

Title 131 WAC

COMMUNITY AND TECHNICAL COLLEGES, BOARD FOR

Chapters

- 131-08** Practice and procedure.
- 131-12** Students.
- 131-16** Faculty and staff personnel.
- 131-24** Capital projects.
- 131-28** Tuition and fee charges.
- 131-32** Educational services.
- 131-36** Institutional long-term loan fund.
- 131-40** Employee participation in political activities.
- 131-46** Special service programs—Running start program.
- 131-276** Public records.

DISPOSITION OF CHAPTERS FORMERLY CODIFIED IN THIS TITLE

Chapter 131-04 REVENUE BONDS

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 Repealed by Order 56, filed 4/2/76.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

Chapter 131-34 EMPLOYEE RELATIONS AND COLLECTIVE BARGAINING

- 131-34-010 Fact finding and mediation by state director. [Order 21, § 131-34-010, filed 11/21/73 and 10/30/73.] Repealed by 79-12-071 (Order 79 and 81, Resolution Nos. 79-43 and 79-46), filed 11/30/79. Statutory Authority: RCW 28B.50.090.
- 131-34-020 Procedures for operations of impasse advisory committees. [Order 21, § 131-34-020, filed 11/21/73 and 10/30/73.] Repealed by 79-12-071 (Order 79 and 81, Resolution Nos. 79-43 and 79-46), filed 11/30/79. Statutory Authority: RCW 28B.50.090.
- 131-34-030 Declaration of impasse. [Order 21, § 131-34-030, filed 11/21/73 and 10/30/73.] Repealed by 79-12-071 (Order 79 and 81, Resolution Nos. 79-43 and 79-46), filed 11/30/79. Statutory Authority: RCW 28B.50.090.

Chapter 131-08 WAC PRACTICE AND PROCEDURE

WAC

- 131-08-005 General description of state board organization and operations.
- 131-08-007 Presentations to state board.
- 131-08-008 Special meetings of the state board.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

- 131-08-003 Temporary procedures for certification of instructors. [Order 1-68, § 131-08-003, filed 5/31/68.] Repealed by Order 5, filed 12/12/69.
- 131-08-004 Authority of the director to revoke certificates. [Order 1-68, § 131-08-004, filed 5/31/68.] Repealed by Order 5, filed 12/12/69.
- 131-08-006 Formal presentations to the state board at public meetings. [Order 3, § 131-08-006, filed 6/19/69.] Repealed by Order 60, filed 11/1/76.
- 131-08-010 Regular meetings of the state board. [Statutory Authority: RCW 28B.50.070 and 42.30.075. 89-22-063 (Order 117), § 131-08-010, filed 10/31/89, effective 12/1/89; 88-24-043 (Order 115, Resolution No. 88-37), § 131-08-010, filed 12/7/88; 88-01-008 (Order 114, Resolution No. 87-51), § 131-08-010, filed 12/4/87; 87-04-025 (Order 113, Resolution No. 87-1), § 131-08-010, filed 1/28/87; 86-05-004 (Order 106, Resolution No. 86-1), § 131-08-010, filed 2/7/86.] Repealed by 90-22-032, filed 10/31/90, effective 12/1/90. Statutory Authority: RCW 28B.50.070.

WAC 131-08-005 General description of state board organization and operations. (1) The state board for community and technical colleges consists of nine members appointed by the governor. Successors of the members initially appointed serve for terms of four years.

(2) The executive officer and secretary of the board is the executive director of the state system of community and technical colleges. The executive director is in charge of the offices of the board and responsible to the board for the preparation of reports and the collection and dissemination of data and other public information relating to the state system of community and technical colleges. The executive director exercises, in the name of the board, all powers and duties delegated by the board and at the direction of the board executes, together with the chair of the board, all contracts entered into by the board.

(3) It is the board's duty to exercise general supervision and control over the state system of community and technical colleges consistent with the specific powers and duties set forth in the Community and Technical College Act of 1991, chapter 28B.50 RCW.

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

(5) Information about specific meeting places and times may be obtained at the board office. Formal submission or requests to the state board should be addressed to the director at the Olympia office.

[Statutory Authority: RCW 28B.50.070 and chapter 42.30 RCW. 92-13-019 (Order 136, Resolution No. 92-05-23), § 131-08-005, filed 6/8/92, effective 7/9/92. Statutory Authority: RCW 34.04.020. 81-01-079 (Order 84, Resolution No. 80-61), § 131-08-005, filed 12/17/80. Statutory Authority: RCW 28.50.070 [28B.50.070] and 42.30.075. 79-12-070 (Order 78, Resolution No. 79-42), § 131-08-005, filed 11/30/79. Statutory Authority: RCW 28B.50.070. 78-07-063 (Order 72, Resolution No. 78-31),

§ 131-08-005, filed 6/30/78; Order 61, § 131-08-005, filed 7/8/77; Order 59, § 131-08-005, filed 7/6/76; Order 52, § 131-08-005, filed 1/9/76; Order 40, § 131-08-005, filed 6/27/75; Order 33, § 131-08-005, filed 11/14/74; Order 19, § 131-08-005, filed 7/2/73; Order 3, § 131-08-005, filed 6/19/69.]

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

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

- (1) Title of the item to be considered;
- (2) A brief descriptive background which includes relevant facts and documentary evidence, including written materials, personal interviews, expert testimony or matters of record;
- (3) Identification of the requesting party, including relevant organizational affiliations and job titles.

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

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

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

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

In the case of adoption, amendment or repeal of rules, which are subject to the provisions of the Administrative Procedure Act, chapter 34.05 RCW, the provisions of that chapter regarding the presentation of data, views or arguments shall govern.

[Statutory Authority: RCW 28B.50.070 and chapter 42.30 RCW. 92-13-019 (Order 136, Resolution No. 92-05-23), § 131-08-007, filed 6/8/92, effective 7/9/92; Order 60, § 131-08-007, filed 11/1/76; Order 3, § 131-08-007, filed 6/19/69.]

WAC 131-08-008 Special meetings of the state board. Special meetings of the state board may be called by the chair or by a majority of the members of the state board by delivery personally or by mail written notice to each member at least twenty-four hours before the time of such

meeting. Such notice shall specify the time and place of the special meeting and the business to be transacted. Final disposition shall not be taken on any other matter at such meetings. Notice of such special meetings also shall be provided twenty-four hours prior to such meetings to each local newspaper of general circulation and to each local radio and television station which has on file with the state board a written request to be notified of such special meetings or of all meetings of the state board.

[Statutory Authority: RCW 28B.50.070 and chapter 42.30 RCW. 92-13-019 (Order 136, Resolution No. 92-05-23), § 131-08-008, filed 6/8/92, effective 7/9/92; Order 41, § 131-08-008, filed 6/27/75.]

Chapter 131-12 WAC STUDENTS

WAC

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

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

131-12-070	Deadline for compliance and filing with director. [Order 5, § 131-12-070, filed 12/12/69.] Repealed by 90-20-009 (Order 122, Resolution Nos. 90-42 and 90-43), filed 9/20/90, effective 10/21/90. Statutory Authority: RCW 28B.50.090 (7)(d) and (10), 28B.50.851, 28B.15.502(4), 28B.15.522, 28B.50.140(3) and 1990 c 29.
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WAC 131-12-010 Minimum standards for admission to a community college. Any applicant for admission to a community college shall be admitted when, as determined by the chief administrative officer of the district or his or her designee, such applicant:

- (1) Is competent to profit from the curricular offerings of the college; and
- (2) Would not, by his or her presence or conduct, create a disruptive atmosphere within the community college inconsistent with the purposes of the institution; and
- (3) Is eighteen years of age or older; or
- (4) Is a high school graduate; or
- (5) Has applied for admission under the provisions of a student enrollment options program such as Running Start or a successor program; or
- (6) If not qualified under subsections (1) through (5) of this section, has filed a written release from a public, private, or home school he or she is attending or last attended: *Provided*, That an applicant transferring from another institution of higher education who meets the above criteria, but who is not in good standing at the time of his transfer may be conditionally admitted to a community college on a probationary status as determined by the chief administrative

officer of the community college district or his or her designee.

[Statutory Authority: RCW 28B.50.090 (7)(d) and (10), 28B.50.851, 28B.15.502(4), 28B.15.522, 28B.50.140(3) and 1990 c 29. 90-20-009 (Order 122, Resolution Nos. 90-42 and 90-43), § 131-12-010, filed 9/20/90, effective 10/21/90; Order 3, § 131-12-010, filed 6/19/69.]

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

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

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

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

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

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

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

(4) In the event of dispute or question regarding the residency status of any applicant or enrolled student, the matter shall be referred to the office of attorney general for advice.

[Statutory Authority: RCW 28B.50.090 (7)(d) and (10), 28B.50.851, 28B.15.502(4), 28B.15.522, 28B.50.140(3) and 1990 c 29. 90-20-009 (Order 122, Resolution Nos. 90-42 and 90-43), § 131-12-020, filed 9/20/90, effective 10/21/90; Order 3, § 131-12-020, filed 6/19/69.]

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

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

(2) Reasonable prerequisites for enrollment in any class, course or program to insure that a student will profit or benefit from the particular class, course or program.

[Order 3, § 131-12-030, filed 6/19/69.]

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

[Order 3, § 131-12-040, filed 6/19/69.]

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

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

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

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

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

(5) Students enrolled in a second college under the provisions of this regulation shall be required to comply with the regular registration procedure of such second college and shall be required to pay any additional special fees—such as laboratory, supply, use or records fees normally charged to students enrolled at that college.

[Order 23, § 131-12-041, filed 12/18/73.]

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

(1) Admission requirements;

- (2) Freedom of expression, petition, press, assembly and association;
- (3) Use and maintenance of records and campus facilities;
- (4) Disciplinary hearing and appeal procedures; and
- (5) Disciplinary sanctions.

[Order 5, § 131-12-050, filed 12/12/69.]

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

[Order 5, § 131-12-060, filed 12/12/69.]

Chapter 131-16 WAC

FACULTY AND STAFF PERSONNEL

WAC

- 131-16-005 Mandatory retirement age defined.
- 131-16-010 Designation of community college system retirement plan.
- 131-16-011 Definitions.
- 131-16-015 Retirement benefit goal established.
- 131-16-021 Employees eligible to participate in retirement annuity purchase plan.
- 131-16-031 Participation in the plan.
- 131-16-040 Disability retirement provisions for TIAA/CREF participants.
- 131-16-050 Contribution rates established.
- 131-16-055 Options for self-directed investment of retirement plan contributions and accumulations.
- 131-16-060 Repurchase of annuity contract under certain conditions.
- 131-16-061 Supplemental retirement benefits.
- 131-16-062 Benefit options after termination of employment.
- 131-16-065 Optional retirement transition benefit.
- 131-16-066 Single sum death benefit to spouse beneficiaries.
- 131-16-070 Adoption and publication of district personnel selection practices and standards required.
- 131-16-080 General standards of qualifications for community college personnel.
- 131-16-091 Additional qualifications in areas of specialization.
- 131-16-092 Maintaining and improving occupational and teaching competencies for vocational administrators, instructors and counselors.
- 131-16-093 Types of vocational education certificates.
- 131-16-094 Definition of professional improvement units.
- 131-16-095 Reciprocity defined.
- 131-16-200 Reduction in force guidelines and procedures supplemental to chapter 251-10 WAC.
- 131-16-210 Layoff unit defined.
- 131-16-220 Duration of reduction in force lists.
- 131-16-400 Definition of "special funds" for the purpose of determining eligibility for tenurable faculty positions.
- 131-16-450 Exceptional faculty awards trust fund.
- 131-16-500 Permissible compensation elements for community and technical college presidents.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

- 131-16-020 Employees eligible to participate in retirement annuity purchase plan. [Statutory Authority: RCW 28B.10.400. 83-20-042 (Order 95, Resolution No. 83-25), § 131-16-020, filed 9/28/83; Order 55, § 131-16-020, filed 4/2/76; Order 51, § 131-16-020, filed 1/9/76; Order 37, § 131-16-020, filed 5/19/75; Order 28, § 131-16-020, filed 7/1/74; Order 4, § 131-16-020, filed 10/22/69.] Repealed by 91-13-048 (Resolution No. 91-20, Order 129), filed 6/14/91, effective 7/15/91. Statutory Authority: RCW 28B.10.400.
- 131-16-030 Optional participation for certain employees. [Order 28, § 131-16-030, filed 7/1/74; Order 9, § 131-16-030, filed 6/7/71; Order 4, § 131-16-030, filed 10/22/69.] Repealed by 91-13-048 (Resolution No. 91-20, Order 129), filed 6/14/91, effective 7/15/91. Statutory Authority: RCW 28B.10.400.
- 131-16-069 Application of retirement plan to employees of state board. [Order 28, § 131-16-069, filed 7/1/74.] Repealed by 91-13-048 (Resolution No. 91-20, Order 129), filed 6/14/91, effective 7/15/91. Statutory Authority: RCW 28B.10.400.
- 131-16-090 Additional qualification in areas of specialization. [Order 5, § 131-16-090, filed 12/12/69.] Repealed by Order 22, filed 11/27/73.
- 131-16-300 Salary increase for noncivil service personnel. [Order 27, § 131-16-300, filed 8/1/74.] Repealed by Order 54, filed 4/2/76.
- 131-16-310 Preamble. [Order 49, § 131-16-310, filed 9/12/75.] Repealed by Order 54, filed 4/2/76.
- 131-16-315 Specific legislative appropriations for salary increases. [Order 49, § 131-16-315, filed 9/12/75.] Repealed by Order 54, filed 4/2/76.
- 131-16-320 Standards related to salary increases. [Order 49, § 131-16-320, filed 9/12/75.] Repealed by Order 54, filed 4/2/76.
- 131-16-325 Legal authorization for review of district budgets. [Order 49, § 131-16-325, filed 9/12/75.] Repealed by Order 54, filed 4/2/76.
- 131-16-330 Ratification of administrative memorandum. [Order 49, § 131-16-330, filed 9/12/75.] Repealed by Order 54, filed 4/2/76.
- 131-16-335 Delegation of authority to review and revise budgets. [Order 49, § 131-16-335, filed 9/12/75.] Repealed by Order 54, filed 4/2/76.
- 131-16-340 Criteria for calculating allowable salary increase funds. [Order 49, § 131-16-340, filed 9/12/75.] Repealed by Order 54, filed 4/2/76.
- 131-16-410 Optional salary increases for faculty and exempt personnel of certain community colleges. [Statutory Authority: 1977 ex.s. c 339. 78-06-057 (Order 69, Resolution No. 78-22), § 131-16-410, filed 5/24/78; Order 66, § 131-16-410, filed 9/13/77.] Repealed by 79-12-071 (Orders 79 and 81, Resolution Nos. 79-43 and 79-46), filed 11/30/79. Statutory Authority: RCW 28B.50.090.

