

(iii) Monitoring to confirm continuing leak tight conditions shall use procedures approved by the department.

(d) Recordkeeping.

(i) The owner or operator of a gasoline transport tank or vapor collection system shall maintain records of all certification tests and repairs for at least two years after the test or repair is completed.

(ii) The records of certification tests required by this section shall, as a minimum, contain:

(A) The transport tank identification number;

(B) The initial test pressure and the time of the reading;

(C) The final test pressure and the time of the reading;

(D) The initial test vacuum and the time of the reading;

(E) The final test vacuum and the time of the reading;

(F) At the top of each report page the company name, date, and location of the tests on that page; and

(G) Name and title of the person conducting the test.

(iii) The owner or operator of a gasoline transport tank shall annually certify that the transport tank passed the required tests.

(iv) Copies of all records required under this section shall immediately be made available to the department, upon written request, at any reasonable time.

(e) Preventing evaporation. All persons shall take reasonable measures to prevent the spilling, discarding in sewers, storing in open containers, or handling of gasoline in a manner that will result in evaporation to the ambient air.

[Statutory Authority: RCW 70.94.331. 93-13-011 (Order 92-47), § 173-491-040, filed 6/7/93, effective 7/8/93; 91-14-101 (Order 90-63), § 173-491-040, filed 7/2/91, effective 8/2/91.]

#### **WAC 173-491-050 Compliance schedules. (1)**

Fixed-roof gasoline storage tanks. All fixed-roof gasoline storage tanks subject to WAC 173-491-040(1) in western Washington counties shall comply no later than December 31, 1993. All fixed-roof gasoline storage tanks subject to WAC 173-491-040(1) in eastern Washington counties shall comply no later than July 31, 1996.

(2) Gasoline loading terminals. All gasoline loading terminals subject to WAC 173-491-040(2) in western Washington counties shall comply no later than December 31, 1993. All gasoline loading terminals subject to WAC 173-491-040(2) in eastern Washington counties shall comply no later than July 31, 1996.

(3) Bulk gasoline plants. All bulk gasoline plants subject to the requirements of WAC 173-491-040(3) in western Washington counties shall comply no later than December 31, 1993. All bulk gasoline plants subject to WAC 173-491-040(3) in eastern Washington counties shall comply no later than July 31, 1996.

(4) Gasoline dispensing facilities - Stage I. All gasoline dispensing facilities subject to the requirements of WAC 173-491-040(4) shall comply no later than December 31, 1993, or whenever the facility is upgraded, whichever is earliest.

(5) Gasoline dispensing facilities - Stage II. All gasoline dispensing facilities subject to the requirements of WAC 173-491-040(5) shall comply:

(a) When upgraded except any gasoline dispensing facility upgraded or with new tank(s) installed after the

effective date of this regulation but before May 1, 1992, need not comply earlier than May 1, 1992.

(b) For businesses which own ten or more gasoline dispensing facilities in the state of Washington, facilities subject to Stage II requirements as indicated in WAC 173-491-040 (5)(a) must comply according to the following schedule:

(i) Fifty percent of all gasoline dispensing facilities with an annual throughput greater than 1.2 million gallons by May 1, 1993.

(ii) All remaining gasoline dispensing facilities with an annual throughput greater than 1.2 million gallons must comply by May 1, 1994.

(iii) Businesses which own ten or more gasoline dispensing facilities in King, Pierce, Snohomish, and Clark counties must, in addition, meet the following requirements at their facilities within King, Pierce, Snohomish, and Clark counties:

(A) At least fifty percent of the gasoline dispensing facilities with an annual throughput greater than 840,000 gallons must comply by May 1, 1994;

(B) The remaining gasoline dispensing facilities with an annual throughput greater than 840,000 gallons must comply by May 1, 1995.

(iv) All gasoline dispensing facilities must be in compliance not later than December 31, 1998.

(v) In meeting this requirement, businesses that lease some facilities and operate others must ensure that the percentage of facilities owned and operated which are required to comply with this provision at least equals the percentage of leased facilities required to comply with this provision.

(c) For businesses which own fewer than ten gasoline dispensing facilities in the state of Washington:

(i) All facilities with an annual throughput of 1.2 million gallons must comply by May 1, 1994;

(ii) All remaining facilities must comply by December 31, 1998.

[Statutory Authority: RCW 70.94.331. 93-13-068 (Order 92-47), § 173-491-050, filed 6/17/93, effective 7/18/93; 93-03-089 (Order 92-42), § 173-491-050, filed 1/20/93, effective 2/20/93; 91-14-101 (Order 90-63), § 173-491-050, filed 7/2/91, effective 8/2/91.]

## **Title 180 WAC**

### **EDUCATION, BOARD OF**

#### **Chapters**

- 180-16** State support of public schools.
- 180-20** School bus transportation.
- 180-26** State assistance in providing school plant facilities—Educational specifications and site selection.
- 180-27** State assistance in providing school plant facilities—Basic state support.
- 180-29** State assistance in providing school plant facilities—Procedural regulations.

- 180-33 State assistance in providing school plant facilities—Modernization.**
- 180-51 High school graduation requirements.**
- 180-72 Adult education.**
- 180-78 Professional certification—Approved preparation programs by colleges and universities.**
- 180-79 Professional certification—Preparation requirements.**
- 180-85 Professional certification—Continuing education requirement.**
- 180-87 Professional certification—Acts of unprofessional conduct.**

### Chapter 180-16 WAC

### STATE SUPPORT OF PUBLIC SCHOOLS

#### WAC

- 180-16-222 Exceptions to classroom teacher assignment policy.
- 180-16-223 Temporary out-of-endorsement assignment criteria.
- 180-16-236 Assignment of educational staff associates.

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

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

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

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

(4) Any certificated teacher with at least two full school years of classroom teaching experience who has not been placed on probation pursuant to RCW 28A.405.100 during the past two years may be assigned for one year to an out-of-endorsement assignment under the following conditions:

(a) A designated representative of the district and the classroom teacher so assigned will mutually develop a written plan which would provide necessary assistance to the teacher so assigned, and which provides for a reasonable amount of planning and study time associated specifically with the out-of-endorsement assignment; and

(b) The following conditions apply regarding required observations and evaluations:

(i) Teachers cannot be assigned out-of-endorsement full-time if they would be subject to evaluation under RCW 28A.405.100(1) in such assignment. Teachers so assigned must be eligible for short form evaluation as provided in RCW 28A.405.100(5).

(ii) Any observation conducted in an out-of-endorsement part-time assignment will not be utilized by the district as evidence to support probation of the teacher so assigned

pursuant to RCW 28A.405.100 or nonrenewal of such teacher pursuant to RCW 28A.405.210.

(iii) Teachers who are assigned out-of-endorsement full or part-time, and who are eligible pursuant to state and district criteria, shall be encouraged to participate in the district's professional growth plan option.

(c) If a teacher is assigned to provide special education, then the district must also comply with WAC 392-171-701, including the request for a waiver from the superintendent of public instruction required by subsection (5) of this section.

(5) School districts may assign classroom teachers out of their endorsement areas for two additional years if such assignment(s) complies with WAC 180-16-223.

(6) Any certificated teacher may be assigned to a middle school or junior high school block program, which for the purpose of this section shall be defined as the same teacher assigned to teach two or more subject areas to the same group of students, if the teacher has an endorsement in one of the subject areas and has completed or will complete within one year nine quarter hours in each of the other subject areas.

(7) Any certificated teacher who holds one of the specific subject area endorsements (i.e., drama, English, journalism, and/or speech) related to the broad area of English/Language Arts, may be assigned at the junior high school/middle school level to teach any other related course in that respective broad subject area endorsement if the teacher has completed or will complete at least nine quarter hours (six semester hours) of study within one year in the assigned endorsement area. Only coursework which received a grade of C (2.0) or higher or a grade of pass on a pass-fail system of grading shall be counted toward the required minimum number of credit hours.

(8) Any certificated teacher who holds one of the specific subject area endorsements (i.e., biology, chemistry, earth science, and/or physics) related to the broad area of science, may be assigned at the junior high school/middle school level to teach any other related course in that respective broad subject area endorsement if the teacher has completed or will complete at least nine quarter hours (six semester hours) of study within one year in the assigned endorsement area. Only coursework which received a grade of C (2.0) or higher or a grade of pass on a pass-fail system of grading shall be counted toward the required minimum number of credit hours.

(9) Any certificated teacher who holds one of the specific subject area endorsements (i.e., anthropology, economics, geography, history, political science, psychology, and/or sociology) related to the broad area of social studies, may be assigned at the junior high school/middle school level to teach any other related course in that respective broad subject area endorsement if the teacher has completed or will complete at least nine quarter hours (six semester hours) of study within one year in the assigned endorsement area. Only coursework which received a grade of C (2.0) or higher or a grade of pass on a pass-fail system of grading shall be counted toward the required minimum number of credit hours.

[Statutory Authority: RCW 28A.410.010. 93-07-102, § 180-16-222, filed 3/23/93, effective 4/23/93; 92-04-044, § 180-16-222, filed 1/31/92, effective 3/2/92. Statutory Authority: RCW 28A.58.754(6). 86-13-015 (Order 5-86), § 180-16-222, filed 6/10/86.]

**WAC 180-16-223 Temporary out-of-endorsement assignment criteria.** In order to assign a classroom teacher to an out-of-endorsement assignment for more than one year, the board of directors of the district must comply with the following:

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

(a) The district was unable to recruit a teacher with the proper endorsement who was the best qualified of candidates for the position.

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

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

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

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

(a) The teacher so assigned must have at least two full school years of classroom teaching experience and must not have been placed on probation pursuant to RCW 28A.405.100 during the last two school years.

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

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

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

(b) No classroom teacher shall be assigned in any one semester or trimester to more than one preparation in one out-of-endorsement grade level or subject area and for no more than two periods of not more than sixty minutes each per day.

(c) Any observation conducted in the out-of-endorsement grade level or subject area will not be utilized by the district as evidence to support probation of the teacher so assigned pursuant to RCW 28A.405.100 or nonrenewal of such teacher pursuant to RCW 28A.405.210.

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

be assigned to the same out-of-endorsement grade level or subject area during more than three school years at any time in which the teacher serves within the same school district; hence, this provision applies to assignments in consecutive or nonconsecutive school years.

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

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

(b) The reason for each such assignment.

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

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

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

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

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

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

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

[Statutory Authority: RCW 28A.410.010. 93-07-102, § 180-16-223, filed 3/23/93, effective 4/23/93; 92-04-044, § 180-16-223, filed 1/31/92, effective 3/2/92. Statutory Authority: 1990 c 33. 90-17-009, § 180-16-223, filed 8/6/90, effective 9/6/90. Statutory Authority: RCW 28A.58.754(6). 88-08-045 (Order 9-88), § 180-16-223, filed 4/4/88; 86-13-015 (Order 5-86), § 180-16-223, filed 6/10/86.]

**WAC 180-16-236 Assignment of educational staff associates.** No person shall be assigned within the basic program of education to serve in a specific educational staff associate role, as identified in WAC 180-79-125, unless such person holds a certificate or permit endorsed for such specific role.

[Statutory Authority: RCW 28A.410.010. 94-01-103, § 180-16-236, filed 12/16/93, effective 1/16/94. Statutory Authority: RCW 28A.58.754(6). 86-13-015 (Order 5-86), § 180-16-236, filed 6/10/86.]

## Chapter 180-20 WAC

### SCHOOL BUS TRANSPORTATION

#### WAC

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180-20-210	Repealed.
180-20-215	Repealed.
180-20-220	Repealed.
180-20-225	Repealed.
180-20-230	Repealed.

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

180-20-100	Use of school buses—Promulgation. [Statutory Authority: 1990 c 33. 90-17-009, § 180-20-100, filed 8/6/90, effective 9/6/90; Order 8-75, § 180-20-100, filed 7/22/75; SBE 20-4-1, filed 12/17/64, effective 1/18/65; School bus rules (part), filed 11/8/61; School bus rules (part), filed 7/31/61.] Repealed by 93-08-007, filed 3/24/93, effective 4/24/93. Statutory Authority: RCW 28A.160.210.
180-20-105	Use of school buses—Definition of curricular and extracurricular use. [Statutory Authority: 1990 c 33. 90-17-009, § 180-20-105, filed 8/6/90, effective 9/6/90; Order 8-75, § 180-20-105, filed 7/22/75; SBE 20-4-20 and 20-4-

21, filed 12/17/64, effective 1/18/65; School bus rules (part), filed 11/8/61; School bus rules (part), filed 7/31/61. Formerly WAC 180-20-106 (part).] Repealed by 93-08-007, filed 3/24/93, effective 4/24/93. Statutory Authority: RCW 28A.160.210.

