

Title 180 WAC

EDUCATION, BOARD OF

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DISPOSITION OF CHAPTERS FORMERLY CODIFIED IN THIS TITLE

Chapter 180-28 SCHOOL PLANT FACILITIES

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 Repealed by Order 9-77, filed 7/18/77.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 Repealed by Order 9-77, filed 7/18/77.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 Repealed by Order 9-77, filed 7/18/77.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 Repealed by Order 9-77, filed 7/18/77.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 Repealed by Order 9-77, filed 7/18/77.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 Repealed by Order 9-77, filed 7/18/77.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

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| | Section II B, filed 3/24/60.] Repealed by Order 9-77, filed 7/18/77. | 180-28-135 | Determination of amount of state assistance—Area designations—Grades K through 12. [Order 2-68, § 180-28-135, filed 1/8/68; Emergency Order 1-68, filed 1/5/68; SBE 28-4-1370, filed 12/12/66, effective 1/12/67; SBE 28-4-1370, filed 5/3/66, effective 6/3/66; Rules (part), filed 1/16/63; Rules (part), filed 4/2/62; SBA Rules, Section IV E, IV E(1), filed 3/24/60.] Repealed by Order 9-77, filed 7/18/77. |
| 180-28-050 | Eligibility for state assistance—Effect upon racial imbalance. [Order 4-68, § 180-28-050, filed 2/14/68; Order 1-67, § 180-28-050, filed 12/7/67.] Repealed by Order 9-77, filed 7/18/77. | | |
| 180-28-055 | General regulations—Architects. [SBE 28-4-1201, filed 6/20/67, effective 7/21/67; SBE 28-4-1200 [(1)] and SBE 28-4-1201 [(2)], filed 1/16/63; SBA Rules, Section III A, filed 3/24/60.] Repealed by Order 9-77, filed 7/18/77. | 180-28-140 | Determination of amount of state assistance—Junior high schools and high schools. [Rule, filed 5/26/65, SBE 28-4-1371; Rules (part), filed as Emergency Rules 7/24/63, effective as Permanent Rules 10/19/63; Emergency Rules (part), filed 7/11/63; Rules (part), filed 1/16/63.] Repealed by Rule, filed 12/12/66, effective 1/12/67. |
| 180-28-060 | General regulations—Site approval and sizes. [SBE 28-4-1210 and 28-4-1211, filed 1/16/63; SBA Rules, Section III B 1 and B 2, filed 3/24/60.] Repealed by Order 9-77, filed 7/18/77. | 180-28-145 | Determination of amount of state assistance—Community colleges. [SBE 28-4-1372, filed as Emergency Rule 7/24/63, effective as Permanent Rule 10/19/63; Emergency Rules (part), filed 7/11/63; Rules (part), filed 1/16/63; 4/2/62; Emergency Rules (part), filed 2/12/62, effective 2/13/62.] Repealed by Order 9-77, filed 7/18/77. |
| 180-28-065 | General regulations—Fee simple title. [SBE 28-4-1212, filed 1/16/63; SBA Rules, Section III B 3, filed 3/24/60.] Repealed by Order 9-77, filed 7/18/77. | | |
| 180-28-070 | General regulations—Replacement of old buildings. [SBE 28-4-122, filed 1/16/63; SBA Rules, Section III C, filed 3/24/60.] Repealed by Order 9-77, filed 7/18/77. | 180-28-150 | Determination of amount of state assistance—Physical education facilities. [SBE 28-4-138, filed 12/12/66, effective 1/12/67; filed as Emergency Rule 7/24/63, effective as Permanent Rule 10/19/63; SBE 28-4-138; Emergency Rules (part), filed 7/11/63; Rules (part), filed 1/16/63; SBA Rules, Section IV F, filed 3/24/60.] Repealed by Order, filed 10/13/67, effective 11/13/67. |