WAC 131-16-005 Mandatory retirement age defined. Except as otherwise prohibited by federal law, the mandatory retirement age for employees of college districts or the state board shall be the end of the academic year in which an employee attains age seventy; however, when officially approved by the district board of trustees, or by the state board in the case of its employees, extension of service beyond the mandatory retirement age may be made pursuant to the provisions of RCW 28B.10.420.

[Statutory Authority: RCW 28B.10.400. 91-13-048 (Resolution No. 91-20, Order 129), § 131-16-005, filed 6/14/91, effective 7/15/91; 85-19-056 (Order 103, Resolution No. 85-25), § 131-16-005, filed 9/16/85. Statutory Authority: 1979 ex.s. c 159. 79-10-020 (Order 77, Resolution No. 79-30), § 131-16-005, filed 9/10/79; Order 28, § 131-16-005, filed 7/1/74.]

WAC 131-16-010 Designation of community college system retirement plan. There is hereby established for the

eligible employees of the community colleges of the state of Washington and the state board, a retirement plan which shall entitle such employees to purchase retirement annuities from the teachers' insurance annuity association (TIAA) and the college retirement equities fund (CREF), hereafter called the TIAA/CREF plan, subject to the provisions of WAC 131-16-011 through 131-16-066.

[Statutory Authority: RCW 28B.10.400. 91-13-048 (Resolution No. 91-20, Order 129), § 131-16-010, filed 6/14/91, effective 7/15/91; Order 28, § 131-16-010, filed 7/1/74; Order 4, § 131-16-010, filed 10/22/69.]

WAC 131-16-011 Definitions. For the purpose of WAC 131-16-005 through 131-16-066, the following definitions shall apply:

(1) "Participant" means any individual who is eligible to purchase retirement annuities through the TIAA/CREF plan and whose required contribution to such plan is matched by the employing college district or the state board pursuant to the provisions of WAC 131-16-050.

(2) "Supplemental retirement benefit" means payments, as calculated in accordance with WAC 131-16-061, made by the state board to an eligible retired participant or designated beneficiary whose retirement benefits provided by the TIAA/CREF plan do not attain the level of the retirement benefit goal established by WAC 131-16-015.

(3) "Year of full-time service" means retirement credit based on full-time employment or the equivalent thereof based on part-time employment in an eligible position for a period of not less than five months in any fiscal year during which TIAA/CREF contributions were made by both the participant and a Washington public higher education institution or the state board or any year or fractional year of prior service in a Washington public retirement system while employed at a Washington public higher education institution: *Provided*, That the participant will receive a pension benefit from such other retirement system: *And provided further*, That not more than one year of full-time service will be credited for service in any one fiscal year.

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

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

(6) "TIAA/CREF retirement benefit" means the amount of annual retirement income derived from a participant's accumulated annuities including dividends at the time of retirement: *Provided*, That solely for the purpose of calculating a potential supplemental retirement benefit, such amount shall be adjusted to meet the assumptions set forth in WAC 131-16-061(2).

(7) "Salary" means all remuneration received by the participant from the employing college district or the state board, including summer quarter compensation, extra duty pay, leave stipends, and grants made by or through the college district or state board; but not including any severance pay, early retirement incentive payment, remuneration for unused sick or personal leave, or remuneration for

unused annual or vacation leave in excess of the amount payable for thirty days or two hundred forty hours of service.

(8) "Designated beneficiary" means the surviving spouse of the retiree or, with the consent of such spouse, if any, such other person or persons as shall have an insurable interest in the retiree's life and shall have been nominated by written designation duly executed and filed with the retiree's institution of higher education or the state board.

(9) "State board" means the state board for community college education as created in RCW 28B.50.050.

(10) "Appointing authority" means a college district board of trustees or the state board or the designees of such boards.

[Statutory Authority: RCW 28B.10.400. 91-13-048 (Resolution No. 91-20, Order 129), § 131-16-011, filed 6/14/91, effective 7/15/91. Statutory Authority: RCW 28B.10.400(3). 86-22-027 (Order 111, Resolution No. 86-43), § 131-16-011, filed 10/30/86. Statutory Authority: RCW 28B.10.400. 83-20-042 (Order 95, Resolution No. 83-25), § 131-16-011, filed 9/28/83. Statutory Authority: RCW 28B.10.400(3). 82-11-014 (Order 91, Resolution No. 82-6), § 131-16-011, filed 5/10/82. Statutory Authority: RCW 28B.10.400. 79-12-069 (Order 80, Resolution No. 79-44), § 131-16-011, filed 11/30/79; Order 28, § 131-16-011, filed 7/1/74.]

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

[Statutory Authority: RCW 28B.10.400. 91-13-048 (Resolution No. 91-20, Order 129), § 131-16-015, filed 6/14/91, effective 7/15/91. Statutory Authority: RCW 28B.10.400(3). 82-11-014 (Order 91, Resolution No. 82-6), § 131-16-015, filed 5/10/82; Order 28, § 131-16-015, filed 7/1/74.]

WAC 131-16-021 Employees eligible to participate in retirement annuity purchase plan. (1) Eligibility to participate in the TIAA/CREF plan is limited to persons who hold appointments to college district or state board staff positions as full-time or part-time faculty members or administrators exempt from the provisions of chapter 28B.16 RCW and who are assigned a cumulative total of at least eighty percent of full-time workload as defined by the appointing authority at one or more college districts or the state board for at least two consecutive college quarters or who otherwise would be eligible for membership in the Washington state teachers retirement system.

(2) Participation in the plan is also permitted for current and former employees of college districts or the state board who are on leave of absence or who have terminated employment by reason of permanent disability and who are receiving a salary continuation insurance benefit through a plan made available by the state of Washington: *Provided*, That such noncontributory participation shall not be creditable toward the number of years of full-time service utilized in calculating eligibility for supplemental retirement benefits pursuant to WAC 131-16-061.

(3) Participation in the plan without matching employer contributions is also permitted for any employee of a college district or the state board who desires to utilize the plan as a supplemental retirement savings vehicle to any state-

sponsored retirement plan in which the employee participates: *Provided*, That the provisions of WAC 131-16-015, 131-16-050, and 131-16-061 shall not apply in such cases.

(4) An employee who moves from an ineligible to an eligible position for the same appointing authority may become a participant by so electing in writing within six months following such move.

(5) A participant who moves from an eligible position to an ineligible position for the same appointing authority may continue to be a participant by so electing within six months following such move.

(6) Participants shall continue participation regardless of the proportion of full-time duties assigned, except as otherwise provided in this section, as long as continuously employed by the same appointing authority. For the purpose of this section, spring and fall quarters shall be considered as consecutive periods of employment.

(7) Any eligible employee who at the time of initial employment is required to or elects to become a participant in this plan may also select at that time to delay active participation and payment of required contributions for two years following the date of initial employment.

[Statutory Authority: RCW 28B.10.400, 91-13-048 (Resolution No. 91-20, Order 129), § 131-16-021, filed 6/14/91, effective 7/15/91.]

WAC 131-16-031 Participation in the plan. (1) Participation in the TIAA/CREF plan is required of all otherwise eligible new employees: *Provided*, That any such new employee, who at the time of employment is a member of the Washington state teachers retirement system or the Washington public employees retirement system, may irrevocably elect to retain such membership or, if not vested in that system, retain membership until vesting occurs and then irrevocably elect to participate in the TIAA/CREF plan.

(2) College district or state board employees who are members of retirement plans other than the TIAA/CREF plan may participate in the TIAA/CREF plan, without a matching employer contribution, through tax deferred annuity purchase agreements with the employing college district or the state board, to the extent allowed by the applicable United States Internal Revenue Code provisions.

[Statutory Authority: RCW 28B.10.400, 91-13-048 (Resolution No. 91-20, Order 129), § 131-16-031, filed 6/14/91, effective 7/15/91.]

WAC 131-16-040 Disability retirement provisions for TIAA/CREF participants. The board of trustees of any college district or the state board may approve the retirement of any participant for reasons of health or permanent disability either upon the request of the appointing authority or the participant: *Provided*, That reasonable consideration is first given to the written recommendations of the employee's personal physician or, if requested by either the employee or the appointing authority, a review of such recommendations by another physician appointed by mutual agreement for that purpose.

[Statutory Authority: RCW 28B.10.400, 91-13-048 (Resolution No. 91-20, Order 129), § 131-16-040, filed 6/14/91, effective 7/15/91; 83-20-042 (Order 95, Resolution No. 83-25), § 131-16-040, filed 9/28/83; 79-12-069 (Order 80, Resolution No. 79-44), § 131-16-040, filed 11/30/79; Order 28, § 131-16-040, filed 7/1/74; Order 4, § 131-16-040, filed 10/22/69.]

WAC 131-16-050 Contribution rates established.

(1) Each participant in the TIAA/CREF plan shall contribute five percent of salary each pay period until attainment of age thirty-five and seven and one-half percent each pay period thereafter and the employing district or state board shall contribute a like sum. A participant may further elect to increase the rate to ten percent of salary each pay period after attaining age fifty and the employing district or state board shall contribute a like sum. The combined contribution may be allocated among the TIAA and CREF funds as directed by the participant.

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

(3) Any eligible employee may enter into an agreement with the college district to reduce the employee's monthly salary by the amount of the required employee's monthly contribution and any supplemental amount, within the limits prescribed in the Internal Revenue Code: *Provided*, That no more than one agreement for such salary reduction may be made within any tax year of the employee, except to the extent otherwise permitted by the Internal Revenue Code.

[Statutory Authority: RCW 28B.10.400, 91-13-048 (Resolution No. 91-20, Order 129), § 131-16-050, filed 6/14/91, effective 7/15/91; Order 28, § 131-16-050, filed 7/1/74; Order 13, § 131-16-050, filed 10/8/71; Order 4, § 131-16-050, filed 10/22/69.]

WAC 131-16-055 Options for self-directed investment of retirement plan contributions and accumulations. While actively employed, participants may exercise any or a combination of the following options for allocation of current premiums or transfer of accumulated TIAA or CREF fund accumulated balances.

(1) Current premiums may be allocated among the TIAA account and the CREF accounts in any whole percentage proportions.

(2) CREF fund accumulations resulting from previously contributed premiums may be transferred in whole or in part among any of the CREF subsidiary accounts or to the TIAA account.

(3) TIAA fund accumulations resulting from previously contributed premiums or from transfers from CREF accounts may be transferred to any CREF accounts on the basis of an irrevocable ten-year schedule of payments, subject to procedures established by TIAA/CREF.

[Statutory Authority: RCW 28B.10.400, 91-13-048 (Resolution No. 91-20, Order 129), § 131-16-055, filed 6/14/91, effective 7/15/91.]

WAC 131-16-060 Repurchase of annuity contract under certain conditions. In the event a participant leaves the employ of all Washington community and technical college districts and the state board and the participant requests repurchase of his or her TIAA/CREF accumulation, such repurchase is authorized: *Provided*, That TIAA/CREF's published repurchase guidelines applicable to the participant's contract are followed.

[Statutory Authority: RCW 28B.10.400, 93-01-015, § 131-16-060, filed 12/4/92, effective 1/4/93; 91-13-048 (Resolution No. 91-20, Order 129), § 131-16-060, filed 6/14/91, effective 7/15/91; Order 28, § 131-16-060, filed 7/1/74; Order 4, § 131-16-060, filed 10/22/69.]

WAC 131-16-061 Supplemental retirement benefits.

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

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

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

(b) The combined retirement benefit from the TIAA/CREF annuity and any other Washington state public retirement system as a result of service while employed by a Washington public higher education institution that the participant would receive in the first month of retirement multiplied by twelve: *Provided*, That the TIAA/CREF benefit shall be calculated on the following assumptions:

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

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

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

(iv) For the purposes of this calculation, the assumptions applied to the TIAA/CREF accumulation settlement shall also apply to settlement of the benefit from any other retirement plan.

(c) The amount of supplemental retirement benefit for a participant who has not attained age sixty-five at retirement is the amount calculated in subsection (2) of this section reduced by one-half of one percent for each calendar month remaining until age sixty-five: *Provided*, That the supplemental retirement benefit for an otherwise qualified partici-

pant retired for reason of health or permanent disability shall not be so reduced.

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

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

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

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

(b) Supplemental retirement benefit payments will continue for the lifetime of the retired participant; however, prior to retirement, a participant may choose to provide for the continuation of supplemental retirement benefit payments, on an actuarially equivalent reduced basis, to his or her spouse or designated beneficiary after the retiree's death. Notification of such choice shall be filed in writing with the state board and shall be irrevocable after retirement. If such option is chosen, the supplemental retirement benefit payments shall be in the same proportion as any TIAA/CREF survivor annuity option potentially payable to and elected by the participant. If a designation of a survivor's option is not made and the participant dies after attaining age sixty-two but prior to retirement, any supplemental benefit payable shall be based on the two-thirds benefit to survivor option.

(c) Prior to making any supplemental benefit payments, the state board shall obtain a document signed by the participant and spouse, if any, or designated beneficiary acknowledging the supplemental retirement benefit option chosen by the participant.

(4) A retired participant who is reemployed shall continue to be eligible to receive retirement income benefits, except that the supplemental retirement benefit shall not continue during periods of employment for more than forty percent of full-time or seventy hours per month or five months duration in any fiscal year. Retirement contributions shall not be made from the salary for such employment, unless the individual once again becomes eligible to participate under the provisions of WAC 131-16-021.