180-20-106	School bus operation for extracurricular use. [Statutory Authority: 1990 c 33. 90-17-009, § 180-20-106, filed 8/6/90, effective 9/6/90. Statutory Authority: RCW 28A.24.055. 81-19-103 (Order 10-81), § 180-20-106, filed 9/21/81; Order 8-75, § 180-20-106, filed 7/22/75; SBE 20-4-30, 20-4-31 and 20-4-310, filed 12/17/64, effective 1/18/65; WAC 180-20-105 (part), School bus rules, filed 11/8/61; School bus rules (part), filed 7/31/61.] Repealed by 93-08-007, filed 3/24/93, effective 4/24/93. Statutory Authority: RCW 28A.160.210.
180-20-200	Training and qualifications of school bus drivers—Promulgation. [Statutory Authority: 1990 c 33. 90-17-009, § 180-20-200, filed 8/6/90, effective 9/6/90; Order 8-75, § 180-20-200, filed 7/22/75; Order 5-69, § 180-20-200, filed 7/31/69.] Repealed by 93-08-007, filed 3/24/93, effective 4/24/93. Statutory Authority: RCW 28A.160.210.
180-20-205	Training and qualifications of school bus drivers—Definitions. [Order 8-75, § 180-20-205, filed 7/22/75; Order 5-69, § 180-20-205, filed 7/31/69.] Repealed by 93-08-007, filed 3/24/93, effective 4/24/93. Statutory Authority: RCW 28A.160.210.
180-20-210	Training and qualifications of school bus drivers—Driver's license and school bus driver's certificate or temporary permit required. [Order 8-77, § 180-20-210, filed 7/18/77; Order 8-75, § 180-20-210, filed 7/22/75; Order 5-69, § 180-20-210, filed 7/31/69.] Repealed by 93-08-007, filed 3/24/93, effective 4/24/93. Statutory Authority: RCW 28A.160.210.
180-20-215	Training and qualifications of school bus drivers—Temporary school bus driver's permit. [Order 8-77, § 180-20-215, filed 7/18/77; Order 1-76, § 180-20-215, filed 2/3/76; Order 8-75, § 180-20-215, filed 7/22/75; Order 5-69, § 180-20-215, filed 7/31/69.] Repealed by 93-08-007, filed 3/24/93, effective 4/24/93. Statutory Authority: RCW 28A.160.210.
180-20-220	Training and qualifications of school bus drivers—Continuing school bus driver's certificate. [Order 1-76, § 180-20-220, filed 2/3/76; Order 8-75, § 180-20-220, filed 7/22/75; Order 5-69, § 180-20-220, filed 7/31/69.] Repealed by 93-08-007, filed 3/24/93, effective 4/24/93. Statutory Authority: RCW 28A.160.210.
180-20-225	Training and qualifications of school bus drivers—Annual physical examination required. [Order 8-75, § 180-20-225, filed 7/22/75; Order 5-69, § 180-20-225, filed 7/31/69.] Repealed by 93-08-007, filed 3/24/93, effective 4/24/93. Statutory Authority: RCW 28A.160.210.
180-20-230	Training and qualifications of school bus drivers—Administration. [Order 8-75, § 180-20-230, filed 7/22/75; Order 5-69, § 180-20-230, filed 7/31/69.] Repealed by 93-08-007, filed 3/24/93, effective 4/24/93. Statutory Authority: RCW 28A.160.210.

**WAC 180-20-005 Authority.** RCW 28A.160.210 authorizes the state board of education to adopt rules and regulations governing the training, qualifications, and eligibility requirements for school bus drivers.

[Statutory Authority: RCW 28A.160.210. 93-08-007, § 180-20-005, filed 3/24/93, effective 4/24/93.]

**WAC 180-20-030 Purpose and application.** (1) The purpose of this chapter is to set minimum standards and qualifications as are reasonably necessary for public school district employees and contractors operating motor vehicles for the transportation of school children.

(2) School buses shall be operated by authorized drivers when transporting students.

(3) The requirements in this chapter shall not limit discharge, nonrenewal of contracts, or other employment action by employers of such drivers.

[Statutory Authority: RCW 28A.160.210. 93-08-007, § 180-20-030, filed 3/24/93, effective 4/24/93.]

**WAC 180-20-031 Application to contractors.** (1)

Every contract between a school district and a private school bus contractor for pupil transportation services shall provide for compliance with the requirements of this chapter and establish the responsibility of the contractor or school district, or both, to assure compliance with such requirements.

(2) Each driver employed by a private school bus contractor under contract with a school district to provide pupil transportation services shall meet the requirements of this chapter, and shall be subject to the denial, suspension, and revocation of authority to operate a motor vehicle under this chapter.

(3) Every contract between a school district and a charter bus carrier or excursion carrier shall require a carrier profile report from the Washington utilities and transportation commission before any service is provided. No driver under this subsection shall have unsupervised access to children. Supervision of children under this subsection shall be provided by a responsible employee of the school district.

[Statutory Authority: RCW 28A.160.210. 93-08-007, § 180-20-031, filed 3/24/93, effective 4/24/93.]

**WAC 180-20-034 Definition—Student.** As used in this chapter, the term "student" means the following:

(1) Any person enrolled in a school program who is under the supervision, direction, or control of the motor vehicle operator authorized under this chapter;

(2) Any person enrolled in a school program in any public school served by the motor vehicle operator;

(3) Any person enrolled in a school program in any public school while attending a school related activity at which the motor vehicle operator is performing professional duties; or

(4) Any former student who is under eighteen years of age and who has been under the supervision, direction, or control of the motor vehicle operator. Former student, for the purpose of this section, includes but is not limited to drop outs, graduates, and students who transfer to other districts or schools.

[Statutory Authority: RCW 28A.160.210. 93-08-007, § 180-20-034, filed 3/24/93, effective 4/24/93.]

**WAC 180-20-035 Definition—School bus driver.**

As used in this chapter, "school bus driver" means a person, who is employed by a school district including contracted drivers under WAC 180-20-031 (1) and (2) and as part of that employment or contract, operates a motor vehicle for the transportation of children between home and school or for school related activities. A school bus driver includes both Type 1 and Type 2 drivers.

(1) A "Type 1 school bus driver" means a person who operates a school bus as defined in WAC 392-143-010, as well as other motor vehicles for the transportation of students between home and school routinely on scheduled

routes. An authorized Type 1 school bus driver may also transport students on field trips and other school related activities.

(2) A "Type 2 school activities driver" means a person employed by the school district, other than a Type 1 school bus driver, who transports students for school activities in a district or private vehicle with a seating capacity of ten persons or less including the driver as defined in WAC 392-143-070. It is not the intent of this chapter to affect the assignment of work between Type 1 and Type 2 drivers.

[Statutory Authority: RCW 28A.160.210. 93-08-007, § 180-20-035, filed 3/24/93, effective 4/24/93.]

**WAC 180-20-040 Definition—Type 1 school bus driver's authorization.** As used in this chapter, "Type 1 school bus driver's authorization" means an authorization issued by the superintendent of public instruction indicating that the person has met state board of education requirements to operate a school bus or other motor vehicle for the purpose of transporting students to and from school routinely on scheduled routes and for school activities.

[Statutory Authority: RCW 28A.160.210. 93-08-007, § 180-20-040, filed 3/24/93, effective 4/24/93.]

**WAC 180-20-045 Definition—Type 2 school activities driver's authorization.** As used in this chapter, "Type 2 school activities driver's authorization" means an authorization issued by the superintendent of public instruction indicating that the person employed by a school district has met state board of education requirements to operate a district or private motor vehicle with a seating capacity of ten or less, including the driver for the purpose of transporting students to and from school related activities, but not for scheduled routes between home and school. This authorization is not required of an employee who transports students in response to an emergency affecting health and/or safety.

[Statutory Authority: RCW 28A.160.210. 93-08-007, § 180-20-045, filed 3/24/93, effective 4/24/93.]

**WAC 180-20-055 Definition—School bus driver instructor's endorsement.** As used in this chapter, "school bus driver instructor's endorsement" means an endorsement issued by the superintendent of public instruction to a person successfully completing the superintendent of public instruction approved school bus driver instructor course. This endorsement qualifies a person to train and verify the training of Type 1 school bus drivers and Type 2 school activities drivers. This endorsement shall lapse unless the holder successfully completes an annual school bus driver instructor's in-service course.

[Statutory Authority: RCW 28A.160.210. 93-08-007, § 180-20-055, filed 3/24/93, effective 4/24/93.]

**WAC 180-20-060 Definition—Type 1 school bus driver training course.** As used in this chapter, "Type 1 school bus driver training course" means a course established by the superintendent of public instruction and taught by a qualified school bus driver instructor. This course shall be successfully completed by all applicants for a continuing Type 1 school bus driver's authorization.

[Statutory Authority: RCW 28A.160.210. 93-08-007, § 180-20-060, filed 3/24/93, effective 4/24/93.]

**WAC 180-20-065 Definition—Type 2 school activities driver training course.** As used in this chapter, "Type 2 school activities driver training course" means a course established by the superintendent of public instruction and taught by a qualified school bus driver instructor. This course shall be successfully completed by all applicants for a continuing Type 2 school activities driver's authorization.

[Statutory Authority: RCW 28A.160.210. 93-08-007, § 180-20-065, filed 3/24/93, effective 4/24/93.]

**WAC 180-20-070 Definition—Type 1 school bus driver annual in-service training course.** As used in this chapter, "Type 1 school bus driver annual in-service training course" means an annual course taught by a qualified school bus driver instructor. The content and minimum time requirements of such course shall be annually determined by the superintendent of public instruction and shall be required to be completed by the end of the school year by all authorized Type 1 school bus drivers.

[Statutory Authority: RCW 28A.160.210. 93-08-007, § 180-20-070, filed 3/24/93, effective 4/24/93.]

**WAC 180-20-075 Definition—Type 1 school bus driver and Type 2 school activities driver instructor's course.** As used in this chapter, "Type 1 school bus driver and Type 2 school activities driver instructor's course" means a training program authorized by the superintendent of public instruction to qualify a person as a Type 1 school bus driver and Type 2 school activities driver instructor.

[Statutory Authority: RCW 28A.160.210. 93-08-007, § 180-20-075, filed 3/24/93, effective 4/24/93.]

**WAC 180-20-080 Definition—Instructor's annual in-service course.** As used in this chapter, "instructor's annual in-service course" means an annual required course, the content of which shall be determined by the superintendent of public instruction. Successful completion of this course prevents the instructor's qualification from lapsing.

[Statutory Authority: RCW 28A.160.210. 93-08-007, § 180-20-080, filed 3/24/93, effective 4/24/93.]

**WAC 180-20-090 Authorization required.** Every Type 1 school bus driver and Type 2 school activities driver shall meet the requirements for Type 1 or Type 2 authorization or temporary Type 1 school bus driver's authorization issued in accordance with the provisions of this chapter. An authorization is no longer valid if suspended, lapsed, or revoked. An authorization is not required of an employee who operates a motor vehicle to transport students in an emergency affecting health and/or safety.

[Statutory Authority: RCW 28A.160.210. 93-08-007, § 180-20-090, filed 3/24/93, effective 4/24/93.]

**WAC 180-20-095 Duration of authorization.** A Type 1 or Type 2 authorization shall continue in effect from year to year as long as the person continues to meet the

requirements of this chapter or until the authorization lapses or is suspended or revoked.

[Statutory Authority: RCW 28A.160.210. 93-08-007, § 180-20-095, filed 3/24/93, effective 4/24/93.]

**WAC 180-20-100 Repealed.** See Disposition Table at beginning of this chapter.

**WAC 180-20-101 Minimum qualifications of Type 1 school bus drivers and Type 2 school activities drivers.**

(1) Every Type 1 school bus driver and Type 2 school activities driver must meet and continue to meet the following minimum requirements:

- (a) Be at least twenty-one years of age.
- (b) Have a valid driver's license or commercial driver's license, as required by law, issued by the state department of licensing.
- (c) Have at least one year of experience as a driver of a truck or commercial vehicle requiring a special endorsement or, in the alternative, at least three years of experience as a driver of a passenger vehicle.
- (d) Hold a current and valid first aid card or equivalent which certifies that the applicant has completed a course in the basic principles of first aid.

(e) Submit to the school district a disclosure of all crimes against children or other persons and all civil adjudications in a dependency action or in a domestic relation action and all disciplinary board final decisions of sexual abuse or exploitation or physical abuse as required by RCW 43.43.834(2) and disclosure of all convictions which may be grounds for denial of authorization under (h), (i), and (j) of this subsection.

(f) Submit to a criminal record check according to chapter 28A.400 RCW (for new employees) which shows that no offenses have been committed which would be grounds for denial of an authorization.

(g) Shall not have misrepresented or concealed a material fact in obtaining a Type 1 or Type 2 authorization or in reinstatement thereof in the previous five years.

(h) Shall not have had a driving license privilege suspended or revoked within the preceding three years; a certified copy of the suspension or revocation order issued by the department of licensing being conclusive evidence of the suspension or revocation.

(i) Shall not have incurred three or more speeding tickets in excess of ten miles per hour over the speed limit within any twelve-month period, within the last thirty-six months.

