lieu of the foregoing;

(c) If a school utilizes any form of teacher assistants, aides, or trainees, it shall establish and maintain policies and practices governing their duties and functions. Such personnel shall provide services to students only under the direct supervision of and shall not substitute for a qualified instructor.

(4) No school licensed under this chapter shall employ administrators, faculty members, or agents, and no persons shall hold positions of direct authority or control in a licensed school who are not of good moral character and reputation:

(a) The agency may find a person not to be of good moral character and reputation when the person has been convicted of:

(i) Any felony within the prior seven years;

(ii) A misdemeanor which involved the illegal use, possession, or sale of a controlled substance; or

(iii) A misdemeanor that involved any sexual offense.

(b) The agency shall not make a finding that a person is not of good moral character solely for the reason that the person has been convicted of/charged with a felony but shall consider the relationship of the facts which support the conviction/charge and all associated circumstances to the performance of his or her occupational responsibilities with the licensed school and to that school's students.

(c) In making such determinations the agency shall request a letter of recommendation from the employing school and may consider any other related materials submitted by the school and/or affected individual prior to making a finding under this section.

[Statutory Authority: Chapter 28C.10 RCW. 91-08-029, § 490-100-150, filed 3/29/91, effective 3/29/91; 91-01-056, recodified as § 490-100-150, filed 12/13/90, effective 12/13/90; 87-02-019 (Resolution No. 86-81-3), § 490-800-150, filed 12/31/86. Statutory Authority: RCW 28C.10.010 through 28C.10.220. 86-15-075 (Order 86-78-3, Resolution No. 86-78-3), § 490-800-150, filed 7/23/86.]

**WAC 490-100-160 Facilities.** (See RCW 28C.10.050 and 28C.10.060.) (1) To be licensed under this chapter, the school must have an exact physical location or locations, including in that requirement any auxiliary facility(ies) operated under the provisions of WAC 490-100-035(1).

(2) The physical structure, classrooms, laboratories, faculty and staff accommodations, study and study lounge areas, restroom/sanitary facilities, and heating/ventilation capabilities of the school shall be commensurate in size, accommodations, and condition to meet the purposes of the school and the program objectives. The school must provide a modern and effective learning environment containing enough classroom, laboratory, and shop space for the number of students to be trained.

(3) The school must have evidence available for agency inspection demonstrating that all premises are maintained in compliance with applicable state laws and local ordinances relating to the safety and health of persons on the premises.

[Statutory Authority: Chapter 28C.10 RCW. 91-08-029, § 490-100-160, filed 3/29/91, effective 3/29/91; 91-01-056, recodified as § 490-100-160, filed 12/13/90, effective 12/13/90; 87-02-019 (Resolution No. 86-81-3), § 490-800-160, filed 12/31/86. Statutory Authority: RCW 28C.10.010 through 28C.10.220. 86-15-075 (Order 86-78-3, Resolution No. 86-78-3), § 490-800-160, filed 7/23/86.]

**WAC 490-100-170 Equipment and materials.** (See RCW 28C.10.050 and 28C.10.060.) Equipment, furniture, instructional devices and aids, machinery and other physical features of the classroom, laboratory, or shop shall be adequate to achieve the stated educational objectives of the course. It shall be comparable in number and quality with those used by comparable schools with similar programs and educational objectives, comparable to that in current use by the appropriate trade, business



or profession, and be of sufficient quantity for the number of enrolled students.

[Statutory Authority: Chapter 28C.10 RCW. 91-08-029, § 490-100-170, filed 3/29/91, effective 3/29/91; 91-01-056, recodified as § 490-100-170, filed 12/13/90, effective 12/13/90; 87-02-019 (Resolution No. 86-81-3), § 490-800-170, filed 12/31/86. Statutory Authority: RCW 28C.10.010 through 28C.10.220. 86-15-075 (Order 86-78-3, Resolution No. 86-78-3), § 490-800-170, filed 7/23/86.]