[Statutory Authority: RCW 28B.10.400. 91-13-048 (Resolution No. 91-20, Order 129), § 131-16-061, filed 6/14/91, effective 7/15/91; 83-20-042 (Order 95, Resolution No. 83-25), § 131-16-061, filed 9/28/83. Statutory Authority: RCW 28B.10.400(3). 82-11-014 (Order 91, Resolution No. 82-6), § 131-16-061, filed 5/10/82. Statutory Authority: RCW 28B.10.400. 79-12-069 (Order 80, Resolution No. 79-44), § 131-16-061, filed 11/30/79; Order 28, § 131-16-061, filed 7/1/74.]

WAC 131-16-062 Benefit options after termination of employment. (1) After termination of employment, participants who have attained age fifty-five, or who have completed thirty years of full-time service in this plan or any combination of Washington state sponsored retirement plans, or who have retired due to disability in accordance with WAC 131-16-040 may exercise any settlement option for receipt of retirement benefits being made available by TIAA/CREF at that time.

(2) The federal income tax consequences resulting from the exercise of any options of elections provided by this section shall be the sole responsibility of the individual participant, and all federal tax regulations related to the receipt of retirement income benefits shall apply.

(3) The provisions of this section shall apply only to TIAA and CREF account accumulations attributable to contributions made as a result of employment in institutions or agencies subject to the provisions of WAC 131-16-005 through 131-16-066.

[Statutory Authority: RCW 28B.50.090, 92-22-045, (Order 137, Resolution 92-05-23), § 131-16-062, filed 10/28/92, effective 11/28/92. Statutory Authority: RCW 28B.10.400, 91-13-048 (Resolution No. 91-20, Order 129), § 131-16-062, filed 6/14/91, effective 7/15/91.]

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

[Statutory Authority: RCW 28B.10.400, 91-13-048 (Resolution No. 91-20, Order 129), § 131-16-065, filed 6/14/91, effective 7/15/91; Order 28, § 131-16-065, filed 7/1/74; Order 14, § 131-16-065, filed 2/18/72.]

WAC 131-16-066 Single sum death benefit to spouse beneficiaries. Unless previously indicated to the contrary by the participating employee in writing directly to TIAA/CREF, the surviving spouse or other beneficiary, if applicable, of any TIAA/CREF plan participant who dies before retirement shall be entitled to receive a single sum death benefit in the amount of the then current value of the annuity accumulation.

[Statutory Authority: RCW 28B.10.400, 91-13-048 (Resolution No. 91-20, Order 129), § 131-16-066, filed 6/14/91, effective 7/15/91; Order 28, § 131-16-066, filed 7/1/74; Order 15, § 131-16-066, filed 2/9/73.]

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

professional staff representing a wide range of educational and professional experience. Such personnel practices and standards shall be consistent with WAC 131-16-080.

[Statutory Authority: RCW 28B.50.090(7)(a), 91-21-009 (Order 134, Resolution No. 91-27), § 131-16-070, filed 10/4/91, effective 11/4/91; 80-13-011 (Order 82, Resolution No. 80-14), § 131-16-070, filed 9/8/80; Order 5, § 131-16-070, filed 12/12/69.]

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

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

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

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

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

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

(6) Personal characteristics that contribute to the ability to promote the welfare of the students, the institution, and the state of Washington.

[Statutory Authority: RCW 28B.50.090(7)(a), 91-21-009 (Order 134, Resolution No. 91-27), § 131-16-080, filed 10/4/91, effective 11/4/91; 80-13-011 (Order 82, Resolution No. 80-14), § 131-16-080, filed 9/8/80; Order 22, § 131-16-080, filed 11/27/73; Order 5, § 131-16-080, filed 12/12/69.]

WAC 131-16-091 Additional qualifications in areas of specialization. In addition to the general standards required by WAC 131-16-080 and chapter 490-28A WAC in the case of vocational education personnel, the district board of trustees shall establish that candidates for appointment meet or exceed the following standards in their areas of specialization:

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

(2) Professional personnel in vocational fields or other specialized areas for which advanced degrees are not normally available shall have sufficiently broad and comprehensive training and work experience that particularly qualifies them to provide instruction in their area of specialization.

(3) All newly hired vocational education teaching personnel must have recent work experience beyond the learning period as a fully qualified worker in the occupation that will be taught. The minimum work experience shall be equal to the recognized learning period required to gain competence in the occupation, but shall be in no case less than two calendar years of full-time work or its equivalent beyond the learning experience. The number of hours

worked shall be equivalent to the hours worked by full-time workers in the occupation to be taught.

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

(b) Minimum work experience in occupations requiring state or local licensing, certification, or registry will be two calendar years subsequent to receipt of license, unless the occupation is also an apprenticeable trade. Current licenses, registrations, and/or certifications shall be maintained as a requirement for teaching courses in the respective occupation.

(c) Minimum work experience for all other trades and occupations will be two calendar years of full-time employment or the equivalent, subsequent to the required learning period, which shall be the number of hours worked by full-time workers during a two-year period in the occupation.

(d) Recent work experience shall be defined as employment full-time for six months or the equivalent, within the two years immediately preceding initial vocational certification, which shall be one-fourth of the hours required by (c) of this subsection.

(e) One year full-time employment shall mean that which is the standard for the occupation.

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

(5) Vocational counselors shall meet the minimum work experience requirement by verifying work experience in one or more occupations other than professional education, which is cumulative to at least two years of full-time employment. Vocational counselors shall be certified only if they have had preparation in vocational counseling, testing, and occupational information.

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

(7) The vocational administrator and all other subordinate vocational education administrative personnel must have been employed as a full-time vocational education instructor, occupational information specialist, or vocational counselor for at least three academic years or have equivalent experience in industry or other public agencies and they must have had at least two calendar years of accumulated experience in the capacity of a supervisor in education, business, industry, a public agency, or an equivalent volunteer community service. In addition, such individuals must have demonstrated to the employing agency a commitment to and understanding of vocational education. Industry and public agency

experience will be evaluated at no more than a one-to-one basis. The vocational administrator's personnel file must have verification that these standards have been met.

(8) A current first aid certificate is required for those vocational instructors and counselors prior to the second quarter of employment in vocational programs where the instructional environment brings students into physical proximity with machinery, electrical circuits, biologicals, radioactive substances, chemicals, flammables, intense heat, gases under pressure, excavations, scaffolding, ladders, and other hazards.

(9) A current CPR certificate is required for all vocational instructors and counselors.

(10) Responsibility for ensuring that appropriate staff have first aid training will rest with the assigned vocational administrator as defined in subsection (7) of this section.

(11) The specific type of first aid program required of vocational instructors shall be achieved by passing a course of first aid instruction and participation in practical application of the following subject matter;

Bleeding control and bandaging.

Practical method of artificial respiration, including mouth to mouth and mouth to nose resuscitation.

Closed chest heart massage.

Poisons.

Shock, unconsciousness, stroke.

Burns, scalds.

Sunstroke, heat exhaustion.

Frostbite, freezing, hypothermia.

Strains, sprains, hernias.

Fractures, dislocations.

Proper transportation of the injured.

Bites, stings.

Subjects covering specific health hazards likely to be encountered by coworkers of first aid students enrolled in the course.

(12) Specifically excluded from conformance to the first aid requirement are:

(a) Those instructors who teach related subjects to vocational students, i.e., Mathematics, English, or communications skills, etc., when these subjects are taught in classrooms rather than shops or laboratories.

(b) Physicians, registered nurses, licensed practical nurses, and others when their occupational competencies and training include first aid knowledge and skills equal to or superior to that represented by the first aid certification being required under these regulations.

[Statutory Authority: RCW 28B.50.090(7)(a). 91-21-009 (Order 134, Resolution No. 91-27), § 131-16-091, filed 10/4/91, effective 11/4/91; 80-13-011 (Order 82, Resolution No. 80-14), § 131-16-091, filed 9/8/80; Order 22, § 131-16-091, filed 11/27/73.]

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

(1) The institution or district will certify through the assigned vocational administrator each full-time instructor and vocational counselor and maintain documentation of such certification. The certificate and the documentation on

file shall specify the function and/or the specific occupational area for which the individual is certified.

(2) Each full-time contracted vocationally certified instructor or counselor shall have an individual improvement plan which covers the time interval of the current certification developed in consultation with and approved by the vocational administrator or designee. The vocational administrator shall maintain a file of all such plans, which shall be reviewed annually.

(3) Part-time vocational teaching and counseling personnel must be certified and have a verification of work experience related to instructional assignment record on file in the individual's personnel folder. This record must be on file for each part-time instructor/counselor during each quarter of teaching employment. Part-time instructors must have teaching competencies reviewed every five years. "Teaching competencies" refers to (a) currency in the occupation and (b) teaching skills. Part-time vocational counselors must have records in their file indicating compliance with WAC 131-16-091(5). Part-time teaching personnel not qualifying for five-year certificates must be awarded a temporary certificate effective for a maximum of three years. At the conclusion of the initial three years, the individual must complete thirty clock hours or three credits of elements of instruction or equivalent before an additional three-year temporary certificate may be granted. During each subsequent three-year period, at least thirty clock hours or three credits of teacher training must be completed before the award of a renewed temporary certificate.

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

(5) Certification under the above standards is a condition of continued employment for all vocational education personnel.

(6) Safety and occupational health practice standards are met by satisfying OSHA and WISHA requirements.

[Statutory Authority: RCW 28B.50.090(7)(a). 91-21-009 (Order 134, Resolution No. 91-27), § 131-16-092, filed 10/4/91, effective 11/4/91; 80-13-011 (Order 82, Resolution No. 80-14), § 131-16-092, filed 9/8/80; Order 22, § 131-16-092, filed 11/27/73.]

WAC 131-16-093 Types of vocational education certificates. In issuing certificates for vocational education personnel, the college district shall utilize the following nomenclature and shall meet the standards set forth below as a minimum:

(1) Temporary certificate.

(a) Full-time vocational instructors shall be issued a temporary certificate provided that such individuals shall be required to complete an orientation to begin no later than the first day of employment. An orientation outline must be on file at each campus. A temporary certificate is not renewable for full-time instructors and counselors.

(b) Full-time vocational counselors shall be issued a temporary certificate provided that such individuals have met the requirements set forth in WAC 131-16-091(5).

(2) One-year certificate.

(a) Instructional personnel who have completed the minimum requirements for a temporary certificate and who, in addition, provide documentation of teaching competency as demonstrated by having satisfactorily completed a

minimum of three credits in courses concentrated upon the elements of teaching, or the equivalent, shall be issued a one-year certificate. A one-year certificate may be renewed once.

(b) Counselors may be issued a one-year certificate upon completion of the minimum requirements for a temporary certificate and who, in addition, have completed a minimum of three credits or thirty clock hours in course(s) in accordance with the individual's professional improvement plan. A one-year certificate may be renewed no more than once.

(3) Three-year certificate. May be used as a temporary with part-time instructors. (Optional with the local district for full-time instructors.)

(4) Five-year certificate (initial).

(a) Instructional personnel, occupational information specialists, and vocational counselors who have met the requirements of WAC 131-16-070 through 131-16-092 and who have earned a master's degree or doctorate in their professional career field or in the field of education from a recognized college or university accredited by a group recognized by the Council on Postsecondary Accreditation (COPA), and who have completed the minimum requirements for a temporary certificate, may be issued a five-year certificate.

(b) Instructional personnel and vocational counselors who have not earned a master's degree or doctorate in their professional career field or in the field of education from an accredited college or university shall be issued a five-year certificate upon completion of at least two years of teaching service, who have, in addition to the one-year certificate requirements, documentation of competency as demonstrated by having satisfactorily completed a minimum of three credits or thirty clock hours in courses dealing with the techniques of occupational analysis, or equivalent, a minimum of three credits in courses concentrated upon the principles of vocational course organization or equivalent, and who have completed a minimum of three additional professional improvement units in accordance with the individual's professional improvement plan.

(c) Counseling personnel who do not have a master's degree shall be issued a five-year certificate upon: (i) Completion of at least two years of counseling service, (ii) in addition to the one-year certificate requirements, documentation of competency as demonstrated by having satisfactorily completed a minimum of three credits or thirty clock hours in courses dealing with advanced or graduate level counseling theories and/or techniques, or equivalent, and (iii) completion of a minimum of six additional professional improvement units in accordance with the individual's professional improvement plan.

(5) Five-year certificate (renewal). A five-year renewable certificate shall be issued to professional personnel who have completed a minimum of fifteen professional improvement units during the previous five-year period in accordance with the individual's improvement plan, documenting currency in teaching skills. Professional improvement plans shall, if deemed appropriate, include work experience as defined in WAC 131-16-094(1), and no more than ten professional units in any one category as defined in WAC 131-16-094 shall apply.

(6) The assigned vocational administrator shall be responsible for the designation of approved course equivalents.

[Statutory Authority: RCW 28B.50.090(7)(a). 91-21-009 (Order 134, Resolution No. 91-27), § 131-16-093, filed 10/4/91, effective 11/4/91; 84-06-052 (Order 97, Resolution No. 84-7), § 131-16-093, filed 3/7/84; 80-13-011 (Order 82, Resolution No. 80-14), § 131-16-093, filed 9/8/80; Order 22, § 131-16-093, filed 11/27/73.]

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

(1) Each forty hours of planned, preapproved, work experience outside of regular college teaching or counseling assignments shall be equal to one professional improvement unit.

(2) Ten clock hours or one credit on the quarter system or two-thirds credit on the semester system earned in accredited programs at colleges or universities shall be equal to one professional improvement unit provided it is in compliance with the professional improvement plan.

(3) Each accumulated twenty hours of preplanned participation in activities, such as conferences, seminars, workshops, or symposiums shall be equal to 1.0 professional improvement unit.

(4) Each forty hours of independent preplanned or preapproved research and other individual development activities in excess of normal contracted obligations shall be equal to one professional improvement unit.

(5) The assigned vocational administrator shall be responsible for the approval of professional improvement plans, equivalencies, and units as stated in WAC 131-16-092, 131-16-093, and 131-16-094.

[Statutory Authority: RCW 28B.50.090(7)(a). 91-21-009 (Order 134, Resolution No. 91-27), § 131-16-094, filed 10/4/91, effective 11/4/91; 80-13-011 (Order 82, Resolution No. 80-14), § 131-16-094, filed 9/8/80; Order 22, § 131-16-094, filed 11/27/73.]

WAC 131-16-095 Reciprocity defined. The following standards describe the recognition of vocational teaching certification issued by a community or technical college or the superintendent of public instruction.