(j) Shall not have been convicted of any misdemeanor, gross misdemeanor, or felony (including instances in which a plea of guilty or nolo contendere is the basis for the conviction) or any proceedings in which the charge has been deferred from prosecution under chapter 10.05 RCW or the sentence has been deferred or suspended, and is related to the occupation of a Type 1 school bus driver or the duties of a Type 2 school activities driver, including but not limited to the following:

(i) Any felony crime involving the physical neglect of a child under chapter 9A.42 RCW, the physical injury or death of a child under chapter 9A.32 or 9A.36 RCW, sexual exploitation of a child under chapter 9.68A RCW; sexual



offenses under chapter 9A.44 RCW where a minor is the victim; promoting prostitution of a minor under chapter 9A.88 RCW; the sale or purchase of a minor child under RCW 9A.64.030, or violation of similar laws of another jurisdiction;

(ii) Any crime involving the use, sale, possession, or transportation of any controlled substance or prescription within the last seven years: *Provided*, That in the case of felony convictions, the applicable time limit shall be ten years;

(iii) Any crime involving driving when a driver's license is suspended or revoked, hit and run driving, driving while intoxicated, being in physical control of motor vehicle while intoxicated, reckless driving, negligent driving of a serious nature, vehicular assault or vehicular homicide, within the last three years;

(iv) Any crime against children or other persons as defined in RCW 43.43.830(5) when the date of the conviction or prison release, which ever is more recent, is within ten years of the date of the job application for felonies and within seven years for other crimes.

(k) Shall not have been found in any dependency action under RCW 13.34.040 to have sexually assaulted or exploited any minor or to have physically abused any minor, within the last seven years.

(l) Shall not have been found by a court in a domestic relation proceeding under Title 26 RCW, to have sexually abused or exploited any minor or to have physically abused any minor, within the last seven years.

(m) Shall not have been found in any disciplinary board final decision to have sexually or physically abused or exploited any minor or developmentally disabled person, within the last seven years.

(n) Shall not have intentionally and knowingly transported public school students within the state of Washington within the previous five years with an expired, lapsed, surrendered, or revoked authorization in a position for which authorization is required under this chapter.

(o) Shall not have a serious behavioral problem which endangers the educational welfare or personal safety of students, teachers, bus drivers, or other colleagues. For the purpose of this chapter, a serious behavioral problem includes, but is not limited to, conduct which indicates unfitness to carry out the responsibilities related to the occupation or job performance of transporting children, such as: Dishonesty; immorality; or misuse of alcohol, a controlled substance, or a prescription drug; or furnishing alcohol or controlled substances to a minor or student.

(2) Every Type 1 school bus driver must also meet and continue to meet the following requirements:

(a) Be certified by a local school district that the person seeking a Type 1 school bus driver authorization:

(i) Is physically able to maneuver and control a school bus under all driving conditions; and

(ii) Is physically able to use all hand/or foot operated controls and equipment found on state minimum specified school buses; and

(iii) Is physically able to perform daily routine school bus vehicle safety inspections and necessary emergency roadside services; and

(iv) Has sufficient strength and agility to move about in a school bus as required to provide assistance to students in evacuating the bus. The driver must be able to move from a seated position in a sixty-five passenger school bus, or the largest school bus the driver will be operating, to the emergency door, open the emergency door, and exit the bus through the emergency door, all within twenty-five seconds.

(b) Provide certification of passing a physical examination every twenty-four months in accordance with the standards established in 49 C.F.R. 391.41 through 391.49, of the Federal Motor Carrier Safety Regulations. Type 1 drivers must continue to meet these physical examination requirements during the time between examinations. This requirement does not prevent a school district from requesting a more frequent examination.

(c) Satisfactorily complete a Type 1 training course and each year thereafter, satisfactorily complete a Type 1 school bus driver in-service training course.

(3) Every Type 2 school activities driver must also meet and continue to meet the following requirements:

(a) Provide written assurance to the school district that the person possesses the physical health necessary to safely transport students prior to initial authorization and at intervals deemed appropriate by the local school district.

(b) Satisfactorily complete a Type 2 training course.

[Statutory Authority: RCW 28A.160.210. 93-08-007, § 180-20-101, filed 3/24/93, effective 4/24/93.]

**WAC 180-20-105 Repealed.** See Disposition Table at beginning of this chapter.

**WAC 180-20-106 Repealed.** See Disposition Table at beginning of this chapter.

**WAC 180-20-111 Issuing procedures for Type 1 and Type 2 authorizations.** (1) Type 1 and Type 2 authorizations shall be issued by the superintendent of public instruction upon request by an authorized representative of the employing school district subject to compliance with the following provisions:

(2) The employing school district shall forward to the superintendent of public instruction an application for a Type 1 or Type 2 authorization prior to issuance. The following verifications relating to the applicant must be provided:

(a) Verification by a qualified training instructor of successful completion of the appropriate training course.

(b) Verification by the employing school district that it has on file a physical health certification or statement as required by this chapter.

(c) Verification by the employing school district that it has on file a current driver's abstract of the applicant's employment and nonemployment driving record issued by the department of licensing verifying compliance with all provisions of this chapter. The issue date of this abstract must be within sixty calendar days of the date the application is being submitted for authorization.

(d) Verification that the applicant has a current and valid first aid card or equivalent.

(e) Verification by the employing school district that it has on file a disclosure statement in compliance with preemployment inquiry regulations in WAC 162-12-140,

signed by the applicant, specifying all convictions which relate to fitness to perform the job of Type 1 school bus driver or Type 2 school activities driver under WAC 180-20-101 and all crimes against children or other persons, that meets the requirements of RCW 43.43.834(2).

(f) Verification that the school district has on file the results of a criminal record check as required under chapter 28A.400 RCW for new employees and that such results establish that the applicant has not committed any offense which constitutes grounds for denying, suspending, or revoking an authorization under this chapter.

(g) Verification by the school district that it has on file an applicant's disclosure of all serious behavioral problems which explains the nature of all such problems and/or conditions, a listing of the names, addresses, and telephone numbers of all doctors, psychologists, psychiatrists, counselors, therapists, or other health care practitioners of any kind or hospitals, clinics, or other facilities who have examined and/or treated the applicant for such problems and/or conditions and dates of examinations, therapy, or treatment and the school district has determined that any reported serious behavioral problem does not endanger the education welfare or personal safety of students, teachers, bus drivers, or other colleagues.

(h) Verification by the employing school district that the applicant complies with all of the requirements for Type 1 school bus drivers or Type 2 school activities drivers set forth in this chapter.

(3) Upon approval of an application, the superintendent of public instruction shall issue a notice of Type 1 school bus driver or Type 2 school activities driver authorization to the employing school district.

(4) Subsequent authorizations for an individual driver with new or additional employing school districts must be issued from the superintendent of public instruction to such districts prior to the operation of any motor vehicle for the transportation of children.

(5) On or before August 15 of each year, the superintendent of public instruction will provide each school district with a list of authorized drivers and their status.

[Statutory Authority: RCW 28A.160.210. 93-08-007, § 180-20-111, filed 3/24/93, effective 4/24/93.]

**WAC 180-20-115 Issuing procedures for temporary authorization—Effective period.** Temporary authorizations, Type 1 and Type 2, may be issued by an educational service district superintendent upon application by an authorized representative of the employing school district subject to compliance with the following provisions:

(1) Issuing procedure.

(a) Application for a temporary authorization must be approved by an authorized representative of the employing school district, verified by said school official that the applicant meets the qualification requirements set forth in WAC 180-20-101 (except for a course in first aid and/or the results of a requested criminal record check), and further verified by a certified instructor that the applicant has satisfactorily completed the appropriate training course. The application shall be submitted to the educational service district superintendent for approval.

(b) Upon approval of the application by the educational service district superintendent, the temporary authorization will be transmitted to the employing school district.

(2) Effective period. The temporary authorization shall be valid for a period of sixty calendar days and shall be nonrenewable: *Provided*, That the issuing educational service district superintendent may extend such period for a reasonable number of days when extenuating circumstances exist.

[Statutory Authority: RCW 28A.160.210. 93-08-007, § 180-20-115, filed 3/24/93, effective 4/24/93.]

**WAC 180-20-120 Discipline—Grounds for denial, suspension, or revocation of authorization.** (1) A request for an authorization may be denied or an authorization issued under this chapter may be suspended, or revoked for failure to meet any of the minimum requirements set forth in WAC 180-20-101, established by a preponderance of the evidence.

(2) Conduct, which by a preponderance of the evidence, amounts to a serious behavioral problem which endangers the educational welfare or personal safety of students, teachers, bus drivers, or other colleagues is grounds for denial, suspension, or revocation whether or not the conduct constitutes a crime. If the act constitutes a crime, conviction in a criminal proceeding is not a condition precedent to denial, suspension, or revocation action. Upon such conviction, however, the judgment and sentence is conclusive evidence at the ensuing hearing of the guilt of the authorized driver or applicant of the crime described in the indictment or information, and of the person's violation of the statute on which it is based.

(3) Any person in treatment for alcohol or other drug misuse shall have his or her Type 1 or Type 2 authorization temporarily suspended until successful treatment is satisfactorily confirmed by a state-approved alcohol or other drug treatment program, or by the court in deferred prosecution cases under chapter 10.05 RCW, at which time the authorization will be reinstated.

[Statutory Authority: RCW 28A.160.210. 93-08-007, § 180-20-120, filed 3/24/93, effective 4/24/93.]

**WAC 180-20-123 Applicability of chapter to off-duty hours.** Nothing in WAC 180-20-101 (1)(o) shall be applied so as to deny, revoke, or suspend authorizations to any individual for the orderly exercise during off-duty hours of any rights guaranteed under the law to citizens generally, except where such conduct indicates a safety risk for the transportation of students.

[Statutory Authority: RCW 28A.160.210. 93-08-007, § 180-20-123, filed 3/24/93, effective 4/24/93.]

**WAC 180-20-125 Discipline—Emergency suspension.** If the superintendent of public instruction finds that public health, safety, or welfare imperatively requires emergency action, and incorporates a finding to that effect in its order, emergency suspension of an authorization may be ordered pending proceedings for revocation or other action. In such cases, the superintendent of public instruction shall expedite all due process actions as quickly as possible.



[Statutory Authority: RCW 28A.160.210. 93-08-007, § 180-20-125, filed 3/24/93, effective 4/24/93.]

**WAC 180-20-130 Discipline—Appeals—Adjudicative proceedings.** (1) Any person desiring to appeal a denial, suspension, or revocation of a Type 1 school bus driver or a Type 2 school activities driver authorization, may do so to the superintendent of public instruction or designee in accordance with the adjudicative proceedings in RCW 34.05.413 through 34.05.494 and the administrative practices and procedures of the superintendent of public instruction in chapter 392-101 WAC.

(2) The superintendent of public instruction may assign the adjudicative proceeding to the office of administrative hearings and may delegate final decision making authority to the administrative law judge conducting the hearing.

(3) The superintendent of public instruction may appoint a person to review initial orders and to prepare and enter final agency orders in accordance with RCW 34.05.464.

(4) Any person who disagrees with a school district's determination of failure to meet any Type 1 school bus driver or Type 2 school activities driver authorization qualifications may request that the school district forward the pertinent records to the superintendent of public instruction. After review or investigation, the superintendent of public instruction will grant, deny, suspend, or revoke the authorization.

[Statutory Authority: RCW 28A.160.210. 93-08-007, § 180-20-130, filed 3/24/93, effective 4/24/93.]

**WAC 180-20-135 Reporting.** (1) Every person authorized under this chapter to operate a motor vehicle to transport children shall, within twenty calendar days, notify his or her employer in writing of the filing of any criminal charge involving conduct not meeting the standards in WAC 180-20-101(1). The authorized driver shall also notify his or her employer of any disqualifying traffic convictions, or license suspension or revocation orders issued by the department of licensing. In cases where the employer is providing transportation services through a contract with the school district, the contractor shall immediately notify the school district superintendent or designee.

(2) The notification in writing shall identify the name of the authorized driver, his or her authorization number, the court in which the action is commenced, and the case number assigned to the action.

(3) The failure of an authorized driver to comply with the provisions of this section is an act of unprofessional conduct and constitutes grounds for authorization suspension or revocation by the superintendent of public instruction.

[Statutory Authority: RCW 28A.160.210. 93-08-007, § 180-20-135, filed 3/24/93, effective 4/24/93.]

**WAC 180-20-140 School district—Reporting.** (1) Every school district employing authorized drivers to transport children or contracting with a private firm who provides such authorized drivers as a part of a contract shall, within twenty calendar days, notify the superintendent of public instruction in writing of knowledge it may have of the filing of any criminal charge involving the conduct not

meeting the standards in WAC 180-20-101 against any authorized driver.

(2) The notification in writing shall be by certified or registered mail and shall identify the name of the authorized driver, his or her authorization number, the court in which the action is commenced, and the case number assigned to the action.