**WAC 490-100-180 Tuition recovery fund.** (See RCW 28C.10.082, and 28C.10.084.) (1) Establishment of fund liability limits. The amount of liability that can be satisfied by this fund on behalf of each individual entity licensed under this chapter shall be based on the following scale:

Total Annual Tuition Income:	Liability Limit:
\$ 0.00 to \$ 50,000 .....	\$ 5,000
\$ 50,001 to \$ 75,000 .....	\$ 7,500
\$ 75,001 to \$ 100,000 .....	\$ 10,000
\$ 100,001 to \$ 150,000 .....	\$ 15,000
\$ 150,001 to \$ 200,000 .....	\$ 20,000
\$ 200,001 to \$ 250,000 .....	\$ 25,000
\$ 250,001 to \$ 350,000 .....	\$ 35,000
\$ 350,001 to \$ 500,000 .....	\$ 50,000
\$ 500,001 to \$ 750,000 .....	\$ 75,000
\$ 750,001 to \$ 1,000,000 .....	\$100,000
\$ 1,000,001 to \$ 1,250,000 .....	\$125,000
\$ 1,250,001 to \$ 1,500,000 .....	\$150,000
\$ 1,500,001 to \$ 1,750,000 .....	\$175,000
\$ 1,750,001 and above .....	\$200,000

Provided: (a) That the calculation of total annual tuition for a school located outside the state of Washington shall include only that income derived from residents of this state during the entity's preceding fiscal year of operation, as evidenced in the financial statement required by WAC 490-800-100(4) [490-100-100(4)]; (b) institutions not yet in operation or otherwise lacking a full year's financial data prior to initial licensing, shall have a liability limit calculated on the basis of the total annual tuition estimate that institution supplies under the provisions of WAC 490-100-100(4); (c) no liability established in any circumstance shall be less than five thousand dollars or more than two hundred thousand dollars.

(2) Matrix for calculating initial capitalization deposits and any assessments necessary under subsection (8) of this section:

Level of Liability (Section 1):	Prorated Participatory Share:
\$ 5,000.....	\$ 0.15%
\$ 7,500.....	\$ 0.23%
\$ 10,000.....	\$ 0.30%
\$ 15,000.....	\$ 0.46%
\$ 20,000.....	\$ 0.61%
\$ 25,000.....	\$ 0.76%
\$ 35,000.....	\$ 1.07%
\$ 50,000.....	\$ 1.52%
\$ 75,000.....	\$ 2.28%

Level of Liability (Section 1):	Prorated Participatory Share:
\$100,000.....	\$ 3.05%
\$125,000.....	\$ 3.81%
\$150,000.....	\$ 4.57%
\$175,000.....	\$ 5.33%
\$200,000.....	\$ 6.10%

(3) Initial capitalization. Each entity applying to be initially licensed under this chapter shall submit to the agency in cash, or by check or money order, the following amounts for deposit into the tuition recovery fund, those being calculated by application of the matrix displayed under subsection (2) of this section to an amount totaling two hundred thousand;

Level of Liability (Section 1):	Capitalization Deposit:
\$ 5,000 .....	\$ 305
\$ 7,500 .....	\$ 457
\$ 10,000 .....	\$ 609
\$ 15,000 .....	\$ 914
\$ 20,000 .....	\$ 1,219
\$ 25,000 .....	\$ 1,523
\$ 35,000 .....	\$ 2,133
\$ 50,000 .....	\$ 3,046
\$ 75,000 .....	\$ 4,570
\$100,000 .....	\$ 6,093
\$125,000 .....	\$ 7,616
\$150,000 .....	\$ 9,139
\$175,000 .....	\$ 10,663
\$200,000 .....	\$ 12,186

(4) Five-year contribution schedule. As a condition to remaining licensed under this chapter, each entity shall, commencing six months after the due date of its initial capitalization deposit and thereafter, remit to the agency for deposit into the tuition recovery fund semiannual payments in cash, or by check or money order in accordance with the following schedule, such amounts being calculated by application of the matrix displayed under subsection (2) of this section to an amount totaling one million dollars; however the calculation of final payment may be adjusted to cover total remittances to equal the total amount of deposit due.