(1) Instructors or counselors issued a vocational education certificate that meets the standards specified in WAC 131-16-091 through 131-16-095 by any community or technical college shall be recognized by all community or technical colleges under the jurisdiction of the state board for community and technical colleges.

(2) It is also recognized that a vocational teaching or counselor certificate issued by the office of the superintendent of public instruction will be recognized by the community and technical colleges as fulfilling the minimum requirements for the specific subjects contained in the certification.

(3) All instructors or counselors hired by a community or technical college will be required to have on file a professional improvement plan as specified in WAC 131-16-092 through 131-16-094.

(4) All current technical college instructors or counselors may have their certification renewed under the requirements in effect for vocational-technical institutes prior to

September 1, 1991. After September 1, 1996, all technical college personnel must meet the standards set forth in chapter 131-16 WAC.

[Statutory Authority: RCW 28B.50.090(7)(a). 91-21-009 (Order 134, Resolution No. 91-27), § 131-16-095, filed 10/4/91, effective 11/4/91.]

WAC 131-16-200 Reduction in force guidelines and procedures supplemental to chapter 251-10 WAC. When a reduction in force becomes necessary the following guidelines and procedures shall govern to the extent they are consistent and supplemental to chapter 251-10 WAC:

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

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

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

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

(3) The order of layoff and optional retention rights shall not be limited or restricted by any requirements regarding the sex of employee because of the nature or circumstances of work involved.

[Order 8, § 131-16-200, filed 3/8/71.]

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

[Order 8, § 131-16-210, filed 3/8/71.]

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

[Order 8, § 131-16-220, filed 3/8/71.]

WAC 131-16-400 Definition of "special funds" for the purpose of determining eligibility for tenurable faculty positions. (1) RCW 28B.50.851 authorizes the state board for community college education to designate certain funds as "special funds" for the purpose of exempting positions funded thereby from the award of community college faculty tenure status as provided in RCW 28B.50.850 through 28B.50.869.

(2) For the purpose of implementing the provisions of RCW 28B.50.851, "special funds" shall be defined as all funds received by a community college district other than those generated by operating fees and special fees collected by such district pursuant to RCW 28B.15.100 and 28B.15.500 and state general funds appropriated by the

legislature and distributed to college districts by the state board.

(3) "Special funds" shall include, but not be limited to, funds received by a community college district through contracts with federal, state, local, or private agencies; grants or gifts from philanthropic organizations; revenue produced by any auxiliary enterprise operated by a college district; federal vocational funds distributed by the commission for vocational education; adult basic education funds distributed by the superintendent of public instruction; and specifically funds received for operating overseas military educational programs.

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

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

[Statutory Authority: RCW 28B.50.090 (7)(d) and (10), 28B.50.851, 28B.15.502(4), 28B.15.522, 28B.50.140(3) and 1990 c 29. 90-20-009 (Order 122, Resolution Nos. 90-42 and 90-43), § 131-16-400, filed 9/20/90, effective 10/21/90; Order 67, § 131-16-400, filed 9/13/77; Order 57, § 131-16-400, filed 5/10/76; Order 43, § 131-16-400, filed 9/12/75.]

WAC 131-16-450 Exceptional faculty awards trust fund. (1) Pursuant to chapter 29, Laws of 1990, the community college exceptional faculty award program shall be subject to the following limitations:

(a) All funds generated by and through this program shall be credited to the college district's exceptional faculty local endowment trust fund, from which only the earnings of such funds may be expended for the purpose of this program.

(b) Authorization to transfer funds from the exceptional faculty award trust fund in the state treasury to a college district endowment fund shall be contingent upon certification by the college district that no less than twenty-five thousand dollars of matching cash donations from private sources has been deposited in the district endowment fund.

(c) Grants to individual colleges shall not exceed:

(i) One grant to each college prior to June 30, 1991, unless all colleges have received one grant each;

(ii) Two grants to each college prior to December 31, 1991; and

(iii) Four grants to each college in any single biennium.

(d) Award of requested grants to colleges shall be contingent upon determination by the state board for community college education that the request is consistent with and meets the requirements of these guidelines. Further, if grant requests exceed available funds, the state board for community college education shall select the recipients.

(e) Funds granted for the purposes of the faculty awards program shall be held in trust by the district for the college to which such funds were specifically awarded.

(f) Each college district shall establish procedures by which awards may be named in honor of a donor, benefactor, or honoree; may designate the use of funds; and may renew or redesignate the award annually.

(g) By September 1 of each year beginning in 1991, each district shall report to the state board for community

college education the amount of contributed endowment funds, their earnings, type of investments, and uses made during the previous fiscal year.

(h) The process for determining awards shall be subject to collective bargaining, except that the amount of individual awards and the recipient(s) shall be determined by the district board of trustees.

(i) Only persons holding faculty assignments as defined by RCW 28B.52.020(2) shall be eligible to receive awards under this section.

(2) The award of exceptional faculty grants from the district endowment fund shall be subject to the following limitations:

(a) The proceeds from the endowment fund shall be used to pay expenses for faculty awards, which may include in-service training, temporary substitute or replacement costs directly associated with faculty development programs, conferences, travel, publication and dissemination of exemplary projects; to make a one time supplement to the salary of the holder or holders of a faculty award, for the duration of the award; or to pay expenses associated with the holder's program area.

(b) Funds from this program shall not be used to supplant existing faculty development funds.

[Statutory Authority: RCW 28B.50.090 (7)(d) and (10), 28B.50.851, 28B.15.502(4), 28B.15.522, 28B.50.140(3) and 1990 c 29. 90-20-009 (Order 122, Resolution Nos. 90-42 and 90-43), § 131-16-450, filed 9/20/90, effective 10/21/90.]

WAC 131-16-500 Permissible compensation elements for community and technical college presidents. (1) RCW 28B.50.140(3) requires the state board for community and technical colleges to adopt rules defining the permissible elements of compensation which district boards may approve for community and technical college presidents.

(2) Compensation (including salary) increases granted in accordance with this section shall not exceed the amount or percentage established for that purpose in the state Omnibus Appropriations Act as allocated to the college districts by the state board for community and technical colleges.

(3) For the purpose of implementing RCW 28B.50.140(3), the permissible elements of compensation shall include salary, premiums paid for insurance supplemental to the plans authorized by the state employees benefits board, deferred salary, relocation assistance, and premiums paid for tax deferred annuities: *Provided*, That such benefits, except salary, shall not affect but may supplement other benefits applicable to college presidents as state employees.

[Statutory Authority: RCW 28B.50.140(3). 91-21-013 (Order 132, Resolution No. 91-48), § 131-16-500, filed 10/4/91, effective 11/4/91. Statutory Authority: RCW 28B.50.090 (7)(d) and (10), 28B.50.851, 28B.15.502(4), 28B.15.522, 28B.50.140(3) and 1990 c 29. 90-20-009 (Order 122, Resolution Nos. 90-42 and 90-43), § 131-16-500, filed 9/20/90, effective 10/21/90.]

Chapter 131-24 WAC CAPITAL PROJECTS

WAC

131-24-010

Districts shall obtain prior approval of state board for capital projects and acquisition of realty.

131-24-020	College district revenue bond issues—Approval required.
131-24-030	Capital construction projects—SEPA policies and procedures.
131-24-040	Capital projects funded on the basis of voluntary student fees.

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

[Order 3, § 131-24-010, filed 6/19/69.]

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

(a) District requests for state board approval shall consist of a written presentation describing the proposed use of the bond revenue, the need for the facility, cost projections, source and anticipated annual revenue pledged to debt service, and the characteristics of the bond issue proposed.

(b) After receiving state board approval, the requesting district and the state director or his designee will jointly prepare a request to the state finance committee for approval of the proposed issue.

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

(3) Nothing in this section shall be construed to change the current status of any revenue bond issues approved prior to the effective date of this rule and pursuant to WAC 131-04-010, which section is hereby repealed.

[Order 56, § 131-24-020, filed 4/2/76. Formerly WAC 131-04-010.]

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

(2) A community college district initiating a request for approval of any capital construction expenditure shall be

(1992 Ed.)

considered the "lead agency" for the purpose of carrying out the provisions of chapter 43.21C RCW and chapter 197-10 WAC.

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

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

(5) When the declaration required by subsection (3) of this section indicates a finding that there exists a reasonable belief by the lead agency that the proposed project could have a significant adverse effect on the environment, the request for state board approval of capital project construction funds shall be construed to be an affirmation that the district has complied with the provisions for preparation and circulation of draft and final environmental impact statements in WAC 197-10-410 through 197-10-695.

[Order 58, § 131-24-030, filed 5/10/76.]

WAC 131-24-040 Capital projects funded on the basis of voluntary student fees. (1) A request for approval of a capital project proposed to be funded from revenue derived from fees that students voluntarily maintain upon themselves pursuant to RCW 28B.15.610 must be supported by evidence that:

(a) The student fee was approved by a majority vote, as defined by the constitution or governing policies of the student government, at a general election of the student body.

(b) The college district has identified an alternative source of funding in the event the fee is discontinued or revenues fall below the required level. The alternative funding source is sufficient to cover the full costs of the project, including debt service in the case of borrowed funds.

(2) When a capital project is to be financed by borrowed funds repayable from revenue derived from fees that students voluntarily maintain upon themselves, the following criteria shall be met:

(a) For at least two quarters prior to consideration of the project proposal by the state board, the revenue from the student fee must have been placed in reserve for use in the project.

(b) The duration of the terms of the loan shall not exceed ten years.

(c) Preliminary notification to the state board of the approval of the voluntary fee and the general nature and scope of the proposed project shall be made prior to collection of the fee.

(d) Final approval shall be based on presentation of details of the terms of the anticipated loan.

[Statutory Authority: RCW 28B.50.090(8). 85-20-045 (Order 104, Resolution No. 85-26), § 131-24-040, filed 9/25/85.]

Chapter 131-28 WAC
TUITION AND FEE CHARGES

WAC

131-28-010	Tuition and fee charges for summer quarter.
131-28-015	Assessment of tuition and fee charges.
131-28-021	Definitions.
131-28-025	Method of assessing tuition and fee charges.
131-28-026	Tuition charges for certain ungraded courses.
131-28-027	Costs and special fees for contracted educational services.
131-28-028	Tuition charges for certain waiver categories.
131-28-030	Waiver of tuition and fees for needy or disadvantaged students.
131-28-040	Criteria for determining eligibility for waiver of tuition and fees under RCW 28B.15.740.
131-28-045	Procedure for implementing tuition and fee waivers authorized pursuant to RCW 28B.15.740.
131-28-070	Combination of tuition and fee waivers with other forms of student financial aid.
131-28-080	Tuition and fee waivers for senior citizens.
131-28-085	Tuition and fee waivers for full-time community college employees.
131-28-090	Tuition and fee waivers for unemployed and underemployed resident students.

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

131-28-020	Effective date of summer quarter fee schedule. [Order 6, § 131-28-020, filed 3/16/70.] Repealed by Order 12, filed 7/22/71.
131-28-041	Criteria for determining eligibility for waiver of tuition and fees under RCW 28B.15.520. [Statutory Authority: Chapter 34.04 RCW and WAC 1-12-065. 79-07-070 (Order 74, Resolution No. 79-20), § 131-28-041, filed 6/28/79. Statutory Authority: RCW 28B.15.520, 28B.15.525, and 28B.15.530. 78-06-058 (Order 70, Resolution No. 78-24), § 131-28-041, filed 5/24/78; Order 47, § 131-28-041, filed 9/12/75.] Repealed by 80-08-045 (Order 83, Resolution No. 80-29), filed 6/30/80. Statutory Authority: RCW 28B.15.530.
131-28-050	Procedure for determining limitation of the amount of tuition and fee waivers. [Order 47, § 131-28-050, filed 9/12/75; Order 11, § 131-28-050, filed 7/22/71; Order 7, § 131-28-050, filed 6/12/70.] Repealed by 82-22-023 (Order 94, Resolution No. 82-37), filed 10/26/82. Statutory Authority: RCW 28B.15.502 and 28B.15.740.
131-28-060	Procedure for determining priorities in awarding fee waivers. [Order 11, § 131-28-060, filed 7/22/71.] Repealed by Order 47, filed 9/12/75. Later promulgation, see WAC 131-28-045.

WAC 131-28-010 Tuition and fee charges for summer quarter. Tuition, operating, services and activities, and special fees charged to students enrolled for summer quarter shall be assessed on the same basis and in the same manner as such fees are assessed for other quarters of the academic year.

[Order 12, § 131-28-010, filed 7/22/71; Order 6, § 131-28-010, filed 3/16/70.]

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

[Title 131 WAC—p 14]

[Statutory Authority: RCW 28B.15.502. 89-14-037 (Order 116, Resolution No. 89-16), § 131-28-015, filed 6/29/89; Order 12, § 131-28-015, filed 7/22/71.]

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

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

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

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

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

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

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

(7) "Regular course" shall be defined as any academic, occupational, or student funded course not classified as a short course.

(8) "Required course" shall be defined as any course specified in the college catalog or official curriculum description of any vocational preparatory program as necessary for completion of such program, except courses prerequisite to such program.

(9) "Vocational preparatory program" shall be defined as any planned series of learning experiences, the specific objective of which is to prepare persons to enter gainful employment in a recognized occupation not designated as professional or requiring a baccalaureate or higher degree, provided that such program has been approved by the state board.

[Statutory Authority: RCW 28B.15.502. 89-14-037 (Order 116, Resolution No. 89-16), § 131-28-021, filed 6/29/89. Statutory Authority: RCW 28B.15.502 and 28B.15.740. 82-22-023 (Order 94, Resolution No. 82-37), § 131-28-021, filed 10/26/82; Order 12, § 131-28-020 (codified as § 131-28-021), filed 7/22/71.]

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

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

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

That the respective maximums charged to any resident or nonresident student shall not exceed the amount specified in chapter 28B.15 RCW.

(c) Shall be assessed for part-time students, for each credit of registration or its equivalent, at the rate of one-tenth of the total combined tuition and services and activities fees charged to full-time students consistent with chapter 28B.15 RCW.

(d) Shall include an additional fee for each credit in excess of eighteen at the rate of one-tenth of the tuition charged to full-time students consistent with chapter 28B.15 RCW. The additional fee assessed to a student enrolled in both a vocational preparatory program and a required course in that program shall be set at fifteen percent of the per credit tuition charge, rounded to the nearest whole dollar. This exemption shall require written approval by an appropriate college official.