[Statutory Authority: RCW 28A.160.210. 93-08-007, § 180-20-140, filed 3/24/93, effective 4/24/93.]

**WAC 180-20-145 School district—Verification of drivers continuing compliance.** (1) Every school district shall evaluate each authorized driver for continuing compliance with the provisions of this chapter annually. The results of this evaluation of all drivers shall be forwarded to the superintendent of public instruction as follows:

(2) This report shall be added to the regular school bus driver status report (Report 1799) exchanged between all school districts and the superintendent of public instruction.

(3) Verification that each authorized driver's criminal history record contains no convictions or charges which would be grounds for revocation or suspension of a Type 1 school bus driver or Type 2 school activities driver authorization. This report shall verify that each authorized driver has made an updated disclosure in writing and signed and sworn under penalty of perjury which updates the disclosure required in WAC 180-20-101 (1)(e).

(4) This report shall be a written verification that the evaluation has been conducted in accordance with the requirements of this chapter and that all drivers are in compliance, or if all drivers are not in compliance, a list of drivers who are out of compliance and the reason for noncompliance shall be provided.

[Statutory Authority: RCW 28A.160.210. 93-08-007, § 180-20-145, filed 3/24/93, effective 4/24/93.]

**WAC 180-20-150 Training and qualifications of Type 1 school bus drivers and Type 2 school activities drivers—Administration.** It shall be the responsibility of the superintendent of public instruction to administer the program of training and qualifications of Type 1 school bus drivers and Type 2 school activities drivers consistent with the provisions of this chapter.

[Statutory Authority: RCW 28A.160.210. 93-08-007, § 180-20-150, filed 3/24/93, effective 4/24/93.]

**WAC 180-20-155 Type 2 authorization—Implementation date.** It is the intent of the state board of education that school districts will progressively work toward full implementation of the Type 2 authorization by January 1, 1995. All references in this chapter to Type 2 school activities driver authorization shall become fully implemented by January 1, 1995: *Provided*, That Type 2 drivers issued authorizations prior to January 1, 1995, must comply with all applicable provisions of this chapter from the date of the issuance of the Type 2 authorization.

[Statutory Authority: RCW 28A.160.210. 93-08-007, § 180-20-155, filed 3/24/93, effective 4/24/93.]

**WAC 180-20-160 Type 1 authorization—Conversion date.** The expiration date of all active school bus driver's certificates will be extended to June 30, 1993. All existing school bus driver certificates will be converted to Type 1 school bus driver authorizations by July 1, 1993.

[Statutory Authority: RCW 28A.160.210. 93-08-007, § 180-20-160, filed 3/24/93, effective 4/24/93.]

**WAC 180-20-200 Repealed.** See Disposition Table at beginning of this chapter.

**WAC 180-20-205 Repealed.** See Disposition Table at beginning of this chapter.

**WAC 180-20-210 Repealed.** See Disposition Table at beginning of this chapter.

**WAC 180-20-215 Repealed.** See Disposition Table at beginning of this chapter.

**WAC 180-20-220 Repealed.** See Disposition Table at beginning of this chapter.

**WAC 180-20-225 Repealed.** See Disposition Table at beginning of this chapter.

**WAC 180-20-230 Repealed.** See Disposition Table at beginning of this chapter.

#### Chapter 180-26 WAC

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

###### WAC

180-26-020 Site conditions—Acceptance criteria.

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

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

(2) The minimum acreage of the site shall be five usable acres and one additional usable acre for each one hundred students or portion thereof of projected maximum enrollment plus an additional five usable acres if the school contains any grade above grade six. In computing the minimum acreage of the site, the district may include public property in close proximity to the site if, as a matter of public policy the property is available for school purposes and the district is committed to using such facilities: *Provided*, That for sites having seventy percent or more but less than one-

hundred percent of the usable acreage as required above, the superintendent of public instruction may grant a site size waiver when, as part of the on-site review and evaluation process, the district provides a mitigation plan and demonstrates that the requirements of (a) through (d) of this subsection have been met: *Provided further*, That a site consisting of less than the minimum usable acreage calculated as per the provisions of this subsection shall be approved by the state board of education if the district demonstrates the following:

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

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

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

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

(3) That the school district has contacted the appropriate local building authorities and requested a predesign conference;

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

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

(a) The health agency having jurisdiction;

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

(c) The state department of ecology or the local agency having jurisdiction for environmental approvals.

[Statutory Authority: RCW 28A.525.020 and 1992 c 233 § 24 (8)(e). 94-01-014, § 180-26-020, filed 12/3/93, effective 1/3/94; 93-07-104, § 180-26-020, filed 3/23/93, effective 4/23/93. Statutory Authority: RCW 28A.525.020 and 28A.525.164. 91-12-057, § 180-26-020, filed 6/5/91, effective 7/6/91. Statutory Authority: RCW 28A.47.830. 83-21-065 (Order 10-83), § 180-26-020, filed 10/17/83.]

#### Chapter 180-27 WAC

##### STATE ASSISTANCE IN PROVIDING SCHOOL PLANT FACILITIES—BASIC STATE SUPPORT

###### WAC

180-27-032	Growth impact fees and mitigation payments.
180-27-070	Architectural and engineering services.
180-27-115	Support level—Additional assistance.
180-27-505	State assistance—Common priority factors.

**WAC 180-27-032 Growth impact fees and mitigation payments.** Notwithstanding the financial requirements of WAC 180-27-030, districts may use growth impact fees as provided for in RCW 82.02.020, 82.02.050 through 82.02.100, 58.17.060 and 58.17.110 to assist in capital construction projects. The impact fees collected pursuant to the above cited statutes, may be used by the district as local match funding for state assisted capital projects and may not be substituted for the amount of state assistance that would otherwise be provided for school capital projects. Mitigation

payments as provided for in RCW 43.21C.060 of the State Environmental Policy Act may not be used by the district as local match funding nor be substituted for the amount of state assistance that would otherwise be provided for school capital projects.

[Statutory Authority: RCW 28A.525.020 and 1992 c 233 § 24 (8)(e). 94-01-030, § 180-27-032, filed 12/6/93, effective 1/6/94. Statutory Authority: RCW 28A.525.020 and 28A.525.164. 91-12-056, § 180-27-032, filed 6/5/91, effective 7/6/91.]

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

The allocation of state moneys for matching purposes for a school facility project shall be based on the basic architectural and engineering services as defined by the *American Institute of Architects Handbook of Professional Practice*, eleventh edition, 1988, and calculated by the percentage(s) in relation to the square foot area of construction as calculated in WAC 180-27-040 and project type, as set forth below:

**(1) New construction projects:**

**Architectural and Engineering Team Fee Matching Limitations**

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

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

Example:

Assume: Area of construction = 75,000 sq. ft.

Area cost allowance = \$90/sq. ft.

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

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

**(2) Modernization projects:**

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

**(3) Combination projects:**

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

[Statutory Authority: RCW 28A.525.020 and 1992 c 233 § 24 (8)(e). 93-13-026, § 180-27-070, filed 6/10/93, effective 7/11/93. Statutory Authority: RCW 28A.47.830. 84-07-036 (Order 1-84), § 180-27-070, filed 3/20/84; 83-21-066 (Order 11-83), § 180-27-070, filed 10/17/83.]

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

(1) A school facility subject to abatement and an order to vacate.

A school district required to replace a school facility determined to be hazardous to the safety and health of school children and staff—as evidenced by reports of architects or engineers licensed to practice in the state of Washington, the health agency having jurisdiction, and/or the fire marshal and building official having jurisdiction—shall be eligible for additional assistance if the voters of the school district authorize the issuance of bonds and/or the levying of excess taxes to meet the statutory limits. If the state board of education determines that the voters of the school district have authorized the issuance of bonds to its legal limit, the board shall provide state financial assistance for the remaining cost of the building to a level not exceeding the area cost allowance set forth in WAC 180-27-060: *Provided*, That at any time thereafter when the state board of education finds that the capital financial position of such district has improved, the amount of the additional allocation provided pursuant to this subsection shall be recovered by deducting an amount equal to all or a portion of such additional allocation from any future state school facility construction funds which might otherwise be provided to such district.

**(2) Interdistrict cooperative centers.**

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

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

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

(3) School housing emergency.

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

The total amount of state moneys allocated shall be the total approved project cost determined eligible for state matching purposes multiplied by the districts' regular match rate as calculated pursuant to RCW 28A.525.166 plus twenty percent and not to exceed ninety percent in total: *Provided further*, That at any time thereafter when the state board of education finds that the capital financial position of such district has improved, the amount of the additional allocation provided pursuant to this subsection shall be recovered by deducting an amount equal to all or a portion of such additional allocation from any future state school facility construction funds which might otherwise be provided to such district.

(4) Improved school district organization.

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

(5) Racial imbalance.

Any school district that contains a school facility which is racially imbalanced as defined in WAC 180-26-025 shall receive state assistance under this subsection in the amount of an additional ten percentage points above the matching percentage as calculated pursuant to RCW 28A.525.116 (b) and (c) which will not exceed a total of ninety percent of the total approved cost of construction: *Provided*, School construction projects for racial balance that meet the following conditions shall be provided state assistance at seventy-five percent of the approved square foot cost allowance under the provisions of this subsection as they existed prior to the amendment of this subsection in 1993:

(a) Voter approved local matching funds were authorized before December 31, 1992;

(b) The superintendent of public instruction approved a comprehensive desegregation plan with specific construction and modernization projects under additional state assistance criterion in effect at that time, which will be identified on or before September 15, 1993; and

(c) The superintendent of public instruction confirms at the time of project approval pursuant to WAC 180-25-040 the continued existence of racial balance needs.

In the case of a school district which contains a racially imbalanced school facility the district must demonstrate that, as a result of new construction or modernization, the particular school facility will no longer be racially imbalanced, that the combined minority enrollment in the particu-

lar school facility will be reduced by more than ten percentage points, and that the above stated results will be obtained as a direct result of increased enrollment of nonminority students in the particular school facility: *Provided*, That the particular school facility shall remain racially balanced for a period of at least five years after the date of actual building occupancy: *Provided further*, That if the state board of education finds that the school facility does not remain racially balanced for five years then the amount of additional state assistance provided pursuant to this subsection shall be recovered by deducting an amount equal to all of the additional allocation from any future state school facility construction funds which might otherwise be provided to such district.

(6) Any project that has received approval for additional state assistance under provisions of this section as they existed prior to the amendment of this section in 1993 shall retain authorization for additional assistance under the provisions in effect at the time of such approval.

[Statutory Authority: RCW 28A.525.020 and 28A.525.166(4). 93-20-067, § 180-27-115, filed 10/1/93, effective 11/1/93. Statutory Authority: RCW 28A.525.020 and 28A.525.164. 91-12-059, § 180-27-115, filed 6/5/91, effective 7/6/91. Statutory Authority: 1990 c 33. 90-17-009, § 180-27-115, filed 8/6/90, effective 9/6/90. Statutory Authority: RCW 28A.47.830, 28A.47.060 and 28A.47.802. 90-01-076, § 180-27-115, filed 12/19/89, effective 12/19/89. Statutory Authority: RCW 28A.47.830. 85-24-048 (Order 25-85), § 180-27-115, filed 11/27/85; 83-21-066 (Order 11-83), § 180-27-115, filed 10/17/83.]

**WAC 180-27-505 State assistance—Common priority factors.** The three priority factors that are common to all projects are as follows:

(1) Type of space - Ten possible points. In this element the net assignable square feet (NASF) of a project are identified by planned space inventory category. Category one is space used for scheduled instruction and libraries (classrooms, laboratories, PE teaching space, libraries, and learning resource centers). Category two is space used in support of instruction (assembly, student services, office space, and classroom/lab service and support). Category three space is cafeteria/food service, spectator seating, covered play areas, and general support space. The formula for determining points prorates the NASF with weightings of ten for category one, seven for category two, and four for category three as shown below.

NASF of Category One	X	10 points = X
NASF of Category Two	X	7 points = X
NASF of Category Three	X	4 points = X

Then: The sum of X divided by the sum of NASF equals points.

(2) Local priority - Five possible points. For this element, five maximum points are awarded to the district's first priority project. Each priority from there has one point deducted from it, to a minimum of zero points awarded.

(3) Joint funding - Five possible points. A binding agreement between the school district and another governmental entity for the joint financing of the construction or improvement of space which is not eligible for state assistance.