Level of Liability (Section 1):	Semiannual Deposit Required:
\$ 5,000 .....	\$ 122
\$ 7,500 .....	\$ 183
\$ 10,000 .....	\$ 244
\$ 15,000 .....	\$ 366
\$ 20,000 .....	\$ 487
\$ 25,000 .....	\$ 609
\$ 35,000 .....	\$ 853
\$ 50,000 .....	\$ 1,219
\$ 75,000 .....	\$ 1,828
\$100,000 .....	\$ 2,437
\$125,000 .....	\$ 3,046
\$150,000 .....	\$ 3,656

Level of Liability (Section 1):	Semiannual Deposit Required:
\$175,000 .....	\$ 4,265
\$200,000 .....	\$ 4,874

(5) Transition into tuition recovery fund. A training location operated prior to June 7, 1990, as an "additional instruction site" (WAC 490-100-100(2)) under a license issued to a common owner but required to be individually licensed as a consequence of RCW 28C.10.020(7) will, upon the expiration of its current license to operate:

(a) Be considered to have commenced its participation in the tuition recovery fund under the terms of RCW 28C.10.084 on the first date that participation under the fund was commenced by its common owner(s); and

(b) Be considered to have satisfied the requirement for an "initial capitalization" deposit (RCW 28C.10.084(5) and WAC 490-100-180(3)) by recognizing in its name the initial capitalization deposit received on its behalf from its common owner(s); and

(c) Begin, effective with the date it is required to be separately licensed and thereafter, to make semiannual contributions to the tuition recovery fund on the basis of its reported total tuition income, calculated under subsection (4) of this section; and

(d) Begin, effective with the date it is required to be separately licensed and thereafter, to make semiannual deposits that are the same in number as remained unpaid by its common owner(s) on that date, until it has completed the schedule of ten payments described under subsection (4) of this section.

(6) The agency will prepare and mail to each licensee semiannual notices of the due dates and amounts of deposits required under subsection (4) of this section. The fee for late filings under WAC 490-100-120(3) of this chapter shall apply to late payments of deposits into the fund for a period cumulating to thirty calendar days. Failure to make a deposit within thirty calendar days is a violation of RCW 28C.10.050 (1)(f).

(7) Each notice conforming to subsection (6) of this section shall include therein at least once each year:

(a) A notation showing the licensee's aggregated prior deposits into the fund;

(b) A notation showing the licensee's balance of remaining payments, based on the most recent deposit received;

(c) A notation showing the cumulated balance existing in the fund at the most recent half-year accounting; and

(d) A summary showing any disbursements made from the fund to satisfy claims in the period since the last such similar summary was disseminated.

(8) Within thirty calendar days after disbursements made to settle claims reduce the operating balance below two hundred thousand dollars and recovery of such funds has not been ensured under the provisions of RCW 28C.10.084 (9)(d) and/or (10), the agency shall assess each licensee a pro rata share of an amount required to restore the deficiency created by such disbursements. In making calculations of each respective

share the agency shall employ the same percentages of liability established by the matrix appearing under subsection (2) of this section. In the event that the amount of any single such assessment equals or is less than the semiannual amount of deposit established for a licensee under subsection (4) of this section, the assessment shall be paid within thirty calendar days of notice. In the event any single assessment exceeds the amount of its semiannual deposit, the entity may apply to the agency for a schedule of deferred payments. The agency shall grant such deferrals on application, but in no case shall the time extended exceed one year beyond the date of an assessment.

(9) Funds disbursed to settle claims against a current licensee shall be recovered by the agency under a schedule to be negotiated with the affected entity on a case-by-case basis following such disbursement. To secure deferral of payment more than thirty calendar days after demand for recovery is made, the burden to prove manifest hardship rests on the entity but in no case shall the time extended exceed one year beyond the date of the initial demand notice.

[Statutory Authority: Chapter 28C.10 RCW, 91-08-029, § 490-100-180, filed 3/29/91, effective 3/29/91; 91-01-056, recodified as § 490-100-180, filed 12/13/90, effective 12/13/90; 87-14-007 (Resolution No. 87-86-4), § 490-800-180, filed 6/22/87; 87-02-019 (Resolution No. 86-81-3), § 490-800-180, filed 12/31/86. Statutory Authority: RCW 28C.10.010 through 28C.10.220, 86-15-075 (Order 86-78-3, Resolution No. 86-78-3), § 490-800-180, filed 7/23/86.]