(e) Shall be no less than two times the amount of tuition and services and activities fees charged for one credit.

(2) The provisions of this section shall not apply to the ungraded courses set forth in WAC 131-28-026.

(3) For student funded courses, fees charged to students:

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

(b) Shall be assessed at a rate sufficient to defray the direct and indirect costs of offering such community service courses.

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

[Statutory Authority: RCW 28B.15.502 and 1992 c 231, 232 and 238. 92-14-033 (Order 139, Resolution No. 92-06-39), § 131-28-025, filed 6/23/92, effective 7/24/92. Statutory Authority: RCW 28B.15.502. 89-14-037 (Order 116, Resolution No. 89-16), § 131-28-025, filed 6/29/89. Statutory Authority: RCW 28B.15.502 and 28B.15.740. 82-22-023 (Order 94, Resolution No. 82-37), § 131-28-025, filed 10/26/82. Statutory Authority: RCW 28B.15.500 as amended by chapter 257, Laws of 1981. 81-19-060 (Order 89, Resolution No. 81-65), § 131-28-025, filed 9/14/81. Statutory Authority: Chapter 34.04 RCW and WAC 1-12-065. 78-07-064 (Order 71, Resolution No. 78-29), § 131-28-025, filed 6/30/78; Order 39, § 131-28-025, filed 6/27/75; Order 24, § 131-28-025, filed 3/21/74; Order 12, § 131-28-025, filed 7/22/71.]

WAC 131-28-026 Tuition charges for certain ungraded courses. (1) The state board shall designate ungraded courses offered at tuition rates that differ from the standard rates set by WAC 131-28-025.

(2) Ungraded courses designated pursuant to subsection (1) of this section shall meet the following qualifications:

(a) The primary intent of offering the course is other than providing academic credit applicable to an associate's or higher degree.

(b) The course has a specialized purpose in that it is intended to meet the unique educational needs of a specific category or group of students.

(c) The course is offered for the purpose of providing the individual student with a discrete skill or basic body of

knowledge other than that intended to lead to initial employment.

(d) The course cannot be administered as a contract course pursuant to WAC 131-28-027, 131-32-010, or 131-32-020.

(e) The course is not offered primarily as an integral part of any lower-division curriculum or program.

(f) The course is not one specifically or primarily intended to satisfy requirements for receiving a high school diploma.

(3) For the purposes of this section, ungraded courses shall be defined as those courses classified according to the official course classification taxonomy established by the state board as occupational supplementary, occupational homemaking, academic basic education, or academic general education courses, provided they shall also meet the qualifications set forth in subsection (2) of this section.

(4) For the purpose of implementing WAC 131-28-025(2), the tuition, exclusive of special fees, charged by any Washington community college for the following ungraded courses shall be based on the following percentages of the per credit tuition fee for regular courses. There is no services and activities fee for ungraded courses:

COURSE	TUITION
(a) Courses offered for the purpose of satisfying related or supplemental educational requirements for apprentices while indentured with the Washington state apprenticeship council or Federal Bureau of Apprenticeship and Training	Thirty percent; provided the director shall convert the credit hour change to a rounded amount per clock hour and districts shall charge accordingly
(b) Department of labor and industries approved industrial first aid courses offered for the purpose of satisfying WISHA first aid certification requirements	One hundred percent
(c) Parent education involving cooperative preschool program	Fifteen percent
(d) Farm management and small business management	Forty percent
(e) Adult basic education, English as a second language	No charge
(f) Emergency medical technician and paramedic continuing education	Thirty percent
(g) Courses specifically designed to provide skills and understandings particularly related to the problems of retirement and advanced age	Thirty percent
(h) Courses providing advanced training and skill maintenance for journeypersons in cooperation with joint apprenticeship and training committees	One hundred percent
(i) GED preparation	Fifteen percent

(5) Students taking from eleven to eighteen credits shall not be charged for those credits.

(6) Application of this section shall be subject to administrative procedures established by the state director with respect to maximum credit values of such ungraded courses, curriculum, or any unique circumstances related to enrollment in such courses.

(7) Ungraded course tuition received pursuant to this section shall be accounted for and deposited in the community college operating fee account established in RCW 28B.15.—(section 36, chapter 231, Laws of 1992).

(8) The term "standard rate" as used in this section shall mean the tuition charged for one quarter credit.

(9) Tuition may be paid by the sponsoring entity rather than an individual student.

[Statutory Authority: RCW 28B.15.502 and 1992 c 231, 232 and 238. 92-14-033 (Order 139, Resolution No. 92-06-39), § 131-28-026, filed 6/23/92, effective 7/24/92. Statutory Authority: RCW 28B.15.502. 91-21-011 (Order 133, Resolution No. 91-49), § 131-28-026, filed 10/4/91, effective 11/4/91. Statutory Authority: RCW 28B.50.090 (7)(d) and (10), 28B.50.851, 28B.15.502(4), 28B.15.522, 28B.50.140(3) and 1990 c 29. 90-20-009 (Order 122, Resolution Nos. 90-42 and 90-43), § 131-28-026, filed 9/20/90, effective 10/21/90. Statutory Authority: RCW 28B.15.502. 89-14-037 (Order 116, Resolution No. 89-16), § 131-28-026, filed 6/29/89. Statutory Authority: RCW 28B.15.502 and 28B.15.740. 82-22-023 (Order 94, Resolution No. 82-37), § 131-28-026, filed 10/26/82. Statutory Authority: RCW 28B.15.502. 82-11-035 (Order 93, Resolution No. 82-16), § 131-28-026, filed 5/11/82. Statutory Authority: RCW 28B.15.500 as amended by chapter 257, Laws of 1981. 81-19-060 (Order 89, Resolution No. 81-65), § 131-28-026, filed 9/14/81. Statutory Authority: Chapter 34.04 RCW and WAC 1-12-065. 78-07-064 (Order 71, Resolution No. 78-29), § 131-28-026, filed 6/30/78; Order 63 and Emergency Order 64, § 131-28-026, filed 9/13/77, effective 9/13/77; Order 25, § 131-28-026, filed 4/22/74, effective 7/1/74.]

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

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

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

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

(5) The special fee charged for any such contractual educational course or service shall be retained by the college

district to defray the cost of such course or service and may be used for the general operations and maintenance of the college district.

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

(7) If the instructor for any course performs such services as a paid employee or personal services contractor of another state agency, the course shall be considered a contract course subject to the provisions of this section, except when reimbursement for such services is made to the other agency by the college district.

[Statutory Authority: RCW 28B.50.140(16). 84-21-111 (Order 101, Resolution No. 84-58), § 131-28-027, filed 10/23/84. Statutory Authority: Chapter 34.04 RCW and WAC 1-12-065. 78-07-064 (Order 71, Resolution No. 78-29), § 131-28-027, filed 6/30/78; Order 65, § 131-28-027, filed 9/13/77.]

WAC 131-28-028 Tuition charges for certain waiver categories. (1) Community college districts should charge tuition to students in the following waiver categories in accordance with this schedule. Tuition charges shall be rounded to the nearest dollar.

Waiver Category	Percent of standard tuition to be charged
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(a) High school completion as authorized by RCW 28B.15.520	Fifteen percent
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(b) Vocational credits in excess of eighteen as authorized by RCW 28B.15.100	Fifteen percent
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Revenues generated under this subsection shall be divided proportionately between the building fee and the operating fee and deposited in accordance with the provisions of chapter 28B.15 RCW.

(2) Community college districts should charge students in the following waiver categories a twenty-five percent surcharge of the resident operating fee rate. Tuition charges shall be rounded to the nearest dollar:

(a) Active duty military personnel, their spouses and children as authorized by RCW 28B.15.014.

(b) Refugees, their spouses, and children as authorized by RCW 28B.15.014.

(c) Students enrolled under reciprocity programs with British Columbia, Idaho, and Oregon under RCW 28B.15.100, 28B.15.730, 28B.15.750, or 28B.15.756.

Revenues generated under this subsection are operating fees.

[Statutory Authority: RCW 28B.15.502 and 1992 c 231, 232 and 238. 92-14-033 (Order 139, Resolution No. 92-06-39), § 131-28-028, filed 6/23/92, effective 7/24/92.]

WAC 131-28-030 Waiver of tuition and fees for needy or disadvantaged students. Pursuant to authority

granted by RCW 28B.15.740, the boards of trustees of community college districts are authorized to waive all or part of tuition and services and activities fees for needy students: *Provided*, That the students shall qualify for such waiver as determined by the criteria set forth in WAC 131-28-040 through 131-28-045.

[Statutory Authority: RCW 28B.15.502. 89-14-037 (Order 116, Resolution No. 89-16), § 131-28-030, filed 6/29/89. Statutory Authority: RCW 28B.15.502 and 28B.15.740. 82-22-023 (Order 94, Resolution No. 82-37), § 131-28-030, filed 10/26/82. Statutory Authority: RCW 28B.15.530. 80-08-045 (Order 83, Resolution No. 80-29), § 131-28-030, filed 6/30/80; Order 47, § 131-28-030, filed 9/12/75; Order 38, § 131-28-030, filed 4/22/75; Order 11, § 131-28-030, filed 7/22/71; Order 7, § 131-28-030, filed 6/12/70.]

WAC 131-28-040 Criteria for determining eligibility for waiver of tuition and fees under RCW 28B.15.740. Waiver of tuition and services and activities fees, or any portions thereof as authorized by RCW 28B.15.740, normally charged to students enrolled shall be based upon the determination that the student is a needy student by application of a method of need analysis approved by the United States Department of Education for determining awards under federal student financial aid programs or one adopted by the state board for community college education specifically for the purposes of this section, except as provided in WAC 131-28-045.

[Statutory Authority: RCW 28B.15.502. 89-14-037 (Order 116, Resolution No. 89-16), § 131-28-040, filed 6/29/89. Statutory Authority: RCW 28B.15.740. 86-22-026 (Order 110, Resolution No. 86-42), § 131-28-040, filed 10/30/86. Statutory Authority: RCW 28B.15.502 and 28B.15.740. 82-22-023 (Order 94, Resolution No. 82-37), § 131-28-040, filed 10/26/82. Statutory Authority: Chapter 34.04 RCW and WAC 1-12-065. 79-07-070 (Order 74, Resolution No. 79-20), § 131-28-040, filed 6/28/79; Order 47, § 131-28-040, filed 9/12/75; Order 11, § 131-28-040, filed 7/22/71; Order 7, § 131-28-040, filed 6/12/70.]

WAC 131-28-045 Procedure for implementing tuition and fee waivers authorized pursuant to RCW 28B.15.740. (1) Tuition and fee waivers for needy students in any fiscal year as authorized by RCW 28B.15.740 may not exceed three percent of any college district's estimated total collections of tuition and services and activities fees had no such waivers been made, after deducting the portion of that total amount which is attributable to the difference between resident and nonresident tuition and fees.

(2) The estimated total collection of tuition and fees shall be based on budgeted, state supported, four-quarter annual average enrollment.

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

(4) Districts desiring to exceed their individual three percent waiver capacity may do so only upon written approval from the state director of community colleges or his designee. This waiver capacity can only be granted to a district after it has been determined that the total waiver capacity for the community college system is not being utilized as a result of other districts waiving at levels less than the three percent capacity.

(5) At least three-fourths of the total amount waived by any district shall be for needy students who are eligible to pay resident tuition and fee rates as defined in RCW 28B.15.012 through 28B.15.015 and the remainder may be for other students as determined by the board of trustees, except that no such waivers shall be based on participation in intercollegiate athletic programs.

[Statutory Authority: RCW 28B.15.502. 89-14-037 (Order 116, Resolution No. 89-16), § 131-28-045, filed 6/29/89. Statutory Authority: RCW 28B.15.740. 86-22-026 (Order 110, Resolution No. 86-42), § 131-28-045, filed 10/30/86. Statutory Authority: RCW 28B.15.502 and 28B.15.740. 82-22-023 (Order 94, Resolution No. 82-37), § 131-28-045, filed 10/26/82. Statutory Authority: RCW 28B.15.530. 80-08-045 (Order 83, Resolution No. 80-29), § 131-28-045, filed 6/30/80. Statutory Authority: RCW 28B.15.520, 28B.15.525, and 28B.15.530. 78-06-058 (Order 70, Resolution No. 78-24), § 131-28-045, filed 5/24/78; Order 47, § 131-28-045, filed 9/12/75.]

WAC 131-28-070 Combination of tuition and fee waivers with other forms of student financial aid. Nothing in WAC 131-28-030 through 131-28-050 is intended to prevent the award of tuition and fee waivers in conjunction with other forms of student financial aid as a package designed to meet the overall educational assistance needs of any student.

[Order 47, § 131-28-070, filed 9/12/75; Order 11, § 131-28-070, filed 7/22/71.]

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(i) All existing course prerequisites must apply to students enrolled under this section.

[Statutory Authority: RCW 28B.15.502, 89-14-037 (Order 116, Resolution No. 89-16), § 131-28-080, filed 6/29/89; Order 45, § 131-28-080, filed 9/12/75.]

WAC 131-28-085 Tuition and fee waivers for full-time community college employees. Pursuant to the authority granted by RCW 28B.15.535, community college districts are authorized to and may waive tuition and services and activities fees for full-time employees at their respective institutions of higher education enrolled in courses at said institutions under the following conditions:

(1) Enrollment shall be on a space-available basis after opportunity has been given for other students to register for courses offered by the college,

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

(3) Enrollment information on employees enrolled on a space-available basis shall be maintained separately from other enrollment information and shall not be included in official enrollment reports, nor shall persons enrolled pursuant to the provisions of this section be considered in any enrollment statistics which would affect budgetary determinations,

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

(5) Employees enrolling on a space-available basis shall be charged a registration fee of not less than five dollars per quarter,

(6) Community college districts may limit the number of courses per quarter for which an employee may enroll pursuant to this section,

(7) Districts may enroll full-time intercollegiate center for nursing education, cooperative extension service and agricultural research employees of Washington State University if such employees are stationed off-campus provided that (a) the employee's work station is situated within the district where he enrolls and (b) such a waiver of tuition and fees complies with conditions listed in subsections (1) through (6) of this section,

(8) Districts may recognize completion of such courses for salary improvement or vocational certification provided such courses are an approved part of the professional improvement plan of the individual,

(9) Prior to implementing any program for tuition and fee waivers for full-time employees, the college district shall adopt a written rule regarding such program and definitively set forth rules and procedures related to:

(a) Whether or not employees may take tuition free courses on released time and under what circumstances;

(b) Whether or not courses taken on a tuition free basis shall be allowed to apply toward an advancement on the salary schedule of the institution;

(c) Whether or not there will be a limit on the number of courses per quarter an employee may take; what that limitation is and any other constraints;

(d) The definition of a full-time employee, professional and classified, for purposes of this act;

(10) The individual community college district shall submit a copy of its adopted rule relating to the above to the state director.