Total Project Cost	Required Joint Funding
Up to \$1,000,000	25% of total project cost (\$250,000 at \$1,000,000)
Between \$1,000,000 and \$ 2,000,000	\$275,000
Between \$2,000,000 and \$ 3,000,000	\$300,000
Between \$3,000,000 and \$ 4,000,000	\$325,000
Between \$4,000,000 and \$ 5,000,000	\$350,000
Between \$5,000,000 and \$ 6,000,000	\$375,000
Between \$6,000,000 and \$ 7,000,000	\$400,000
Between \$7,000,000 and \$ 8,000,000	\$425,000
Between \$8,000,000 and \$ 9,000,000	\$450,000
Between \$9,000,000 and \$10,000,000	\$475,000
\$10,000,000 and over	\$500,000

(4) Modified calendar or schedule - Five possible points. For this element, up to five points utilizing the table below will be awarded to a project in a district which has adopted a modified school calendar or schedule that enables more students to use school buildings each year over what current state capacity standards at WAC 180-27-035 recognize for state assistance purposes. The modified calendar or schedule shall utilize either extended school day or additional days for instruction in the year. The enrollment percentage shall be calculated on the same grade span groupings as for eligibility in WAC 180-27-050.

Enrollment Percentage Increase Over Capacity	Priority Points
20 to above	5
16 to 19.9	4
12 to 15.9	3
8 to 11.9	2
4 to 7.9	1
Below 4	0

The scores in this group will be determined after district compliance with the requirements of WAC 180-29-107.

[Statutory Authority: RCW 28A.525.020 and 1993 [1992] c 233 § 24 (8)(e). 93-04-019, § 180-27-505, filed 1/26/93, effective 2/26/93. Statutory Authority: RCW 28A.525.020 and 1992 c 233 § 24(8). 92-16-058, § 180-27-505, filed 8/3/92, effective 9/3/92.]

### Chapter 180-29 WAC

#### STATE ASSISTANCE IN PROVIDING SCHOOL PLANT FACILITIES—PROCEDURAL REGULATIONS

##### WAC

180-29-090	Construction documents—Other governmental agency approval.
180-29-125	Award of contract(s).

**WAC 180-29-090 Construction documents—Other governmental agency approval.** (1) The construction documents shall be submitted for the approval of the following other governmental agencies:

- (a) Fire marshal or fire chief having jurisdiction;
- (b) Department of labor and industries (electrical);
- (c) Health agency having jurisdiction;

(d) Department of ecology or the local agency having jurisdiction for environmental approvals (when applicable); and

(e) Building official of the jurisdiction.

Approval shall be in respect to compliance with pertinent rules and regulations established by said agencies.

(2) The school district shall receive written approvals of the construction documents by the agencies and submit proof of such approvals to the superintendent of public instruction in accordance with WAC 180-29-085.

[Statutory Authority: RCW 28A.525.020 and 1992 c 233 § 24 (8)(e). 94-01-014, § 180-29-090, filed 12/3/93, effective 1/3/94. Statutory Authority: RCW 28A.47.802. 84-21-003 (Order 11-84), § 180-29-090, filed 10/4/84. Statutory Authority: RCW 28A.47.830. 83-21-067 (Order 12-83), § 180-29-090, filed 10/17/83.]

**WAC 180-29-125 Award of contract(s).** Upon receipt of authorization to award contract(s) from the superintendent of public instruction, the board of directors of the school district may proceed with award of contract(s) for construction of the school facility project. Immediately following the awarding of contract(s), the board of directors of the school district shall forward to the superintendent of public instruction one copy of each properly executed contract, one copy of the contractor's cost breakdown, and one copy of the contract(s) payment schedule. Such cost breakdown and payment schedule shall be displayed on a form issued and approved by the superintendent of public instruction in accordance with WAC 180-29-085 (1)(b).

[Statutory Authority: RCW 28A.525.020 and 1992 c 233 § 24 (8)(e). 94-01-013, § 180-29-125, filed 12/3/93, effective 1/3/94. Statutory Authority: RCW 28A.47.830. 83-21-067 (Order 12-83), § 180-29-125, filed 10/17/83.]

### Chapter 180-33 WAC

#### STATE ASSISTANCE IN PROVIDING SCHOOL PLANT FACILITIES—MODERNIZATION

##### WAC

180-33-042	Replacement option.
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**WAC 180-33-042 Replacement option.** A district with space eligible for modernization pursuant to WAC 180-33-015 and 180-33-025 may elect to replace such space through new construction in lieu of modernization. In such case, the district shall apply for a new school facility in accordance with applicable rules and regulations pertaining to new school plant facilities and the local board shall certify that after the new construction is finally completed:

- (1) The existing building or space to be replaced will not be used for district instructional purposes; and
- (2) The existing building or space will be ineligible for any future state financial assistance.

Further, if the existing building or space is subsequently returned by the district to instructional purposes in whole or in part, the district shall become ineligible for any state construction financial assistance for a period of ten years from the date that the executive director or the chief executive officer of the state board notifies the board during the course of an open public meeting or sends written notice to members of the board of the return of the building in whole or in part to instructional purposes. Except as otherwise

provided in WAC 180-33-043, districts exercising this election shall be limited in state assistance to the provision of WAC 180-33-040. In the event the district elects to replace a facility and construct a new facility with more space than the facility being replaced, the additional space, in order to be eligible for state assistance shall meet the eligibility requirements for new construction or the new construction component requirement of WAC 180-33-015 (1)(c): *Provided*, That no new construction in lieu of modernization project may qualify for additional state assistance pursuant to WAC 180-27-115 unless the facility being replaced would have qualified pursuant to such section for additional state assistance as a modernization project.

[Statutory Authority: RCW 28A.525.020 and 1993 sp.s. c 22 § 708(5). 93-20-066, § 180-33-042, filed 10/1/93, effective 11/1/93. Statutory Authority: RCW 28A.47.830. 85-09-060 (Order 8-85), § 180-33-042, filed 4/17/85.]

## Chapter 180-51 WAC

### HIGH SCHOOL GRADUATION REQUIREMENTS

#### WAC

180-51-005	Authority.
180-51-025	Local application of state requirements.
180-51-030	High school credit for courses taken before attending high school.
180-51-055	Minimum credits for high school graduation.
180-51-100	Temporary exemption from 1985 course and credit requirements.

**WAC 180-51-005 Authority.** The authority for this chapter is RCW 28A.230.090 which authorizes the state board of education to establish high school graduation requirements or equivalencies for students.

[Statutory Authority: RCW 28A.230.090 and 28A.230.100. 93-04-115, § 180-51-005, filed 2/3/93, effective 3/6/93. Statutory Authority: 1990 c 33. 90-17-009, § 180-51-005, filed 8/6/90, effective 9/6/90. Statutory Authority: RCW 28A.05.062. 86-20-053 (Order 11-86), § 180-51-005, filed 9/29/86. Statutory Authority: Chapter 28A.05 RCW. 84-11-049 (Order 7-84), § 180-51-005, filed 5/17/84.]

**WAC 180-51-025 Local application of state requirements.** The content of courses and the determination of which courses satisfy particular subject area requirements and whether a particular course may satisfy more than one subject area requirement for different students shall be determined locally in accordance with rules adopted by boards of directors of districts: *Provided*, That if a foreign language graduation requirement is established, credits earned in American sign language shall count toward the completion of the requirement.

[Statutory Authority: RCW 28A.230.090 and 28A.230.100. 93-04-115, § 180-51-025, filed 2/3/93, effective 3/6/93. Statutory Authority: RCW 28A.05.060. 89-12-061 (Order 10-89), § 180-51-025, filed 6/6/89. Statutory Authority: Chapter 28A.05 RCW. 84-11-049 (Order 7-84), § 180-51-025, filed 5/17/84.]

**WAC 180-51-030 High school credit for courses taken before attending high school.** Pursuant to RCW 28A.230.090, any student who has completed high school courses before attending high school shall, upon the request of the student and his or her parent or guardian, be given high school credit which shall apply toward fulfilling high school graduation requirements if:

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(1) The academic level of the course exceeds the requirements for seventh and eighth grade classes and is equivalent to or exceeds the requirements for courses in grades nine through twelve; or

(2) The student successfully completes a regular grade seven or eight course or a supplemented course which has been determined by the district board of directors to be the equivalent of a course offered at a district high school and the course instructor is certificated to teach the course in grades nine through twelve in accordance with WAC 180-16-221 through 180-16-224.

A student who has taken a course consistent with subsection (1) or (2) of this section shall not be required to satisfy any additional requirements to receive high school credit for the course.

The provisions of this section shall also apply to any student enrolled in grades nine through twelve on or after April 11, 1990.

[Statutory Authority: RCW 28A.230.090 and 28A.230.100. 93-04-115, § 180-51-030, filed 2/3/93, effective 3/6/93; 91-01-066, § 180-51-030, filed 12/14/90, effective 1/14/91. Statutory Authority: Chapter 28A.05 RCW. 84-11-049 (Order 7-84), § 180-51-030, filed 5/17/84.]

**WAC 180-51-055 Minimum credits for high school graduation.** The minimum credits for high school graduation shall be nineteen credits.

[Statutory Authority: RCW 28A.230.090 and 28A.230.100. 93-04-115, § 180-51-055, filed 2/3/93, effective 3/6/93. Statutory Authority: RCW 28A.05.060. 85-12-041 (Order 12-85), § 180-51-055, filed 6/5/85. Statutory Authority: Chapter 28A.05 RCW. 84-11-049 (Order 7-84), § 180-51-055, filed 5/17/84.]

**WAC 180-51-100 Temporary exemption from 1985 course and credit requirements.** Annual exemptions to the definition of an annualized high school credit may be granted upon the request of a public or approved private school which offers evidence that delineates content, time, or competency assessments which are substantially equivalent to the definition stated in WAC 180-51-050. The waiver process shall be administered by the superintendent of public instruction. School districts shall have the right to appeal decisions of the superintendent of public instruction to the state board of education. The superintendent of public instruction shall present to the state board of education an annual report on the waivers granted.

[Statutory Authority: RCW 28A.230.090 and 28A.230.100. 93-04-115, § 180-51-100, filed 2/3/93, effective 3/6/93. Statutory Authority: 1990 c 33. 90-17-009, § 180-51-100, filed 8/6/90, effective 9/6/90. Statutory Authority: RCW 28A.05.060. 85-12-041 (Order 12-85), § 180-51-100, filed 6/5/85. Statutory Authority: Chapter 28A.05 RCW. 84-11-049 (Order 7-84), § 180-51-100, filed 5/17/84.]

## Chapter 180-72 WAC

### ADULT EDUCATION

#### WAC

180-72-040	Purpose—Cooperation policy.
180-72-045	Authority—Regulatory provisions recognize intent of specific acts.
180-72-050	Adult education defined.
180-72-060	Adult high school completion education—Community college and common school district participation.
180-72-065	Community college high school diploma programs.



180-72-070

Federal programs for adult education.

**WAC 180-72-040 Purpose—Cooperation policy.**

The major purpose of adult education in the state of Washington is to raise the educational level of adults in the state who have not obtained an education consistent with their ability to learn and to provide adults disadvantaged through lack of a high school diploma with the opportunity to complete their high school education and to obtain proper recognition for it.

The several statutes relating to adult education have vested authority and responsibility for conduct of adult education programs in the community and technical colleges for administration and promulgation of rules and regulations in the state board for community and technical college education.

[Statutory Authority: RCW 28B.50.915. 93-22-007, § 180-72-040, filed 10/21/93, effective 11/21/93; Order 5-70, § 180-72-040, filed 4/28/70.]

**WAC 180-72-045 Authority—Regulatory provisions recognize intent of specific acts.**

The policies, rules and regulations hereinafter in WAC 180-72-050 through 180-72-075 set forth recognize the intent of (1) chapter 28B.50 RCW to (a) place major responsibility for adult education in the community and technical colleges, (b) provide for the conduct of adult education programs by the community and technical colleges, community-based organizations, and common schools under arrangements between the appropriate community or technical college school district, (c) permit the issuance of high school diplomas by the community and technical colleges under rules and regulations promulgated by the superintendent of public instruction and the state board of education, and (d) provide for the administration of certain federally supported adult education programs by the executive director of the state board for community and technical colleges; (2) RCW 28A.225.220 to permit boards of directors of common school districts to make arrangements with adults wishing to attend school; and (3) chapter 28A.305 RCW which provides that the state board of education in cooperation with the state board for community and technical colleges shall prescribe course requirements for high school completion.

[Statutory Authority: RCW 28B.50.915. 93-22-007, § 180-72-045, filed 10/21/93, effective 11/21/93. Statutory Authority: 1990 c 33. 90-17-009, § 180-72-045, filed 8/6/90, effective 9/6/90. Statutory Authority: RCW 28B.50.535. 84-21-006 (Order 14-84), § 180-72-045, filed 10/4/84; Order 5-70, § 180-72-045, filed 4/28/70.]

**WAC 180-72-050 Adult education defined.** For the purpose of this chapter "adult education" shall be defined as set forth in RCW 28B.50.030(11) which provides as follows: "Adult education" shall mean all education or instruction, including academic, vocational education or training, and "occupational education" provided by public educational institutions and community-based organizations for persons who are eighteen years of age and over or who hold a high school diploma or certificate: *Provided*, That "adult education" shall not include basic skills instruction, English as a second language, academic education or instruction for persons under twenty-one years of age who do not hold a high school degree or diploma and who are attending a

public high school for the sole purpose of obtaining a high school diploma or certificate: *Provided further*, That "adult education" shall not include education or instruction provided by any four year public institution of higher education.