**WAC 490-100-200 Complaints.** (See RCW

28C.10.080(5) and 28C.10.120.) (1) To be adjudicated under this chapter, a complaint against a licensee by a former student must be filed no more than one calendar year following the student's last recorded date of attendance or, in the case of correspondence students, one calendar year following the date on which the school received the most recently submitted test for grading or, if the school closes, within sixty calendar days of the closure. Such time may be extended by the agency based on a showing that good faith efforts to obtain satisfaction from the school were being pursued by the student during the time elapsed.

(2) Complaints shall be made in writing to the agency and contain the following information:

(a) The complaining party's name, Social Security number, address, and phone number;

(b) School name, address, and phone number;

(c) Nature of complaint, such as, failure to refund tuition, misrepresentation, or other unfair business practice as specified in the act and these rules;

(d) Facts detailing dates of attendance, termination date, date of occurrence, names, addresses and positions of school officials contacted, financial loss, if any, and any other pertinent information;

(e) An explanation of what efforts have been taken to resolve the problem with the school, if any;

(f) Copies of pertinent documents, such as, the enrollment agreement, financial data and payment contracts, catalog, advertisements, etc.

(3) Upon receipt of a complaint alleging that an institution has failed or is failing to comply with the provisions of the act or this chapter, the agency shall:

(a) Notify the school by mail of the nature of the allegations, including a copy of the complaint and its attachments;

(b) Afford the institution fifteen working days to respond: *Provided*, That the failure by an institution to submit a timely response will be treated by the agency as evidencing that it has no defense to offer;

(c) Investigate the facts supplied by all parties;

(d) Adjudicate the complaint;

(e) Notify all parties of the determinations and remedies.

(4) Any adjudication made under this section by the staff of the agency which is alleged to be unreasonable or unfair in its effect upon institutions or students, and/or which is alleged to be not in keeping with the intent and purposes of the act or these rules and regulations may be appealed by the affected party(ies) to the deputy director. An informal hearing on the issues shall be conducted by the deputy director in response to such request. He/she may uphold or reject prior determinations of the staff, in whole or in part; may call for further findings; or take any other action he/she deems appropriate under the circumstances, pursuant to the provisions of the act and these rules.

[Statutory Authority: Chapter 28C.10 RCW. 91-08-029, § 490-100-200, filed 3/29/91, effective 3/29/91; 91-01-056, recodified as § 490-100-200, filed 12/13/90, effective 12/13/90; 87-02-019 (Resolution No. 86-81-3), § 490-800-200, filed 12/31/86. Statutory Authority: RCW 28C.10.010 through 28C.10.220. 86-15-075 (Order 86-78-3, Resolution No. 86-78-3), § 490-800-200, filed 7/23/86.]

**WAC 490-100-205 Appeals.** (See RCW 28C.10-.120 and 34.05.410.) Any school feeling aggrieved by any dispute involving the following actions may request a hearing pursuant to WAC 490-100-208 and chapter 34.05 RCW:

(1) A denial of an exemption under RCW 28C.10.030.

(2) A denial, suspension or revocation of licensing under RCW 28C.10.050.

[Statutory Authority: Chapter 28C.10 RCW. 91-08-029, § 490-100-205, filed 3/29/91, effective 3/29/91; 91-01-056, recodified as § 490-100-205, filed 12/13/90, effective 12/13/90; 87-02-019 (Resolution No. 86-81-3), § 490-800-205, filed 12/31/86.]

**WAC 490-100-208 Hearings.** (See RCW 28C.10-.120.) (1) Any hearing called for under the act or these rules shall be conducted by a designated hearings officer in accordance with the Administrative Procedure Act, chapter 34.05 RCW.

(2) A designated hearings officer shall make findings and conclusions in accordance with the Administrative Procedure Act, chapter 34.05 RCW. The findings, conclusions, and any recommendations for action shall be submitted to the executive director for final action pursuant to RCW 34.05.461.

(3) The executive director may accept or reject, in whole or in part, any recommendations made by the hearings officer, may remand for further findings, or

take any other action he or she deems appropriate under the circumstances, pursuant to the provisions of the act and these rules.