[Statutory Authority: RCW 28B.15.502, 89-14-037 (Order 116, Resolution No. 89-16), § 131-28-085, filed 6/29/89. Statutory Authority: RCW 28B.15.535, 85-01-040 (Order 102, Resolution No. 84-67), § 131-28-085, filed 12/13/84. Statutory Authority: 1979 c 82, 79-10-021 (Order 76, Resolution No. 79-29), § 131-28-085, filed 9/10/79.]

WAC 131-28-090 Tuition and fee waivers for unemployed and underemployed resident students. (1)

The purpose of this section is to carry out the intent of the legislature to provide tuition-free educational opportunities for unemployed and underemployed individuals who wish to attend a Washington community college on a space-available basis.

(2) Pursuant to authority granted by RCW 28B.15.522 community college districts may waive, in whole or in part, tuition and services and activities fees for any individual who:

(a) Is a resident student as defined by RCW 28B.15.012(2);

(b) Will have attained age twenty-one prior to the first day of instruction on the basis of such waiver;

(c) Has not attended an institution of higher education during the six-month period immediately prior to the first day of instruction, other than pursuant to this section;

(d) Is not receiving or eligible to receive unemployment compensation funded by federal, state matching, or trade readjustment benefit sources;

(e) Has a monthly household income below four hundred sixty-five dollars for a single person and an additional one hundred thirty dollars for each additional household member or the successor values to these amounts as may be subsequently established by the department of social

and health services as need standards for assistance determination purposes;

(f) Has been or will have been unemployed for at least six months prior to the first day of instruction or is underemployed as evidenced by monthly income for the preceding six-month period below the level established in (e) of this subsection.

(3) Enrollments made pursuant to this section shall be on a space available basis.

(4) No new course sections shall be created as a result of enrollments based on waivers authorized by this section.

(5) Enrollment information on students registered pursuant to this section shall be maintained separately from other enrollment information and shall not be included in official enrollment reports, nor be considered in any enrollment statistics which would affect budgetary determinations.

(6) Persons enrolled pursuant to this section shall have the same access to support services as do all other students and shall be subject to all course prerequisites and requirements.

[Statutory Authority: RCW 28B.50.090 (7)(d) and (10), 28B.50.851, 28B.15.502(4), 28B.15.522, 28B.50.140(3) and 1990 c 29. 90-20-009 (Order 122, Resolution Nos. 90-42 and 90-43), § 131-28-090, filed 9/20/90, effective 10/21/90. Statutory Authority: RCW 28B.15.502. 89-14-037 (Order 116, Resolution No. 89-16), § 131-28-090, filed 6/29/89. Statutory Authority: 1984 c 50. 84-21-112 (Order 100, Resolution No. 84-57), § 131-28-090, filed 10/23/84.]

**Chapter 131-32 WAC
EDUCATIONAL SERVICES**

WAC

131-32-010	Charges for courses utilizing supplemental funding.
131-32-020	Charges for courses utilizing shared funding.
131-32-030	Interdistrict instructional program arrangements.
131-32-035	Interdistrict joint program offerings.
131-32-040	Dissemination of course and enrollment information.

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

131-32-050	Running start program. [Statutory Authority: 1990 sp. sess. c 9. 91-21-012 (Order 131, Resolution No. 91-47), § 131-32-050, filed 10/4/91, effective 11/4/91.] Repealed by 93-01-014, filed 12/4/92, effective 1/4/93. Statutory Authority: RCW 28A.600.390.
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WAC 131-32-010 Charges for courses utilizing supplemental funding. (1) For the purpose of this section, the term "supplemental funding" shall mean restricted funds provided on the basis of an agreement between a college district and a cooperating agency or organization for the purpose of augmenting state fund support above the current funding level provided for particular courses, classes, or programs that have extraordinary costs and that, in the judgment of the college district board of trustees, could not be offered without such supplemental funding.

(2) College districts that desire to offer services that involve supplemental funding pursuant to RCW 28B.50.140(17) shall report such agreements to the state director within ten days of the execution of the agreement.

(3) Reports of any such agreements shall be accompanied by supporting cost information in the detail and format prescribed by the state director.

(4) The supplemental fee charged for any such services shall be retained by the college district for the purpose of supporting such services and the general operations and maintenance of the college district.

(5) Enrollments generated by courses utilizing supplemental funding shall be eligible for state fund support, subject to review and approval of the state director.

(6) Courses denied approval under this section may be considered for eligibility as a shared funding course pursuant to WAC 131-32-020.

(7) Tuition and fees for such courses, classes, or programs shall be charged consistent with WAC 131-28-025 and 131-28-026.

[Statutory Authority: RCW 28B.50.140(17). 81-14-023 (Order 88, Resolution No. 81-32), § 131-32-010, filed 6/25/81.]

WAC 131-32-020 Charges for courses utilizing shared funding. (1) For the purpose of this section, the term "shared funding" shall mean funds provided on the basis of an agreement between a college district and a cooperating agency or organization for the support of particular courses, classes, or programs that have costs within current state funding levels and that, in the judgment of the college district board of trustees, otherwise could not be offered because of inadequate state funding.

(2) College districts that desire to offer services that involve shared funding pursuant to RCW 28B.50.140(17) shall report such agreements to the state director within ten days of the execution of the agreement.

(3) Requests for approval of any such agreements shall be accompanied by supporting cost information in the detail and format prescribed by the state director.

(4) Enrollments generated by courses utilizing shared funding shall be eligible for state funding support subject to review and approval by the state director, but shall be discounted to the proportion that the state fund support provided for the services bears to the cost of the program.

(5) Tuition and fees for such courses, classes, or programs shall be charged consistent with WAC 131-28-025 and 131-28-026.

[Statutory Authority: RCW 28B.50.140(17). 81-14-023 (Order 88, Resolution No. 81-32), § 131-32-020, filed 6/25/81.]

WAC 131-32-030 Interdistrict instructional program arrangements. (1) When circumstances warrant, two or more community college districts may agree to allow one district to offer courses, special events, or other community service activities within the service area of the other district.

(2) Arrangements for interdistrict course(s) or program(s) offerings shall be formalized through written agreements between the cooperating college districts.

(3) A copy of the written agreement shall be filed with the office of the director for community college education.

(4) The college district providing the service shall maintain general administrative jurisdiction over the course(s) or program(s), including fees and other charges, instructor selection and remuneration, fiscal control and accounting, and enrollment reporting.

(5) Public announcements regarding such course(s) or program(s) shall describe the cooperative nature of the venture.

(6) In the event of a dispute related to interdistrict program arrangements and when in the judgment of the state board there are compelling reasons for intervention, the state board will make a final determination in the matter pursuant to authority granted in RCW 28B.50.090(11).

[Statutory Authority: RCW 28B.50.090(11) and 28B.50.060. 86-22-028 (Order 112, Resolution No. 86-45), § 131-32-030, filed 10/30/86.]

WAC 131-32-035 Interdistrict joint program offerings. (1) Two or more community college districts may enter into agreements to offer jointly courses, programs or other community service activities.

(2) Agreements covering joint offerings shall specify, in addition to the items required by chapter 39.34 RCW, the Interlocal Cooperation Act, procedures for instructor selection and remuneration, the basis for assessing fees and other charges, admissions, and registration policies, and the method by which enrollment will be reported.

(3) A copy of the written agreement shall be filed with the office of the director for community college education.

(4) Public announcements regarding such programs shall describe the cooperative nature of the venture.

[Statutory Authority: RCW 28B.50.090(11) and 28B.50.060. 86-22-028 (Order 112, Resolution No. 86-45), § 131-32-035, filed 10/30/86.]

WAC 131-32-040 Dissemination of course and enrollment information. (1) For the purposes of this section, "recruitment" is defined as information and activities which attempt to persuade potential students to attend a certain college—information used to compete for enrollment. "Information" is defined as the factual description of course availabilities, enrollment requirements, and college characteristics. However, excessive dissemination of what would otherwise be construed as legitimate course and enrollment information is viewed as competition or recruitment.

(2) In general, it is not the policy of the community and technical colleges to compete with each other or with other institutions of higher education for enrollment. It is the general policy of the community and technical colleges to inform the citizens of their districts of the programs and services available to them.

(3) The Community and Technical College Act (RCW 28B.50.020) requires the college system to offer educational service "to every citizen." Traditional methods of informing potential students—i.e., communication with high school counselors and students—reach only a small proportion of the potential enrollment, less than fifteen percent a year. In order to reach the rest of their potential student body—which is essentially the adult population at large—community and technical colleges utilize mass media dissemination, principally of quarterly course announcements.

(4) Mass dissemination of unsolicited course and enrollment information shall be held within district boundaries except where postal and media distribution patterns prohibit. Exceptions include regional activities such as fairs, high school-college days, and public exhibits in which the college is invited to participate. It is appropriate for a community or technical college to make known to the citizens of its district courses and programs offered exclusively by neighboring districts.

(5) It is appropriate to provide each adult citizen in the district with course and enrollment information once during each quarter on an unsolicited basis. In heavily populated areas, budgetary considerations may rule out such total distribution. Quarterly course announcements should be prepared and distributed in a way that provides the best balance between minimum cost and maximum dissemination of course information to district citizens. However, dissemination of such announcements at college expense to persons other than those requesting them shall be limited to one of the following methods:

- Mailing to district boxholders (direct mail)
- Newspaper advertisement
- Newspaper insert
- Other method of mass distribution

It may be appropriate for one district to disseminate quarterly course announcements to boxholders or recipients of newspaper inserts residing in other districts. Such arrangements shall not take place until both districts have agreed to the arrangement in writing.

(6) News releases and free public service announcements are an appropriate method of calling attention to new programs or to space availability in existing courses and programs. Public service announcements and news releases shall not be sent to media outside the college district except in those areas where more than one institution is served by the same primary media.

(7) Publications which provide factual information on specific instructional programs, on special programs or on special services provide an efficient method of responding to inquiries from potential students. Their unsolicited dissemination shall be limited to the district of origin.

(8) Districts may purchase advertising to provide supplementary course and registration announcements when it can be demonstrated that paid advertising is more cost-effective than other methods. In areas where media serve more than one college district, colleges should give preference to pooled advertisements rather than individual college advertisements to attract enrollment. Paid advertising shall not be placed with media outside the college district except in areas where more than one institution is served by the same primary news media.

(9) Where community and technical college districts overlap, the colleges shall plan and implement the dissemination of course and enrollment information so as to avoid unnecessary competition with each other and with adjacent districts for potential students. Issues arising from the process will be adjudicated under the provisions of the regional planning agreement specified by RCW 28B.50.215.

(10) In the event that state-funded enrollments are generated through interdistrict recruiting efforts that are contrary to the provisions of this section, the operating budget allocation of the intruding district may be adjusted by action of the state board. Budget allocation adjustments shall be determined by deducting funding attributable to enrollments generated by activities contrary to this section. The state board shall take into consideration the number of interdistrict enrollments that reasonably could have been expected to occur regardless of the interdistrict recruiting effort. At the request of either district that is party to an interdistrict recruiting dispute, the state board shall hold a

hearing on the issues at dispute. The hearing will be held under the provisions of WAC 131-08-007. The board as a result of such hearings may approve a settlement that contains alternatives to the provisions of this section.

[Statutory Authority: RCW 28B.50.060, [28B.50.]090, [28B.50.]140(11) and [28B.50.]215. 92-13-020 (Order 138, Resolution No. 92-05-23), § 131-32-040, filed 6/8/92, effective 7/9/92. Statutory Authority: RCW 28B.50.090(11) and 28B.50.060. 86-22-028 (Order 112, Resolution No. 86-45), § 131-32-040, filed 10/30/86.]

Chapter 131-36 WAC

INSTITUTIONAL LONG-TERM LOAN FUND

WAC

131-36-010	Purpose and intent.
131-36-050	Definitions.
131-36-100	Eligibility.
131-36-150	Limitation on amount of loans.
131-36-200	Terms and conditions of loans.
131-36-250	Initiating, servicing, and collecting loans.
131-36-300	Investment of fund principal.

WAC 131-36-010 Purpose and intent. (1) The purpose of chapter 131-36 WAC is to implement the institutional long-term loan program established by section 9, chapter 257, Laws of 1981.

(2) It is the intent of this chapter to provide for a loan program that will be operational in all Washington community colleges no later than spring quarter, 1982.

[Statutory Authority: 1981 c 257. 81-19-113 (Order 90, Resolution 81-66), § 131-36-010, filed 9/23/81.]

WAC 131-36-050 Definitions. For the purposes of chapter 131-36 WAC, the following definitions shall apply:

(1) "Fund" shall mean the institutional long-term loan fund established by section 9, chapter 257, Laws of 1981.

(2) "Private financial institution" shall mean an eligible lender as defined by the rules of the WSLGA.

(3) "Uniform methodology" shall mean the method of determining financial need based on a comparison of assets and income with estimated costs of college attendance as prescribed by the United States Department of Education.

(4) "WSLGA" shall mean the Washington student loan guarantee association, a private student loan guaranteeing association authorized to guarantee loans granted pursuant to 20 U.S. Code Section 1071.

(5) "Operational" shall mean that the institution has been approved as a lender and is eligible to provide loans guaranteed by the WSLGA.

[Statutory Authority: 1981 c 257. 81-19-113 (Order 90, Resolution 81-66), § 131-36-050, filed 9/23/81.]

WAC 131-36-100 Eligibility. (1) Loans from the fund shall be made only to resident, needy students who are enrolled for six or more credit hours of instruction or the equivalent thereof, except as otherwise provided in this section.