[Statutory Authority: RCW 28B.50.915. 93-22-007, § 180-72-050, filed 10/21/93, effective 11/21/93; Order 5-70, § 180-72-050, filed 4/28/70.]

**WAC 180-72-060 Adult high school completion education—Community college and common school district participation.**

(1) **Program authorization.** A community or technical college district and a common school district under provisions of RCW 28B.50.530 may enter into agreement for the conduct of an adult education program by the common school district on behalf of the community or technical college district when such program will not conflict with an existing program of the same nature and in the same geographical area conducted by the community or technical college district: *Provided*, That such program shall be established, administered and operated in accordance with procedures and guidelines prescribed by the executive director of community and technical colleges.

(2) **Cooperative study of needs.** Community and technical colleges, community-based organizations, and common school districts are encouraged to study cooperatively the needs in their own communities for educational services designed for adults to complete their high school training and, consistent with statutory provisions and requirements prescribed in this chapter, to provide appropriate programs to meet such needs.

[Statutory Authority: RCW 28B.50.915. 93-22-007, § 180-72-060, filed 10/21/93, effective 11/21/93; Order 5-70, § 180-72-060, filed 4/28/70.]

**WAC 180-72-065 Community college high school diploma programs.**

(1) **Minimum requirements for high school diploma.** The minimum requirements and procedures for the issuance of a high school diploma by or through a community or technical college district shall be as prescribed by the state board of education in this section and chapters 180-51 and 180-56 WAC.

**(2) Provisions governing program for persons eighteen years of age and over.**

(a) The appropriate school district, community college or technical college education official shall evaluate the previous educational records of the student and may provide evaluative testing to determine the student's educational level and shall recommend an appropriate course or courses of study upon the successful completion of which the student will be eligible for the high school diploma.

(b) Satisfaction of minimum course requirements may be met by one or more of the following methods—actual completion of courses regularly conducted in high school, technical college and/or community college; approved correspondence or extension courses; supervised independent study; or testing in specific subject areas.

(c) The appropriate education official shall exercise reasonable judgment in appraising the educational experience of the student either in or out of a formal school program to determine the degree to which the student has satisfied the minimum credit requirements for completion of the high school program. Consideration may be given to work experience, vocational training, civic responsibilities dis-

charged by the adult and other evidences of educational attainment.

(d) A high school diploma shall be granted to each individual who satisfactorily meets the requirements for high school completion herein and hereinbefore in subsection (1) set forth, the said diploma to be issued by the appropriate school district, community college or technical college: *Provided*, That in the event the school district and the community college or technical college are unable to agree as to which educational agency shall issue the said diploma, the superintendent of public instruction shall make the decision and designate the issuing agency. Records of diplomas issued under the provisions of this subsection shall be maintained by the issuing agency.

**(3) Provisions governing program for persons under eighteen years of age.**

(a) The high school principal shall evaluate the previous educational record of the individual and prior to his enrollment in courses and in cooperation with the appropriate education official of a community college or technical college shall approve the program of studies leading to the high school diploma.

(b) The student must be assigned a program supervisor.

(c) Satisfaction of the minimum credit requirements may be met by one or more of the following methods—actual completion of courses regularly conducted in high school, technical college, and/or community college; approved correspondence or extension courses; or approved supervised independent study.

(d) The school district shall grant the regular high school diploma or certificate of graduation to each individual who satisfactorily meets the requirements for high school completion herein and hereinbefore in subsection (1) set forth: *Provided*, That the school district may delegate the responsibility for granting such a diploma or certificate to the appropriate community college or technical college. Records of diplomas issued under provisions of this subsection shall be maintained by the issuing agency.

(4) Each fiscal year each community or technical college district shall file a statistical report with the state board for community and technical colleges and the state board of education, and with the review committee established by the subsection. The statistical report shall consist of, but not be restricted to, the number of high school diplomas issued for that fiscal year with subdivisions indicating students under eighteen years of age, over eighteen years of age, and those diplomas issued through special authorities such as PREP. Additional reports may be filed by the committee established herein with the state board of education and with the local board of trustees of the community college district. The form and content of these additional reports shall be determined by the executive director of the office of the state board for community and technical colleges in consultation with the superintendent of public instruction.

A review committee shall be established in each community and technical college district composed of professional educators working within that district. The executive director of the state board for community and technical colleges and the superintendent of public instruction shall appoint one superintendent, one high school principal, one high school counselor, and one high school

teacher to serve on such committee. The president of the community or technical college district may appoint one adult educator to serve on the committee.

This committee shall meet at the direction of the superintendent of public instruction for the purpose of reviewing not more than once each year the high school diploma program at the community or technical college in relationship to its compliance with high school diploma requirements established in chapters 180-51, 180-56 and 180-72 WAC. After each review, the committee shall prepare and submit an oral and written report to the board of trustees of the college district and a written report to the state board of education which sets forth the committee's findings and suggestions for any improvements in the program deemed necessary or advisable.

The individual members of the review committee, who are employees of a school district may request from the community or technical college district reimbursement for travel and expenses at such rates and for such purposes as are allowed state employees by law and rules of the office of program planning and fiscal management. The superintendent of public instruction may reimburse for substitutes required in connection with teacher members of the committee as provided by law.

(5) Any high school graduation diploma issued by or through a community or technical college district shall certify that the diploma is issued in compliance with high school graduation requirements established by the state board of education and procedures established by the superintendent of public instruction.

[Statutory Authority: RCW 28B.50.915, 93-22-007, § 180-72-065, filed 10/21/93, effective 11/21/93. Statutory Authority: RCW 28B.50.535, 84-21-006 (Order 14-84), § 180-72-065, filed 10/4/84; Order 9-76, § 180-72-065, filed 7/19/76; Order 5-70, § 180-72-065, filed 4/28/70.]

**WAC 180-72-070 Federal programs for adult education.** It is the responsibility of the executive director of community and technical colleges to administer the programs of adult education supported in whole or in part by federal monies made available for such purpose to the state board of community and technical colleges, and to authorize the operation of such programs by the common school districts of the state in accordance with procedures established by the state board of community and technical colleges: *Provided*, That the administration and operation of such adult education programs shall be consistent with the policy hereinbefore in WAC 180-72-040 set forth.

[Statutory Authority: RCW 28B.50.915, 93-22-007, § 180-72-070, filed 10/21/93, effective 11/21/93; Order 5-70, § 180-72-070, filed 4/28/70.]

## Chapter 180-78 WAC

### PROFESSIONAL CERTIFICATION—APPROVED PREPARATION PROGRAMS BY COLLEGES AND UNIVERSITIES

#### WAC

180-78-010	Definition of terms.
180-78-191	Repealed.
180-78-196	Repealed.

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

- 180-78-191 Exit examination—Development of uniform state exit examination. [Statutory Authority: RCW 28A.70.005, 90-02-074 and 90-02-104, § 180-78-191, filed 1/2/90 and 1/3/90, effective 2/2/90 and 2/3/90; 87-09-011 (Order 3-87), § 180-78-191, filed 4/3/87.] Repealed by 94-01-102, filed 12/16/93, effective 1/16/94. Statutory Authority: RCW 28A.410.010.
- 180-78-196 Admission to practice examination—Teacher, and administrator. [Statutory Authority: RCW 18A.410.010 [28A.410.010] and 28A.70.005. 92-01-127, § 180-78-196, filed 12/19/91, effective 1/19/92.] Repealed by 94-01-102, filed 12/16/93, effective 1/16/94. Statutory Authority: RCW 28A.410.010.

**WAC 180-78-010 Definition of terms.** The following definitions shall be used in this chapter:

(1) "College or university" means any regionally accredited baccalaureate degree granting Washington institution of higher learning or cooperative group of such institutions which has or develops professional programs of preparation in education which are submitted to the state board of education for approval.

(2) "Endorsement" means a specification placed on a certificate to indicate the subject area, grade level, and/or specialization for which the individual is prepared to teach or serve as an administrator or educational staff associate.

(3) "Interstate compact" means the contractual agreement among several states authorized by RCW 28A.690.010 and 28A.690.020 which facilitates interstate reciprocity.

(4) "Program approval" means the approval by the state board of education of a professional preparation program within Washington state.

(5) "Field experience" means a sequence of learning experiences which occur in actual school settings or clinical or laboratory settings. Such learning experiences are related to specific program outcomes and are designed to integrate educational theory, knowledge, and skills in actual practice under the direction of a qualified supervisor.

(6) "Regionally accredited institution of higher education" means a community college, college, or university which is fully accredited by one of the following regional accrediting bodies:

- (a) Middle States, Association of Colleges and Schools;
- (b) New England Association of Schools and Colleges;
- (c) North Central Association of Colleges and Schools;
- (d) Northwest Association of Schools and Colleges;
- (e) Southern Association of Colleges and Schools;
- (f) Western Association of Schools and Colleges;

Accrediting Commission for Junior and Senior Colleges.

[Statutory Authority: RCW 28A.410.010. 93-07-101, § 180-78-010, filed 3/23/93, effective 4/23/93. Statutory Authority: 1990 c 33. 90-17-009, § 180-78-010, filed 8/6/90, effective 9/6/90. Statutory Authority: RCW 28A.70.005 and 28A.04.120 (1)(2). 89-01-041 (Order 26-88), § 180-78-010, filed 12/14/88. Statutory Authority: RCW 28A.70.005. 88-07-002 (Order 7-88), § 180-78-010, filed 3/3/88; 87-09-011 (Order 3-87), § 180-78-010, filed 4/3/87. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW. 78-09-096 (Order 12-78), § 180-78-010, filed 9/1/78; 78-06-069 (Order 5-78), § 180-78-010, filed 5/26/78.]

**WAC 180-78-191 Repealed.** See Disposition Table at beginning of this chapter.

**WAC 180-78-196 Repealed.** See Disposition Table at beginning of this chapter.

**Chapter 180-79 WAC****PROFESSIONAL CERTIFICATION—  
PREPARATION REQUIREMENTS****WAC**

- 180-79-010 Definitions.
- 180-79-065 Initial and continuing certificates—Applicable conditions.
- 180-79-115 Academic requirements for certification—Teachers.
- 180-79-120 Academic requirements for certification—Administrators.
- 180-79-124 Child abuse course work requirement for continuing certification—Administrators.
- 180-79-125 Academic requirements for certification—Educational staff associate (ESA).
- 180-79-126 Child abuse course work requirement for continuing certification—Educational staff associate.
- 180-79-236 Instructional specialist certificate.
- 180-79-245 Out-of-state candidates.
- 180-79-247 Establishing equivalency for course work, degrees and programs completed in countries outside the United States.
- 180-79-303 Endorsement by examination.

**WAC 180-79-010 Definitions.** The following definitions shall apply to terms used in this chapter:

(1) The terms, "program approval," "endorsement," "interstate compact," "college or university," and "regionally accredited institution of higher education," as defined in WAC 180-78-010 shall apply to the provisions of this chapter.

(2) "Certificate" means the license issued by the superintendent of public instruction to teachers, administrators, and educational staff associates verifying that the individual has met the requirements set forth in this chapter.

(3) "Certificate renewal" means the process whereby the validity of an initial certificate may be continued.

(4) "Classroom teaching" means instructing pupils in a classroom setting.

[Statutory Authority: RCW 28A.410.010. 93-07-101, § 180-79-010, filed 3/23/93, effective 4/23/93. Statutory Authority: RCW 28A.70.005 and 28A.04.120(3). 89-01-042 (Order 27-88), § 180-79-010, filed 12/14/88. Statutory Authority: RCW 28A.70.005. 88-05-047 (Order 3-88), § 180-79-010, filed 2/17/88; 87-09-012 (Order 4-87), § 180-79-010, filed 4/3/87. Statutory Authority: RCW 28A.04.120 (1), (2), and (3). 80-06-130 (Order 9-80), § 180-79-010, filed 6/2/80. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW. 78-06-070 (Order 6-78), § 180-79-010, filed 5/26/78.]

**WAC 180-79-065 Initial and continuing certificates—Applicable conditions.** The following shall apply to initial and continuing certificates issued pursuant to this chapter:

- (1) Initial certificate.

An initial educational staff associate or administrator certificate issued prior to August 31, 1988, or an initial teacher certificate may be renewed for an additional three-year period on application and verification that the individual has completed all course work requirements from a regionally accredited institution of higher education for continuing certification or has completed at least fifteen quarter hours (ten semester hours) of course work from a regionally

accredited institution of higher education since the certificate was issued or renewed.

(2) Continuing certificate.

(a) The continuing certificates of holders who were eligible for such certificates prior to August 31, 1987 and who applied for such certificates prior to July 1, 1988 or who would have been eligible for such certificates prior to August 31, 1987, but for one of the three-year experience requirement and who complete such requirement and apply for such certificate prior to August 31, 1988, will be valid for life. Holders of valid continuing certificates affected by this subsection shall be entitled to have such certificate reissued and subject to the terms and conditions applicable to certification at the time of reissuance including the continuing education requirements of chapter 180-85 WAC.