[Statutory Authority: Chapter 28C.10 RCW. 91-08-029, § 490-100-208, filed 3/29/91, effective 3/29/91; 91-01-056, recodified as § 490-100-208, filed 12/13/90, effective 12/13/90; 87-02-019 (Resolution No. 86-81-3), § 490-800-208, filed 12/31/86.]

**WAC 490-100-210 Record retention.** (See RCW 28C.10.060(4) and 28C.10.160.) (1) Each school shall maintain for a minimum of fifty years from the date of each student's enrollment or until such time that it ceases to be licensed under this chapter; whichever first occurs, student educational records as defined by these rules.

(2) Past and current catalogs, catalog supplements, and errata sheets shall be retained for a period of at least six years from their respective dates of publication.

(3) "Educational records" include, but are not limited to, transcripts that the school is permitted to create on a single page summary for each student, indicating:

(a) The name, address, and telephone number of the school;

(b) Full name, address, and telephone number of the student;

(c) Dates of attendance;

(d) Course of instruction or subjects attempted;

(e) Amount of credit, if any, awarded for each subject;

(f) Grade for each subject completed;

(g) Date of completion, graduation, or termination together with notation of document(s) issued signifying satisfactory completion, if achieved (degree, diploma, certificate conferred);

(h) If termination, the reason(s) therefor;

(i) Signature and title of the certifying officer; and

(j) Date that transcript is prepared.

(4) "Financial records" include, but are not limited to, the following and are to be retained for no less than six years from the student's date of enrollment:

(a) Signed and completed enrollment agreements and other contracts;

(b) The student's payment record.

(5) Financial aid records related to Title IV student financial assistance are not under state jurisdiction, but should be maintained in accordance with appropriate federal regulations.

(6) Schools shall maintain for a minimum of at least one year from date of publication or airing a true and legible copy of all newspaper ads and direct mail solicitations together with written or taped transcripts of all broadcast and television advertising purchased in that period.

(7) Each school must provide, upon request, transcripts described under subsection (3) of this section to students who have satisfied all financial obligations currently due and payable directly to the school.

[Statutory Authority: Chapter 28C.10 RCW. 91-08-029, § 490-100-210, filed 3/29/91, effective 3/29/91; 91-01-056, recodified as § 490-100-210, filed 12/13/90, effective 12/13/90; 87-02-019 (Resolution No. 86-81-3), § 490-800-210, filed 12/31/86. Statutory Authority:

RCW 28C.10.010 through 28C.10.220. 86-15-075 (Order 86-78-3, Resolution No. 86-78-3), § 490-800-210, filed 7/23/86.]

**WAC 490-100-220 School closing/change of status.** (See RCW 28C.10.060(4); 28C.10.084(9); and 28C.10.160.) (1) "Ceases to provide educational services" means that a stoppage of training has occurred because:

(a) Facilities are rendered continuously unusable for a period of thirty calendar days or more; or

(b) Faculty or qualified substitute(s) assigned to a specific class(es) are not available or otherwise fail to perform instructional duties for five or more successive days of scheduled instruction; or

(c) Bankruptcy proceedings or other financial emergency(ies) occur with effect lasting for five or more successive days of scheduled instruction; or

(d) Adverse action has been taken by a federal, state, or local jurisdiction(s) with an effect lasting five or more successive days of scheduled instruction.

(2) The school shall make plans and take measures to protect the contractual rights of present and former students if it ceases to provide educational services to its students. A school going out of business shall return its license certificate to the agency within ten calendar days upon cessation of instruction or expiration of its license, whichever comes first.

(3) A school which ceases to provide educational services to its students, either voluntarily or involuntarily, shall:

(a) Inform the agency of this action immediately by the most expeditious means available, confirming such information thereafter by certified mail within three business days;

(b) Give the name, address, and telephone number of the person who will be responsible for fulfilling the requirements of this section;

(c) Provide the agency with the name, Social Security number, address, and telephone number, and the name and cost of tuition and charges for the course of instruction for each student who has not completed the course;

(d) Provide information on the amount of class time left for each student to complete the course; the total amount of tuition and fees paid by each student for any program terminated due to the school's ceasing to provide educational services; and if the tuition and fees were paid through federal student aid, grants, or loans, the amount and type of aid, grant, or loan;

(e) Prepare and distribute to all enrolled students no less than three business days prior to cessation of providing services, a written notice explaining the procedures students are to follow to secure refunds or continue their education and furnish a copy of such notice within three business days to the agency;

(f) File with the agency procedures for disbursement of refunds to students and set a date no longer than thirty calendar days from the last day of instruction to issue refund checks in the full amount for which students are entitled.