(2) The following individuals who have been granted statutory resident status for tuition and fee purposes pursuant to RCW 28B.15.014 and 28B.15.553 shall not be eligible to receive loans from the fund:

(a) Persons employed twenty hours or more per week at a Washington public higher education institution and their children and spouses;

(b) Military and federal employees residing or stationed in the state of Washington and their children or spouses;

(c) Veterans, as defined by RCW 41.04.005, whose final permanent duty station was in the state of Washington, so long as such veteran is receiving federal vocational or educational benefits concurred by virtue of his or her military service;

(d) Nonimmigrant aliens residing in the state of Washington pursuant to a treaty of commerce and navigation and their children and spouses.

(3) No individual shall be eligible for a loan from the fund unless he or she shall have applied for and been unable to obtain an educational loan from at least one private financial institution in the state of Washington known to be granting or with a record of having granted such loans.

(4) Students seeking loans from the fund shall provide the college with either a letter of denial from a private financial institution or with an affidavit attesting to such denial if unable to obtain evidence of denial in writing.

(5) No individual shall be eligible for loans from the fund if currently in default on any WSLGA or other federally guaranteed loan.

[Statutory Authority: 1981 c 257. 81-19-113 (Order 90, Resolution 81-66), § 131-36-100, filed 9/23/81.]

WAC 131-36-150 Limitation on amount of loans.

(1) No loans shall be made from the fund in an amount that exceeds the demonstrated financial need of an eligible student.

(2) For purposes of this section, demonstrated financial need shall be the amount determined by application of uniform methodology as defined by WAC 131-36-050(3).

[Statutory Authority: 1981 c 257. 81-19-113 (Order 90, Resolution 81-66), § 131-36-150, filed 9/23/81.]

WAC 131-36-200 Terms and conditions of loans.

(1) The terms and conditions of loans made from the fund, including, but not limited to, maximum annual loan amount, maximum aggregate loan amount, loan initiation fee, guarantee fee, repayment, cancellation, consolidation of loans, deferment, default, and forbearance shall be the same as those set forth by the WSLGA and federal guaranteed student loan regulations.

(2) All loans granted from the fund for periods in excess of one academic quarter shall be disbursed in quarterly installments through proration of the total loan amount.

[Statutory Authority: 1981 c 257. 81-19-113 (Order 90, Resolution 81-66), § 131-36-200, filed 9/23/81.]

WAC 131-36-250 Initiating, servicing, and collecting loans. (1) Community colleges shall utilize the loan collecting and servicing agency designated by the state board for community college education and the WSLGA.

(2) The state director of community colleges shall determine and designate on behalf of the state board an appropriate entity to conduct servicing and collection activities with regard to loans made from the fund.

(3) The state director of community colleges shall, when he determines that it is in the best interest of the college system, determine and designate on behalf of the state board an appropriate entity to perform loan initiation activities and transaction reporting regarding loans made from the fund.

(4) Subsequent to granting loans from the fund each college shall cooperate with the WSLGA and the servicing and collection agency through informing students of their rights and responsibilities regarding such loans; timely provision of student status verification information and information pertaining to determinations of default, forbearance, and deferment of loans; consolidation of loans; and records maintenance.

[Statutory Authority: 1981 c 257. 81-19-113 (Order 90, Resolution 81-66), § 131-36-250, filed 9/23/81.]

WAC 131-36-300 Investment of fund principal. (1) Moneys in the fund not committed to loans may be invested by each college for periods of time not inconsistent with the efficient operation of the loan program, provided that such investments may be made only after all eligible students have been afforded a reasonable opportunity to apply for loans from the fund.

(2) Investment of moneys from the fund shall be confined to certificates, notes, or bonds of the United States or other obligations of the United States or its agencies, or of any corporation wholly owned by the government of the United States.

(3) Colleges shall comply with all other laws or regulations regarding the investment of state funds when investing uncommitted portions of the fund.

(4) Interest earned through such investments shall be credited to the fund.

[Statutory Authority: 1981 c 257. 81-19-113 (Order 90, Resolution 81-66), § 131-36-300, filed 9/23/81.]

Chapter 131-40 WAC

EMPLOYEE PARTICIPATION IN POLITICAL ACTIVITIES

WAC

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

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

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

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

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

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

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

(5) The rules and regulations of the United States Civil Service Commission that pertain to political activities shall apply to any person employed through or otherwise engaged in the administration or operation of federal grant programs.

[Order 32, § 131-40-010, filed 12/13/74; Order 20, § 131-40-010, filed 12/4/73.]

WAC 131-40-020 Political activities, candidates for office. The following provisions shall apply to employees who are candidates for appointment or election to public office or who seek to participate in campaigns for constitutional amendments, referendums, initiatives, other similar activities, or candidates for nonpartisan public offices.

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

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

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

(4) If the employee concerned is the director or deputy director, the state board shall make the determination required above.

[Order 20, § 131-40-020, filed 12/4/73.]

Chapter 131-46 WAC

SPECIAL SERVICE PROGRAMS—RUNNING START PROGRAM

WAC

- 131-46-010 Authority.
- 131-46-015 Purpose.
- 131-46-020 Running start program—Definition.
- 131-46-025 Eligible student—Definition.
- 131-46-030 Full-time equivalent high school student—Definition.

131-46-035	Full-time equivalent community college and technical college student—Definition.
131-46-040	Annual average full-time equivalent student—Definition.
131-46-045	Community college and technical college districts—Definition.
131-46-050	Community and technical colleges—Definition.
131-46-055	School district—Definition.
131-46-060	Annual notice to students and parents.
131-46-065	Enrollment—General requirements and conditions.
131-46-070	Enrollment—High school credit—Prior confirmation.
131-46-075	Enrollment—Extent and duration.
131-46-080	Academic standards and discipline—Jurisdiction of educational agencies.
131-46-085	Compliance with federal and state requirements of law—Special education program requirements—Necessary cooperative agreements.
131-46-090	High school credit—Award by school districts.
131-46-095	Finance—Generation of state and federal moneys.
131-46-100	Finance—Community college and technical college reporting requirements.
131-46-105	Finance—School district reporting requirements.
131-46-110	Finance—Limitations on enrollment counts.
131-46-115	Finance—Apportionment and payment of basic education allocation moneys to community college districts and technical college districts.
131-46-120	Current and future community college and technical college enrollment alternatives not affected.

WAC 131-46-010 Authority. The authority for this chapter is RCW 28A.600.390, which authorizes the superintendent of public instruction, the state board for community and technical colleges, and the higher education coordinating board to jointly develop and adopt rules governing RCW 28A.600.300 through 28A.600.380, and 28A.150.260 and 28A.150.290 which authorize the superintendent of public instruction to adopt rules governing basic education allocation moneys.

[Statutory Authority: RCW 28A.600.390. 93-01-014, § 131-46-010, filed 12/4/92, effective 1/4/93.]

WAC 131-46-015 Purpose. The purpose of this chapter is to set forth policies and procedures governing the running start program.

[Statutory Authority: RCW 28A.600.390. 93-01-014, § 131-46-015, filed 12/4/92, effective 1/4/93.]

WAC 131-46-020 Running start program—Definition. As used in this chapter, the term "running start program" means the enrollment of an eligible student under this chapter simultaneously in school district and community college or technical college courses, or both, or solely in community college or technical college courses, or both, for the purpose of earning high school credit to be awarded by a school district, and such additional college level academic and vocational credit as may be awarded by a community college or technical college.

[Statutory Authority: RCW 28A.600.390. 93-01-014, § 131-46-020, filed 12/4/92, effective 1/4/93.]

WAC 131-46-025 Eligible student—Definition. As used in this chapter, the term "eligible student" means any person, including a person who is otherwise attending a private school or receiving home-based instruction, who meets each of the following conditions:

(1) The person is under the age of twenty-one years of age at the beginning of the school year (September 1 through August 31).

(2) The person is eligible by reason of his or her residence or admission under the law to enroll in the school district through which the person seeks to obtain the award of running start program high school credit. See, RCW 28A.175.090 ("at risk" students), 28A.225.160 (residents of a school district), 28A.225.170 (residents of United States and Indian reservations), 28A.225.210 (residents of "nonhigh" school districts), and RCW 28A.225.220 ("choice" students).

(3) The person is eligible under the grade placement policies of the school district through which the person seeks to obtain running start program high school credit to be in the eleventh or the twelfth grade.

(4) The person has not as of the beginning of the school year received a high school diploma or its equivalent, excluding a general education development certificate.

(5) The person has not as of the beginning of the school year earned the credits required for the award of a high school diploma by the school district through which the person seeks to obtain the award of running start program high school credit.

[Statutory Authority: RCW 28A.600.390. 93-01-014, § 131-46-025, filed 12/4/92, effective 1/4/93.]

WAC 131-46-030 Full-time equivalent high school student—Definition. The definition of a "fulltime equivalent high school student" for purposes of the generation of basic education allocation moneys and enrollment limitations under this chapter means and includes, each eligible student enrolled in a school district high school program as of the fourth school day of the school year (September 1 through August 31) and/or as of the first school day of eight subsequent months, for not less than twenty-five hours each week, or five hours (three hundred minutes) each scheduled school day.

[Statutory Authority: RCW 28A.600.390. 93-01-014, § 131-46-030, filed 12/4/92, effective 1/4/93.]

WAC 131-46-035 Full-time equivalent community college and technical college student—Definition. The definition of a "full-time equivalent community college student" and "full-time equivalent technical college student" for purposes of the generation of basic education allocation moneys and enrollment limitations under this chapter means and includes each eligible student enrolled in a community college or a technical college as of the fourth college day of the school year (September 1 through August 31) and/or as of the first college day of eight subsequent months, for not less than fifteen quarter credit hours.

[Statutory Authority: RCW 28A.600.390. 93-01-014, § 131-46-035, filed 12/4/92, effective 1/4/93.]

WAC 131-46-040 Annual average full-time equivalent student—Definition. The definition of "annual average full-time equivalent student" for purposes of the generation of basic education allocation moneys and enrollment limitations under this chapter, means and includes the quotient obtained by dividing the annual total of an eligible student's

full-time running start program enrollment counts reported under WAC 392-169-100 by nine.

[Statutory Authority: RCW 28A.600.390. 93-01-014, § 131-46-040, filed 12/4/92, effective 1/4/93.]

WAC 131-46-045 Community college and technical college districts—Definition. As used in this chapter, the terms "community college district" and "technical college district" mean the appointed board of trustees of a Washington public community college district or technical college districts and the territory, facilities, and educational programs under the jurisdiction of the board of trustees.

[Statutory Authority: RCW 28A.600.390. 93-01-014, § 131-46-045, filed 12/4/92, effective 1/4/93.]

WAC 131-46-050 Community and technical colleges—Definition. As used in this chapter, the terms "community college" and "technical college" mean a Washington public two-year institution of higher education under the jurisdiction of a community college district or technical college district.

[Statutory Authority: RCW 28A.600.390. 93-01-014, § 131-46-050, filed 12/4/92, effective 1/4/93.]

WAC 131-46-055 School district—Definition. As used in this chapter, the term "school district" means the elected board of directors of a Washington public school district and the territory, facilities, and educational programs under the jurisdiction of the board of directors.

[Statutory Authority: RCW 28A.600.390. 93-01-014, § 131-46-055, filed 12/4/92, effective 1/4/93.]

WAC 131-46-060 Annual notice to students and parents. Each school district shall annually provide general information respecting the running start program to all tenth and eleventh grade students of the school district and their parents and guardians.

[Statutory Authority: RCW 28A.600.390. 93-01-014, § 131-46-060, filed 12/4/92, effective 1/4/93.]

WAC 131-46-065 Enrollment—General requirements and conditions. The enrollment of an eligible student in the running start program shall be governed as follows:

(1) An eligible student is responsible for applying for and pursuing admissions to a community college or technical college.

(2) It shall not be necessary for an eligible student to obtain a release of attendance from his or her resident school district in order for the student to enroll in any community college or technical college.

(3) An eligible student is entitled to enroll in any community college and any technical college in the state for running start program purposes subject to each of the following conditions and limitations:

(a) Enrollment is limited to college level academic or vocational courses.

(b) Prior conformation pursuant to WAC 392-169-065 by the school district through which the student seeks to

obtain the award of running start program high school credit of the amount of high school credit to be awarded.

(c) Acceptance by the community college or technical college subject to generally applicable admission and enrollment requirements and limitations established by the community college or technical college, including a determination that the student is competent to profit from the college level academic or vocational course(s) the student seeks to enroll in: *Provided*, That a technical college shall not deny admission or continued attendance to a student under twenty-two years of age with a disability based upon impaired competency or the creation of a disruptive atmosphere associated with the person's disability.

(d) The limitations upon the duration and extent of community college and technical college course enrollment set forth at WAC 392-169-070.

(4) An eligible student shall not be required by a community college or technical college to pay any tuition or other fee as a condition to the student's full participation in community college and technical college course work and related activities, or as a condition to the award of credit therefor: *Provided*, That requiring a student to provide and pay for consumable supplies, textbooks, and other materials to be retained by the student does not constitute the assessment of tuition or a fee for purposes of this subsection.

(5) Once an eligible student has been enrolled in a community college or technical college course or program, the student shall not be displaced by another student: *Provided*, That the student's continued enrollment in a course or program and enrollment in other courses or programs shall be subject to generally applicable enrollment requirements and limitations established by the community college or technical college: *Provided further*, That a technical college shall not deny continued attendance to a student under twenty-two years of age with a disability based upon impaired competency or the creation of a disruptive atmosphere associated with the student's disability.

[Statutory Authority: RCW 28A.600.390. 93-01-014, § 131-46-065, filed 12/4/92, effective 1/4/93.]

WAC 131-46-070 Enrollment—High school credit—Prior confirmation. As a condition to an eligible student's enrollment in community college or technical college courses under this chapter, the eligibility of the courses which the student intends to take for the award of high school credit and the amount of such credit shall first be established, as follows:

(1) The student shall notify the school district through which the student seeks to obtain the award of running start program high school credit of the specific community college and technical college courses he or she intends to take and shall request confirmation of the amount of high school credit that will be awarded upon successful completion of the courses.

(2) The school district shall establish in accordance with chapter 180-51 WAC the amount of high school required or elective credit that shall be awarded for each course successfully completed by the student.