(b) All continuing certificates not affected by the exception stated in (a) of this subsection shall lapse if the holder does not complete the continuing education requirement specified in chapter 180-85 WAC. To reinstate such a lapsed continuing certificate the individual must complete the requirements for reinstatement stated within chapter 180-85 WAC.

[Statutory Authority: RCW 28A.410.010, 94-01-101, § 180-79-065, filed 12/16/93, effective 1/16/94. Statutory Authority: RCW 28A.410.010 and 1992 c 141, 92-20-083, § 180-79-065, filed 10/6/92, effective 11/6/92. Statutory Authority: RCW 28A.04.120 and 28A.70.005, 90-12-075, § 180-79-065, filed 6/1/90, effective 7/2/90. Statutory Authority: RCW 28A.70.005 and 28A.04.120(3), 89-01-042 (Order 27-88), § 180-79-065, filed 12/14/88. Statutory Authority: RCW 28A.70.005, 88-05-047 (Order 3-88), § 180-79-065, filed 2/17/88; 87-13-044 (Order 13-87), § 180-79-065, filed 6/16/87; 87-09-012 (Order 4-87), § 180-79-065, filed 4/3/87. Statutory Authority: RCW 28A.04.120(3) and 28A.70.005, 86-13-017 (Order 7-86), § 180-79-065, filed 6/10/86. Statutory Authority: RCW 28A.70.005, 81-12-025 (Order 7-81), § 180-79-065, filed 6/1/81. Statutory Authority: RCW 28A.04.120 (1), (2), and (3), 80-06-130 (Order 9-80), § 180-79-065, filed 6/2/80; 79-06-051 (Order 7-79), § 180-79-065, filed 5/22/79. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW, 78-09-097 (Order 13-78), § 180-79-065, filed 9/1/78; 78-06-070 (Order 6-78), § 180-79-065, filed 5/26/78.]

**WAC 180-79-115 Academic requirements for certification—Teachers.** Candidates for teachers' certificates shall complete the following requirements in addition to those set forth in WAC 180-75-080 and 180-75-085.

(1) Initial.

(a) Candidates for the initial certificate who apply for such certificate on or before August 31, 1992, shall hold a baccalaureate degree from a regionally accredited college or university and shall have completed the degree major in an academic field or in the teaching specialization of early childhood, elementary, reading, or special education.

(b) Candidates for the initial certificate who apply for such certificate after August 31, 1992, shall hold an approved baccalaureate degree from a regionally accredited college or university: *Provided*, That if the approved baccalaureate degree is in early childhood education, elementary education, or special education, the candidate also must have at least thirty quarter hours (twenty semester hours) in one of the academic fields listed in WAC 180-79-080 (3)(a) through (e) and (4).

(2) Continuing.

(a) Candidates who apply for a continuing certificate shall have at least forty-five quarter hours (thirty semester hours) of upper division and/or graduate work completed

from a regionally accredited institution of higher education subsequent to the conferral of the baccalaureate degree: *Provided*, That if the individual is pursuing study in a new subject matter area or specialization, lower division courses in that subject area or specialization shall be accepted toward continuing certification upon completion of the requirements for an endorsement in that subject area or specialization.

(b) Candidates for a continuing certificate shall have been granted at least two subject area endorsements.

(c) Candidates who apply for a continuing certificate after August 31, 1992, who have not successfully completed course work or an in-service program including a minimum of ten clock hours of instruction on issues of abuse, must complete such course work or in-service program as a condition for the issuance of a continuing certificate. The content of the course work or in-service program shall discuss the identification of physical, emotional, sexual, and substance abuse, information on the impact of abuse on the behavior and learning abilities of students, discussion of the responsibilities of a teacher to report abuse or provide assistance to students who are the victims of abuse, and methods for teaching students about abuse of all types and their prevention.

[Statutory Authority: RCW 28A.410.010, 94-01-101, § 180-79-115, filed 12/16/93, effective 1/16/94. Statutory Authority: RCW 28A.410.010 and 1992 c 141, 92-20-083, § 180-79-115, filed 10/6/92, effective 11/6/92. Statutory Authority: RCW 28A.410.010, 92-04-044, § 180-79-115, filed 1/31/92, effective 3/2/92. Statutory Authority: RCW 28A.70.005, 90-22-002, § 180-79-115, filed 10/25/90, effective 11/25/90; 88-21-011 (Order 16-88), § 180-79-115, filed 10/7/88; 88-05-047 (Order 3-88), § 180-79-115, filed 2/17/88; 87-09-012 (Order 4-87), § 180-79-115, filed 4/3/87. Statutory Authority: RCW 28A.04.120(3) and 28A.70.005, 86-13-017 (Order 7-86), § 180-79-115, filed 6/10/86. Statutory Authority: RCW 28A.04.120 (1), (2), and (3), 80-06-130 (Order 9-80), § 180-79-115, filed 6/2/80; 79-06-051 (Order 7-79), § 180-79-115, filed 5/22/79. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW, 78-09-097 (Order 13-78), § 180-79-115, filed 9/1/78; 78-06-070 (Order 6-78), § 180-79-115, filed 5/26/78.]

**WAC 180-79-120 Academic requirements for certification—Administrators.** Candidates for the respective administrative certificate shall complete the following requirements in addition to those set forth in WAC 180-75-085 and 180-79-124.

(1) Superintendent.

(a) Initial.

(i) The candidate who applies for an initial certificate on or before August 31, 1992, shall hold a master's degree and complete at least fifteen quarter hours (ten semester hours) of graduate study beyond the master's degree in education-related course work and shall hold or be eligible to hold a valid initial or continuing teacher or ESA certificate at the time he or she applies for the initial superintendent's certificate.

(ii) The candidate who applies for an initial certificate after August 31, 1992, shall hold an approved masters degree and have completed subsequent to the baccalaureate degree at least forty-five quarter hours (thirty semester hours) of graduate level course work in education.

(iii) The candidate must meet requirements for a superintendent's certificate pursuant to WAC 180-79-049.

(b) Continuing.

(i) The candidate who applies for a continuing certificate on or before August 31, 1992, shall have completed at

least thirty quarter hours (twenty semester hours) of graduate work beyond the master's degree.

(ii) The candidate who applies after August 31, 1992, shall hold an approved masters degree and have completed subsequent to the baccalaureate degree at least sixty quarter hours (forty semester hours) of graduate level course work in education or shall hold a doctorate in education.

(iii) The candidate must meet requirements for a superintendent's certificate pursuant to WAC 180-79-049.

(2) Principal.

(a) Initial.

(i) The candidate who applies on or before August 31, 1992, shall hold or have held a Washington initial, continuing or comparable teaching certificate from another state at the time he or she applies for the initial principal's certificate and shall have completed an approved program for the preparation of principals.

(ii) The candidate who applies after August 31, 1992, shall hold a masters degree and have completed an approved program for the preparation of principals.

(b) Continuing.

(i) The candidate who applies on or before August 31, 1992, shall hold a master's degree.

(ii) The candidate who applies after August 31, 1992, shall hold an approved masters degree and completed subsequent to the baccalaureate degree at least forty-five hours (thirty semester hours) of graduate level course work in education or shall hold a doctorate in education.

(iii) The candidate must meet requirements for a principal's certificate pursuant to WAC 180-79-049.

(3) Program administrator.

(a) Initial.

(i) The candidate who applies on or before August 31, 1992, shall hold a valid initial or continuing teacher or educational staff associate certificate at the time he or she applies for the program administrator's initial certificate and shall hold a master's degree.

(ii) The candidate who applies after August 31, 1992, shall hold an approved masters degree, a masters degree required for an educational staff associate certificate, a masters degree in school nursing, occupational therapy or physical therapy, or a masters degree in public, education, or business administration and have completed subsequent to the baccalaureate degree at least twenty-four quarter hours (sixteen semester hours) of graduate level course work in education.

(b) Continuing.

(i) The candidate who applies on or before August 31, 1992, shall have completed at least fifteen quarter hours (ten semester hours) of graduate work subsequent to the master's degree relevant to educational administration or his or her subject matter field(s) or specialization(s).

(ii) The candidate who applies after August 31, 1992, shall hold an approved masters degree, a masters degree required for an educational staff associate certificate, a masters degree in school nursing, occupational therapy, physical therapy, or a masters degree in public, education, or business administration and have completed subsequent to the baccalaureate degree at least thirty quarter hours (twenty semester hours) of graduate level course work in education or shall hold a doctorate in education.

[Statutory Authority: RCW 28A.410.010. 94-01-101, § 180-79-120, filed 12/16/93, effective 1/16/94; 92-04-044, § 180-79-120, filed 1/31/92, effective 3/2/92. Statutory Authority: RCW 28A.70.005 and 28A.04.120(3). 89-01-042 (Order 27-88), § 180-79-120, filed 12/14/88. Statutory Authority: RCW 28A.70.005. 88-05-047 (Order 3-88), § 180-79-120, filed 2/17/88; 81-12-025 (Order 7-81), § 180-79-120, filed 6/1/81. Statutory Authority: RCW 28A.04.120 (1), (2), and (3). 80-06-130 (Order 9-80), § 180-79-120, filed 6/2/80; 79-06-051 (Order 7-79), § 180-79-120, filed 5/22/79. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW. 78-06-070 (Order 6-78), § 180-79-120, filed 5/26/78.]

#### **WAC 180-79-124 Child abuse course work requirement for continuing certification—Administrators.**

Candidates who apply for a continuing administrator certificate after August 31, 1994, must have successfully completed course work or an in-service program including a minimum of ten clock hours of instruction on issues of abuse as a condition for the issuance of a continuing certificate. The content of the course work or in-service program shall discuss the identification of physical, emotional, sexual, and substance abuse, information on the impact of abuse on the behavior and learning abilities of students, discussion of the responsibilities of a teacher to report abuse or provide assistance to students who are the victims of abuse, and methods for teaching students about abuse of all types and their prevention.

[Statutory Authority: RCW 28A.410.010. 94-01-101, § 180-79-124, filed 12/16/93, effective 1/16/94.]

#### **WAC 180-79-125 Academic requirements for certification—Educational staff associate (ESA).**

Candidates for ESA certification shall complete the following requirements in addition to those set forth in WAC 180-75-085 and 180-79-126: *Provided*, That it shall not be necessary for any candidate who holds a master's or doctorate degree to obtain the specified master's degree if the candidate provides satisfactory evidence to the superintendent of public instruction that he or she has completed all course work requirements relevant to the required masters degree and has satisfactorily completed a comprehensive written examination required in such masters degree program: *Provided*, That if any candidate has been awarded a masters degree without a comprehensive written examination, the candidate, as a condition for certification, shall arrange to take such an examination with any accredited college or university and provide the superintendent of public instruction with an affidavit from the chair of the department of such academic field that he or she has successfully completed the above noted comprehensive examination.

(1) Communication disorders specialist.

(a) Initial. The candidate shall have completed all requirements for the master's degree (except special projects or thesis) with a major in speech pathology and/or audiology.

(b) Continuing. The candidate shall hold a master's degree with a major in speech pathology and/or audiology.

(2) School counselor.

(a) Initial. The candidate shall have completed all requirements for the master's degree (except special projects or thesis) with a major in counseling.

(b) Continuing. The candidate shall hold a master's degree with a major in counseling.

(3) School occupational therapist.

(a) Initial.

(i) The candidate shall have completed an approved or accredited baccalaureate degree program in occupational therapy.

(ii) The candidate shall hold a valid license as an occupational therapist in Washington state.

(b) Continuing. The candidate shall have completed the requirements for an initial endorsement as a school occupational therapist and have completed at least fifteen quarter hours (ten semester hours) of course work beyond the baccalaureate degree in occupational therapy, other health sciences, or education.

(4) School physical therapist.

(a) The candidate shall hold a baccalaureate degree in physical therapy from a college or university having an approved or accredited school of physical therapy or the candidate shall hold a baccalaureate degree and a certificate in physical therapy from an accredited school of physical therapy.

(i) The candidate shall hold a valid license as a physical therapist in Washington state.

(b) Continuing. The candidate shall have completed the requirements for an initial endorsement as a school physical therapist and have completed at least fifteen quarter hours (ten semester hours) of course work beyond the baccalaureate degree in physical therapy, other health sciences, or education.

(5) School psychologist.

(a) Initial.

The candidate shall have completed all requirements for the master's degree (except special projects or thesis) with a major or specialization in school psychology.

(b) Continuing. The candidate shall hold a master's degree with a major or specialization in school psychology.

(6) Reading resource specialist.

(a) Initial.

(i) The candidate shall have completed all requirements for the master's degree (except special projects or thesis) with a major or specialization in reading.

(ii) The candidate shall hold or have held a teaching certificate.