(4) If students are receiving instruction prior to the school's ceasing to provide educational services, the school shall file with the agency its plans if any, for

teach-out; insuring that all affected students will continue to receive training of the same quality and content as that for which they contracted:

(a) Arrangements for teaching out students made with a public or other licensed private school shall be filed with the agency;

(b) The agency shall verify that students transferring will receive the same kind of program and instructional services as those for which they contracted.

(5) Unless the student agrees in writing to comparable training, a school that ceases to provide educational services shall make pro rata refunds to the student or his/her parent, guardian or sponsor based on a day-by-day proportion of the services provided compared to the total length of the program.

[Statutory Authority: Chapter 28C.10 RCW. 91-08-029, § 490-100-220, filed 3/29/91, effective 3/29/91; 91-01-056, recodified as § 490-100-220, filed 12/13/90, effective 12/13/90; 87-02-019 (Resolution No. 86-81-3), § 490-800-220, filed 12/31/86. Statutory Authority: RCW 28C.10.010 through 28C.10.220. 86-15-075 (Order 86-78-3, Resolution No. 86-78-3), § 490-800-220, filed 7/23/86.]

**WAC 490-100-250 Degree-granting private vocational schools--Applicable rules.** (See RCW 28C.10.040(4).) (1) Institutional accredited degree-granting private vocational schools.

(a) Pursuant to rules adopted by the higher education coordinating board, that agency will exempt from compliance with chapter 28B.85 RCW those degree programs that are covered by the institution's accreditation. For purposes of this exemption, the board recognizes those national and regional institutional accrediting agencies recognized by the council on postsecondary accreditation.

(b) The state board for vocational education or its successor agency will process the application of an institutionally accredited degree-granting private vocational school which offers nondegree programs in accordance with chapter 28C.10 RCW. The license fee and bond or other security shall be based on the income derived from nondegree programs.

(2) Nonaccredited degree granting private vocational schools:

(a) The higher education coordinating board will process the application and collect the fee of nonaccredited degree-granting private vocational institutions when the majority of programs offered are degree programs. Nondegree programs will be reviewed by the state board for vocational education or its successor agency, as will student complaints regarding nondegree programs. A single surety bond or other security based on total tuition will be required and will name both agencies as obligees.

(b) The state board for vocational education or its successor agency will license nonaccredited degree-granting private vocational schools when the majority of programs offered are nondegree programs and collect fees based on annual income from nondegree programs; *Provided*, That the minimum initial fee shall be eight hundred dollars and the minimum renewal fee shall be four hundred dollars. Degree programs will be reviewed

by the higher education coordinating board, as will student complaints regarding degree programs. Contributions to the tuition recovery fund will be required under WAC 490-100-180.

(3) If either the state board for vocational education or its successor agency or the higher education coordinating board revokes, suspends or fails to renew the license or authorization of an institution, it immediately will notify the other of such action.

[Statutory Authority: Chapter 28C.10 RCW. 91-08-029, § 490-100-250, filed 3/29/91, effective 3/29/91; 91-01-056, recodified as § 490-100-250, filed 12/13/90, effective 12/13/90; 87-14-007 (Resolution No. 87-86-4), § 490-800-250, filed 6/22/87; 87-02-019 (Resolution No. 86-81-3), § 490-800-250, filed 12/31/86.]

### Chapter 490-300 WAC JOB SKILLS PROGRAM

#### WAC

490-300-010 through 490-300-120 Decodified.

#### DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

- 490-300-010 Authority. [Statutory Authority: RCW 28C.04.420. 84-07-006 (Order 84-3, Resolution No. 83-61-9), § 490-300-010, filed 3/9/84.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-300-020 Purposes. [Statutory Authority: RCW 28C.04.420. 84-07-006 (Order 84-3, Resolution No. 83-61-9), § 490-300-020, filed 3/9/84.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-300-030 Definitions. [Statutory Authority: RCW 28C.04.420. 84-07-006 (Order 84-3, Resolution No. 83-61-9), § 490-300-030, filed 3/9/84.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-300-040 Priority for funding. [Statutory Authority: RCW 28C.04.420. 84-07-006 (Order 84-3, Resolution No. 83-61-9), § 490-300-040, filed 3/9/84.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-300-050 Eligible educational institutions. [Statutory Authority: RCW 28C.04.420. 84-07-006 (Order 84-3, Resolution No. 83-61-9), § 490-300-050, filed 3/9/84.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-300-060 Private sector participation. [Statutory Authority: RCW 28C.04.420. 84-07-006 (Order 84-3, Resolution No. 83-61-9), § 490-300-060, filed 3/9/84.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-300-070 Recruitment and selection of trainees. [Statutory Authority: RCW 28C.04.420. 84-07-006 (Order 84-3, Resolution No. 83-61-9), § 490-300-070, filed 3/9/84.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-300-080 Grant application procedures—Proposed content. [Statutory Authority: RCW 28C.04.420. 84-07-006 (Order 84-3, Resolution No. 83-61-9), § 490-300-080, filed 3/9/84.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-300-085 Grant application procedure—Proposal review. [Statutory Authority: RCW 28C.04.420. 84-07-006 (Order 84-3, Resolution No. 83-61-9), § 490-300-085, filed 3/9/84.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-300-090 JSP proposal review committee. [Statutory Authority: RCW 28C.04.420. 84-07-006 (Order 84-3, Resolution No. 83-61-9), § 490-300-090, filed 3/9/84.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.

- 490-300-100 Notification of project approval. [Statutory Authority: RCW 28C.04.420. 84-07-006 (Order 84-3, Resolution No. 83-61-9), § 490-300-100, filed 3/9/84.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-300-110 Responsibilities of the employment security department. [Statutory Authority: RCW 28C.04.420. 84-07-006 (Order 84-3, Resolution No. 83-61-9), § 490-300-110, filed 3/9/84.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-300-120 Responsibilities of the department of commerce and economic development. [Statutory Authority: RCW 28C.04.420. 84-07-006 (Order 84-3, Resolution No. 83-61-9), § 490-300-120, filed 3/9/84.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.

**WAC 490-300-010 through 490-300-120 Decodified.** See Disposition Table at beginning of this chapter.

### Chapter 490-325 WAC

#### COMMISSION FOR VOCATIONAL EDUCATION

#### WAC

490-325-010 through 490-325-060 Decodified.

#### DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

- 490-325-010 Introduction. [Statutory Authority: RCW 43.21C.120 and chapter 28C.04 RCW. 78-04-064 (Order 78-2, Resolution No. 78-27-2), § 490-325-010, filed 3/31/78.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-325-020 State Environmental Policy Act compliance. [Statutory Authority: RCW 43.21C.120 and chapter 28C.04 RCW. 78-04-064 (Order 78-2, Resolution No. 78-27-2), § 490-325-020, filed 3/31/78.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-325-030 State Environmental Policy Act "responsible official." [Statutory Authority: RCW 43.21C.120 and chapter 28C.04 RCW. 78-04-064 (Order 78-2, Resolution No. 78-27-2), § 490-325-030, filed 3/31/78.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-325-040 Information center and register distribution. [Statutory Authority: RCW 43.21C.120 and chapter 28C.04 RCW. 78-04-064 (Order 78-2, Resolution No. 78-27-2), § 490-325-040, filed 3/31/78.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-325-050 Publication of notice of action. [Statutory Authority: RCW 43.21C.120 and chapter 28C.04 RCW. 78-04-064 (Order 78-2, Resolution No. 78-27-2), § 490-325-050, filed 3/31/78.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-325-060 Time limit for completion of EIS process. [Statutory Authority: RCW 43.21C.120 and chapter 28C.04 RCW. 78-04-064 (Order 78-2, Resolution No. 78-27-2), § 490-325-060, filed 3/31/78.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.

**WAC 490-325-010 through 490-325-060 Decodified.** See Disposition Table at beginning of this chapter.