(3) If no comparable course is offered by the school district, the school district superintendent shall determine the amount of high school credit which shall be awarded, if any,

following consultation with a community college or technical college representative designated for that purpose.

(4) Within twenty school district business days of a student's request for confirmation of credit the school district superintendent or other designated school district representative shall confirm in writing the amount of high school credit which shall be awarded upon successful completion of the courses.

[Statutory Authority: RCW 28A.600.390. 93-01-014, § 131-46-070, filed 12/4/92, effective 1/4/93.]

WAC 131-46-075 Enrollment—Extent and duration. The extent and duration of an eligible student's enrollment in the running start program shall be limited as set forth in subsections (1) through (5) of this section: **PROVIDED**, That a school district and a community college district or technical college district may mutually agree to allow eligible students to exceed the one full-time equivalent student enrollment limitation established by subsection (1) so long as the enrollment claimed for basic education allocation purposes does not exceed the WAC 392-169-105 full-time equivalent student claim limitations.

(1) The combined enrollments of an eligible student in a high school and in a community college or technical college, or any combination thereof, under this chapter shall not concurrently exceed one full-time equivalent student. Accordingly, an eligible student must elect to enroll in high school for less than twenty-five hours per week in order to concurrently enroll in a community college or technical college.

(2) A student who enrolls in grade eleven may enroll in a school district, community college, technical college, or any combination thereof, for no more than the course work equivalent to two regular academic years of attendance as an annual average full-time equivalent student, (i.e., six college quarters as a full-time equivalent community college or technical college student, two one hundred eighty-day or more regular school years as a high school full-time equivalent student, or a combination thereof not to exceed two annual average full-time equivalent enrollment(s).

(3) A student who enrolls in grade twelve may enroll in a school district, community college, technical college, or any combination thereof, for no more than the course work equivalent to one regular academic year of attendance as an annual average full-time equivalent student.

(4) A student who becomes eligible during the regular school year for the award of a high school diploma by the school district through which the student seeks the award of running start program high school credit shall nevertheless continue subject to the restrictions of subsections (1) and (2) of this section to be eligible for enrollment in the running start program through the last day of the regular one hundred eighty-day or more school year of the school district at which time the student's entitlement to enroll under this chapter shall terminate.

(5) A student whose twenty-first birthday occurs during the regular school year shall nevertheless continue subject to the restrictions of subsections (1) and (2) of this section to be eligible for enrollment in the running start program through the last day of the regular one hundred eighty-day or more school year of the school district through which the

student seeks to obtain running start program high school credit at which time the student's entitlement under this chapter to enroll shall terminate.

[Statutory Authority: RCW 28A.600.390. 93-01-014, § 131-46-075, filed 12/4/92, effective 1/4/93.]

WAC 131-46-080 Academic standards and discipline—Jurisdiction of educational agencies. Each school district, community college district and technical college district shall have and exercise exclusive jurisdiction over academic and discipline matters involving an eligible student's enrollment and participation in courses of, and the receipt of services and benefits from, the school district, the community college district and the technical college district.

[Statutory Authority: RCW 28A.600.390. 93-01-014, § 131-46-080, filed 12/4/92, effective 1/4/93.]

WAC 131-46-085 Compliance with federal and state requirements of law—Special education program requirements—Necessary cooperative agreements. As a general rule, a school district, a community college district and a technical college district are independently responsible for assuring compliance with federal and state requirements of law which are applicable to the provision of services and benefits by the school district, community college district or technical college district under this chapter. If, however, the individualized education program of an eligible student established under chapter 392-171 WAC provides for such enrollment in a community college or a technical college, the school district which established the individualized education program shall also be responsible for assuring compliance with chapter 392-171 WAC in connection with the student's enrollment in the community college or technical college. School districts, community college districts and technical college districts shall enter into cooperative agreements as necessary to assure compliance with their respective duties under federal and state law, including agreements which substantiate a school district's claim to necessary federal and state special education funding.

[Statutory Authority: RCW 28A.600.390. 93-01-014, § 131-46-085, filed 12/4/92, effective 1/4/93.]

WAC 131-46-090 High school credit—Award by school districts. Upon confirmation by a community college or technical college of an eligible student's successful completion of running start program courses, the school district shall record on the student's secondary school records and transcript the high school credit previously confirmed under WAC 392-169-065, together with a notation that the courses were taken at a community college or technical college. See WAC 180-51-050 which provides for the conversion of college credits to high school credits at the rate of one high school credit for five college quarter or three college semester hour credits.

[Statutory Authority: RCW 28A.600.390. 93-01-014, § 131-46-090, filed 12/4/92, effective 1/4/93.]

WAC 131-46-095 Finance—Generation of state and federal moneys. Each eligible student shall generate state and federal moneys based upon the student's enrollment

under this chapter in school district, community college, or technical college courses or programs, or any combination thereof, in accordance with the definitions of full-time equivalent students set forth in WAC 392-169-025 through 392-169-035, the enrollment and enrollment count limitations set forth in WAC 392-169-070 and 392-169-105, rules of the superintendent of public instruction set forth at Title 392 WAC which supplement and do not conflict with this chapter, and the Biennial Operating Appropriations Act.

[Statutory Authority: RCW 28A.600.390. 93-01-014, § 131-46-095, filed 12/4/92, effective 1/4/93.]

WAC 131-46-100 Finance—Community college and technical college reporting requirements. Each community college and technical college that enrolls an eligible student under this chapter shall periodically report enrollment information as follows:

(1) Within ten calendar days of acceptance of the student, provide written notice to the student, superintendent of public instruction, and the school district through which the student seeks to obtain running start program high school credit of the courses and the credit hours or instructional/clock hours of enrollment.

(2) On a monthly basis, provide such enrollment information to the school district through which the student seeks to obtain the award of running start program high school credit as is necessary for the school district to claim basic education allocation moneys under this chapter and chapter 392-121 WAC including, but not limited to, notice of termination of the student's enrollment in a course due to absence, withdrawal, suspension, or expulsion.

[Statutory Authority: RCW 28A.600.390. 93-01-014, § 131-46-100, filed 12/4/92, effective 1/4/93.]

WAC 131-46-105 Finance—School district reporting requirements. Each school district through which an eligible student seeks to obtain running start program high school credit shall make all reports to the superintendent of public instruction in accordance with this chapter and chapter 392-121 WAC as are necessary to substantiate the district's entitlement to the receipt of basic education allocation moneys based upon the student's high school, community college, and technical college enrollment under this chapter. Eligible students shall be so reported as full-time equivalent students, or fractions thereof, in accordance with the definitions of full-time equivalent students set forth at WAC 392-169-025 through 392-169-035.

[Statutory Authority: RCW 28A.600.390. 93-01-014, § 131-46-105, filed 12/4/92, effective 1/4/93.]

WAC 131-46-110 Finance—Limitations on enrollment counts. No eligible student enrolled in a high school, community college, technical college, or any combination thereof, reported under WAC 392-169-095 and 392-169-100 shall be counted as more than one full-time equivalent student for any single month or more than one annual average full-time equivalent student in any school year: *Provided*, That an eligible student who enrolls in grade eleven and elects to enroll in a summer community college or technical college program that school year in order to accelerate his or her high school graduation may be counted

as more than one annual average full-time equivalent student for that school year: *Provided further*, That the student shall not be counted the succeeding school year as more than one annual average full-time equivalent student less that portion of the prior school year count which exceeded one annual average full-time equivalent student count.

[Statutory Authority: RCW 28A.600.390. 93-01-014, § 131-46-110, filed 12/4/92, effective 1/4/93.]

WAC 131-46-115 Finance—Apportionment and payment of basic education allocation moneys to community college districts and technical college districts. School districts and community or technical college districts may enter into agreements which provide for and govern the apportionment and payment of basic education allocation moneys generated by running start program students. In the absence of such an agreement to the contrary, the school district through which an eligible student seeks to obtain running start program high school credit shall apportion such moneys and make payment on not less than a quarterly basis to the community college or technical college district serving the student under this chapter as follows:

(1) If an eligible student is enrolled exclusively in a community college or a technical college, all basic education moneys generated by the student shall be paid to the community college district or technical college of enrollment: *Provided*, That in such cases the school district through which the student seeks to obtain running start program high school credit may retain up to five percent of such moneys to offset costs incurred in evaluating and granting high school credit and processing basic education allocation claims and payments.

(2) If an eligible student is enrolled simultaneously in the school district through which the student seeks to obtain running start program high school credit and a community college or a technical college, the school district through which the student seeks such high school credit shall retain that portion of the basic education allocation moneys generated by the student based upon the student's high school enrollment, and shall pay to the community college district or technical college district the balance consisting of that portion of such moneys generated by the student based upon the student's community college or technical college enrollment (e.g., in the case of an eligible student enrolled five hours a week in a high school (one-fifth of an FTE) and five quarter credit hours in a community college (one-third of an FTE), the school district would retain an amount equal to one-fifth of a full basic education allocation and pay to the community college district an amount equal to one-third of a full basic education allocation).

(3) Notwithstanding subsections (1) and (2) of this section, small high school districts operating no more than two high schools with enrollments of less than three hundred average annual full-time equivalent students and college districts shall negotiate in good faith with the objective of mutually establishing the reasonable amount payable to a college district. If good faith negotiations fail to establish agreement, the amount payable by such a small high school district to a college district shall be the incremental amount per full-time equivalent community college or technical college student that is or would be generated for student

enrollments in excess of sixty annual full-time equivalent students.

[Statutory Authority: RCW 28A.600.390. 93-01-014, § 131-46-115, filed 12/4/92, effective 1/4/93.]

WAC 131-46-120 Current and future community college and technical college enrollment alternatives not affected. This chapter shall not affect the alternative enrollment, and arrangements therefor, of a secondary student in a community college or technical college pursuant to a contractual agreement entered into pursuant to RCW 28B.50.530 (inter school district/college district cooperative programs) and chapter 39.34 RCW (the Interlocal Cooperation Act). See WAC 392-121-183 (contracting with an educational institution other than a school district).

[Statutory Authority: RCW 28A.600.390. 93-01-014, § 131-46-120, filed 12/4/92, effective 1/4/93.]

Chapter 131-276 WAC PUBLIC RECORDS

WAC

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

WAC 131-276-010 Purpose. The purpose of this chapter shall be to ensure compliance by the state board for community college education with the provisions of chapter 1, Laws of 1973 (Initiative 276), Disclosure—Campaign finances—Lobbying—Records; and in particular with sections 25-32 of that act, dealing with public records.

[Order 18, § 131-276-010, filed 7/2/73.]

WAC 131-276-020 Definitions. (1) **Public records.** "Public record" includes any writing containing information relating to the conduct of governmental or the performance of any governmental or proprietary function prepared, owned, used or retained by any state or local agency regardless of physical form or characteristics.

(2) **Writing.** "Writing" means handwriting, typewriting, printing, photostating, photographing, and every other means of recording any form of communication or representation, including letters, words, pictures, sounds; or symbols, or combination thereof, and all papers, maps, magnetic or paper tapes, photographic films and prints, magnetic or punched cards, discs, drums and other documents.

(3) **State board for community college education.** The state board for community college education is an

(1992 Ed.)

agency organized by statute pursuant to RCW 28B.50.050. The state board for community college education shall hereafter be referred to as the "board." Where appropriate, the term board also refers to the staff and employees of the board.

[Order 18, § 131-276-020, filed 7/2/73.]

WAC 131-276-030 Description of organization of the state board for community college education. The state board for community college education is a state agency organized under RCW 28B.50.050. The administrative office of the board and its staff are located at the WEA Building, 319 East 7th Avenue, Olympia, Washington.

[Order 18, § 131-276-030, filed 7/2/73.]

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

[Order 18, § 131-276-040, filed 7/2/73.]

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

[Order 18, § 131-276-050, filed 7/2/73.]

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

[Order 18, § 131-276-060, filed 7/2/73.]

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

[Order 18, § 131-276-070, filed 7/2/73.]

WAC 131-276-080 Requests for public records. In accordance with requirements of chapter 1, Laws of 1973 that agencies prevent unreasonable invasions of privacy,

[Title 131 WAC—p 27]

protect public records from damage or disorganization, and prevent excessive interference with essential functions of the agency, public records may be inspected or copied or copies of such records may be obtained, by members of the public, upon compliance with the following procedures:

(1) A request shall be made in writing upon a form prescribed by the board which shall be available at its administrative office. The form shall be presented to the public records officer; or to any member of the board's staff, if the public records officer is not available, at the administrative office of the board during customary office hours. The request shall include the following information:

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

(2) In all cases in which a member of the public is making a request, it shall be the obligation of the public records officer or staff member to whom the request is made, to assist the member of the public in appropriately identifying the public record requested.

[Order 18, § 131-276-080, filed 7/2/73.]

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

[Order 18, § 131-276-090, filed 7/2/73.]

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

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

(3) All denials of requests for public records must be accompanied by a written statement specifying the reason for the denial, including a statement of the specific exemption authorizing the withholding of the record and a brief explanation of how the exemption applies to the record withheld.

[Title 131 WAC—p 28]

[Order 18, § 131-276-100, filed 7/2/73.]

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

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

(3) Administrative remedies shall not be considered exhausted until the board has returned the petition with a decision or until the close of the second business day following denial of inspection, whichever occurs first.

[Order 18, § 131-276-110, filed 7/2/73.]

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

[Order 18, § 131-276-120, filed 7/2/73.]

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

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

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

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

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

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

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

(2) **Availability.** The current index promulgated by the board shall be available to all persons under the same rules and on the same conditions as are applied to public records available for inspection.

[Order 18, § 131-276-130, filed 7/2/73.]

Referred to Date
By
Public Records Officer

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

WAC 131-276-140 Adoption of form. The district hereby adopts for use by all persons requesting inspection and/or copying or copies of its records, the form attached hereto as Appendix A, entitled "Request for public record."

[Order 18, § 131-276-140, filed 7/2/73.]

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

APPENDIX "A"

REQUEST FOR PUBLIC RECORD TO
STATE BOARD FOR COMMUNITY COLLEGE EDUCATION

(a)
Signature Signature (Please Print)

.....
Name of Organization, if Applicable

.....
Mailing Address of Applicant Phone Number

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

(c) Nature of request
.....
.....

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

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

Request: Approved By
Date Public Records Officer

Denied Date

Reasons for Denial:
.....
.....