(b) Continuing. The candidate shall have completed the requirements for an initial certificate as a reading resource specialist and shall hold a master's degree with a major or specialization in reading.

(7) School nurse.

(a) Initial.

(i) The candidate shall hold a valid license as a registered nurse (RN) in Washington state.

(ii) The candidate shall hold a baccalaureate degree in nursing and have completed at least fifteen quarter hours (ten semester hours) of post baccalaureate upper division or graduate work in education, nursing, or other health sciences.

(b) Continuing. The candidate shall have completed the requirements for an initial endorsement as a school nurse and have completed at least an additional thirty quarter hours (twenty semester hours) of graduate work in education, nursing or other health sciences.

(8) School social worker.

(a) Initial.

The candidate shall have completed all requirements for a master's degree in social work except special projects or thesis.

(b) Continuing. The candidate shall hold a master's degree in social work.

[Statutory Authority: RCW 28A.410.010. 94-01-101, § 180-79-125, filed 12/16/93, effective 1/16/94. Statutory Authority: RCW 28A.70.005 and 28A.04.120(3). 89-01-042 (Order 27-88), § 180-79-125, filed 12/14/88. Statutory Authority: RCW 28A.70.005. 88-05-047 (Order 3-88), § 180-79-125, filed 2/17/88. Statutory Authority: RCW 28A.04.120(3) and 28A.70.005. 86-13-017 (Order 7-86), § 180-79-125, filed 6/10/86. Statutory Authority: RCW 28A.70.005. 81-12-025 (Order 7-81), § 180-79-125, filed 6/1/81. Statutory Authority: RCW 28A.04.120 (1), (2), and (3). 80-06-130 (Order 9-80), § 180-79-125, filed 6/2/80; 79-06-051 (Order 7-79), § 180-79-125, filed 5/22/79. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW. 78-09-097 (Order 13-78), § 180-79-125, filed 9/1/78; 78-06-070 (Order 6-78), § 180-79-125, filed 5/26/78.]

**WAC 180-79-126 Child abuse course work requirement for continuing certification—Educational staff associate.** Candidates who apply for a continuing educational staff associate certificate after August 31, 1994, must have successfully completed course work or an in-service program including a minimum of ten clock hours of instruction on issues of abuse as a condition for the issuance of a continuing certificate. The content of the course work or in-service program shall discuss the identification of physical, emotional, sexual, and substance abuse, information on the impact of abuse on the behavior and learning abilities of students, discussion of the responsibilities of a teacher to report abuse or provide assistance to students who are the victims of abuse, and methods for teaching students about abuse of all types and their prevention.

[Statutory Authority: RCW 28A.410.010. 94-01-101, § 180-79-126, filed 12/16/93, effective 1/16/94.]

**WAC 180-79-236 Instructional specialist certificate.** In order to provide opportunities for persons of unusual distinction or exceptional talent to teach in Washington, the state board of education establishes the instructional specialist certificate that shall be issued under the specific circumstances set forth below:

Instructional specialist certificate.

(1) Such certificates are issued upon application by the local school district or educational service district superintendents for a limited assignment and responsibility in a specified activity/field to persons:

(a) Who have unusual distinction or exceptional talent which is able to be demonstrated through public records of accomplishments and or awards;

(b) Whose records of accomplishments or awards are documented by the local school district or educational service district superintendent who has requested such a certificate;

(c) Who meets the age, good moral character, and personal fitness requirements of WAC 180-75-085 (1) and (2).

(2) Individuals who meet the following conditions may apply directly to the state board of education:

(a) They intend to teach in more than one school district on an occasional or part-time basis;

(b) They provide documentation that there is widespread recognition at the state and or national level of their unusual distinction or exceptional talent; and



(c) They meet the age, good moral character, and personal fitness requirements of WAC 180-75-085 (1) and (2).

(3) Such certification applications will be reviewed by the office of the superintendent of public instruction and approved by the state board of education before issuance of the certificate.

(4) The hiring school districts or educational service district superintendent will establish the following conditions for employment:

(a) The individual will be delegated primary responsibility for planning, conducting, and evaluating instructional activities with the direct assistance of a school district mentor and will not be serving in a paraprofessional role which would not require certification;

(b) Personnel so certificated will be oriented and prepared for the specific assignment by the employing district. A written plan of assistance will be developed, in cooperation with the person to be employed within twenty working days from the commencement of the assignment. In addition, prior to teaching the person will be apprised of any legal liability, the responsibilities of a professional educator, the lines of authority, and the duration of the assignment;

(c) Within the first sixty working days of employment, personnel so certificated will complete sixty clock hours (six quarter hours or four semester hours) of study in pedagogy and/or child/adolescent development appropriate to the assigned grade level(s) as approved by the employing school district.

(5) The certificate is valid for two years or less and only for the activity specified. The certificate may be reissued for two years and for two-year intervals thereafter only upon application to and approval by the state board of education. Such application shall include recommendations from all employing school districts, describing the extent to which the person was successful in his or her teaching assignment.

[Statutory Authority: RCW 28A.410.010. 93-05-007, § 180-79-236, filed 2/5/93, effective 3/8/93; 91-05-056, § 180-79-236, filed 2/15/91, effective 3/18/91.]

#### **WAC 180-79-245 Out-of-state candidates.**

Candidates for certification from other states shall be eligible for Washington certificates as follows:

(1) Initial certificate. The initial certificate shall be issued by the superintendent of public instruction to any candidate who meets one of the following:

(a) Qualifies under provisions of the interstate compact.

(b) Holds the appropriate degree and, if applicable, credit hours and/or licensing as set forth in this chapter and has completed a state approved preparation program at a regionally accredited college or university in the professional field for which the certificate is to be issued and such additional professional fields as required by WAC 180-79-049.

(c) Holds an appropriate degree from a regionally accredited college or university and also holds or has held an appropriate certificate issued by another state and has practiced at the P-12 level in that respective role outside the state of Washington for three years.

(d) Holds an appropriate degree from a regionally accredited college or university and has practiced three years as an educational staff associate in that role in a state where such certificate was not required.

(2) Continuing certificate. The continuing certificate shall be issued on verification that the candidate has met all requirements for initial and continuing certification in the state of Washington.

[Statutory Authority: RCW 28A.410.010. 94-01-101, § 180-79-245, filed 12/16/93, effective 1/16/94. Statutory Authority: RCW 28A.04.120 and 28A.70.005. 90-12-075, § 180-79-245, filed 6/1/90, effective 7/2/90. Statutory Authority: RCW 28A.70.005. 88-05-047 (Order 3-88), § 180-79-245, filed 2/17/88; 81-12-025 (Order 7-81), § 180-79-245, filed 6/1/81. Statutory Authority: RCW 28A.04.120 (1), (2), and (3). 80-06-130 (Order 9-80), § 180-79-245, filed 6/2/80; 79-06-051 (Order 7-79), § 180-79-245, filed 5/22/79. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW. 78-06-070 (Order 6-78), § 180-79-245, filed 5/26/78.]

**WAC 180-79-247 Establishing equivalency for course work, degrees and programs completed in countries outside the United States.** Certification candidates who have completed degree and/or approved professional preparation programs in a country other than the United States may be required to submit:

(1) A statement of degree equivalency for the appropriate degree from a foreign credentials' evaluation agency approved by the office of the superintendent of public instruction.

(2) A statement from an official of the college or university where the certification program was completed, indicating completion of the program and approval of the program by the agency governing certification in that country.

[Statutory Authority: RCW 28A.410.010. 94-01-101, § 180-79-247, filed 12/16/93, effective 1/16/94.]

**WAC 180-79-303 Endorsement by examination.** In lieu of completing the required number of credit hours and the essential areas of study, or any portion of such requirements, individuals may add endorsements to an initial or continuing teaching certificate by examination in one of the following ways:

(1) An individual may add an endorsement to a teaching certificate by obtaining a score of not less than one-half standard deviation below the mean on a graduate record examination in the subject matter area for which endorsement is sought.

(2) Washington colleges and universities with an approved preparation program for teachers may waive all or any portion of the requirement for a particular endorsement and recommend the candidate to the superintendent of public instruction for the particular endorsement if the following conditions are met:

(a) The candidate is required to demonstrate subject matter competency for all or a portion of the requirement waived through passage of one or more written examinations.

(b) In the case of waiver of an essential area of study, a faculty member regularly responsible for teaching a course which covers that essential area of study must attest to the fact that the proposed examination is of sufficient scope and

depth to evaluate the candidate's knowledge of the essential area of study.

[Statutory Authority: RCW 28A.410.010. 94-01-101, § 180-79-303, filed 12/16/93, effective 1/16/94. Statutory Authority: RCW 28A.70.005 and 28A.04.120(3). 89-01-042 (Order 27-88), § 180-79-303, filed 12/14/88.]

### Chapter 180-85 WAC

#### PROFESSIONAL CERTIFICATION—CONTINUING EDUCATION REQUIREMENT

##### WAC

180-85-025 Continuing education—Definition.

##### WAC 180-85-025 Continuing education—Definition.

As used in this chapter, the term "continuing education" shall mean:

(1) All college and/or university credit awarded by a regionally accredited institution of higher education, pursuant to WAC 180-78-010(6).

(2) All continuing education credit hours awarded by a vocational-technical institute pursuant to WAC 180-85-030(3) and 180-85-083 and all continuing education credit hours awarded in conformance with the in-service education procedures and standards specified in this chapter by an approved in-service education agency.

[Statutory Authority: RCW 28A.410.010. 94-01-104, § 180-85-025, filed 12/16/93, effective 1/16/94. Statutory Authority: RCW 28A.70.005. 89-01-043 (Order 28-88), § 180-85-025, filed 12/14/88; 86-13-018 (Order 8-86), § 180-85-025, filed 6/10/86.]

### Chapter 180-87 WAC

#### PROFESSIONAL CERTIFICATION—ACTS OF UNPROFESSIONAL CONDUCT

##### WAC

180-87-001 Repealed.

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

180-87-001 Sunset provision. [Statutory Authority: RCW 28A.70.005. 90-02-075, § 180-87-001, filed 1/2/90, effective 2/2/90.] Repealed by 93-20-068, filed 10/1/93, effective 11/1/93. Statutory Authority: RCW 28A.410.010.

**WAC 180-87-001 Repealed.** See Disposition Table at beginning of this chapter.

## Title 182 WAC

### HEALTH CARE AUTHORITY

#### Chapters

182-08 Procedures.

### Chapter 182-08 WAC PROCEDURES

#### WAC

182-08-160	Group coverage when not in pay status.
182-08-175	Group coverage while on family and medical leave.
182-08-190	Employer contribution to the public employees health insurance account.

**WAC 182-08-160 Group coverage when not in pay status.** An employee who is temporarily not in pay status may retain state group coverages, except long term disability, by self-payment of premium during any authorized leave without pay, during a layoff because of a reduction in force, or while receiving time loss benefits under worker's compensation, subject to a maximum period of twenty-nine months. Provided, that with respect to medical and dental coverages, this twenty-nine month period shall be reduced by the number of months of self-pay allowed under COBRA and the number of employer-paid months allowed under family and medical leave. Provided further, that part-time faculty may self-pay their life, medical and dental coverages between periods of employer paid coverage for a maximum of eighteen months. Medical only or medical and dental coverage may be self-paid but not dental only coverage. An employee may retain long term disability coverage by self-payment of premium up to twenty-four months during an authorized leave without pay, but only if such leave is an approved educational leave. An eligible employee will retain up to twelve weeks of employer paid medical, dental, basic life and basic long-term disability coverage during approved family and medical leave and may self-pay their optional life and long-term disability. With the exception of approved family leave, employees not in pay status are ineligible to receive credit for the employer premium contribution.

[Statutory Authority: Chapter 41.05 RCW. 93-23-065, § 182-08-160, filed 11/16/93, effective 12/17/93; 86-16-061 (Resolution No. 86-3), § 182-08-160, filed 8/5/86; 83-22-042 (Resolution No. 6-83), § 182-08-160, filed 10/28/83; 80-01-082 (Order 5-79), § 182-08-160, filed 12/27/79; 78-03-021 (Order 3-78), § 182-08-160, filed 2/14/78; Order 7228, § 182-08-160, filed 12/8/76.]

**WAC 182-08-175 Group coverage while on family and medical leave.** Employees on leave under the federal Family and Medical Leave Act of 1993, and regulations implementing that act, shall continue to receive up to twelve weeks of employer-paid group medical, dental, basic life, and basic long-term disability insurance while on family and medical leave. If an employee fails to return to work after expiration of family and medical leave for a reason other than the continuation, recurrence, or onset of a serious health condition or other circumstance beyond the control of the employee, the employer may recover the premiums paid to maintain the employee's insurance coverage from the employee.

[Statutory Authority: Chapter 41.05 RCW. 93-23-065, § 182-08-175, filed 11/16/93, effective 12/17/93.]

**WAC 182-08-190 Employer contribution to the public employees health insurance account.** An employer contribution in the amount established by the board shall be made to the public employees health insurance account for