| 180-28-075 | General regulations—Federal funds. [SBE 28-4-123, filed 1/16/63; SBA Rules, filed 6/8/61 and 8/20/62.] Repealed by Order 9-77, filed 7/18/77. | 180-28-160 | Areas, facilities and items to be financed entirely with school district local funds. [Order, filed 6/20/67, effective 7/21/67; SBE 28-4-14, filed 5/3/66, effective 6/3/66; Rules (part), filed 1/16/63; Rules (part), filed 8/20/62; SBA Rules, Section V, filed 3/24/60.] Repealed by Order 9-77, filed 7/18/77. |
| 180-28-080 | General regulations—Time limit for advancement of projects. [SBE 28-4-124, filed 6/20/67, effective 7/21/67; filed as Emergency Rule 9/19/63, effective as Permanent Rule 10/19/63, SBE 28-4-124; Rules (part), filed 1/16/63 and 8/20/62.] Repealed by Order 9-77, filed 7/18/77. | 180-28-165 | Regulations pursuant to RCW 28.47.734(4). [SBE 28-4-131, filed as Emergency Rule 9/19/63, effective as Permanent Rule 10/19/63.] Repealed by Order 9-77, filed 7/18/77. |
| 180-28-085 | General regulations—Change in project scope. [SBE 28-4-125, filed 12/12/66, effective 1/12/67; SBE 28-4-125, filed 1/16/63; Rule filed 8/20/62.] Repealed by Order 9-77, filed 7/18/77. | 180-28-166 | Regulations pursuant to RCW 28.47.734(4)—Sudden and excessive past increase in school population. [Order 2-68, § 180-28-166, filed 1/8/68; Emergency Order 1-68, filed 1/5/68; Order filed 6/20/67, effective 7/21/67; SBE 28-4-1310, filed as Emergency Rule 9/19/63, effective as Permanent Rule, filed 10/19/63.] Repealed by Order 9-77, filed 7/18/77. |
| 180-28-090 | General regulations—Change orders. [SBE 28-4-126, filed 1/16/63; Rules filed 8/20/62; and SBA Rules, Section III E, filed 3/24/60.] Repealed by Order 9-77, filed 7/18/77. | 180-28-167 | Out-of-district, state-resident students. [SBE 28-4-1311(2), filed 12/12/66, effective 1/12/67; SBE 28-4-1311, filed as Emergency Rule 9/19/63, effective as Permanent Rule 10/19/63; Subsection (3) formerly SBE 28-4-136, filed 1/16/63, 4/2/62; Emergency Rules (part), filed 2/12/62, effective 2/13/62.] Repealed by Order 9-77, filed 7/18/77. |
| 180-28-100 | Determination of amount of state assistance—Percentage of state assistance. [SBE 28-4-130, filed as Emergency Rule 7/24/63, effective as Permanent Rule 10/19/63; Emergency Rules (part) filed 7/11/63; Rules (part), filed 1/16/63; SBA Rules, Section IV A, filed 3/24/60.] Repealed by Order 9-77, filed 7/18/77. | 180-28-168 | Out-of-district, state-resident students—Additional allotment to meet school housing emergency—General provisions. [Order 2-68, § 180-28-168, filed 1/8/68; SBE 28-4-132, Emergency Order 1-68, filed 1/5/68; SBE 28-4-132, filed 4/25/67, effective 5/26/67; SBE 28-4-132, repealed and readopted as Emergency, filed 2/23/67; SBE 28-4-132, filed as Emergency Rule 9/19/63, effective as Permanent Rule 10/19/63. Prior history, see disposition of WAC 180-28-175 through 180-28-265.] Repealed by Order 9-77, filed 7/18/77. |
| 180-28-101 | Determination of amount of state assistance—Educational unit basis. [Order 2-68, § 180-28-101, filed 1/8/68; Emergency Order 1-68, filed 1/5/68; Order filed 6/20/67, effective 7/21/67; SBE 28-4-1300, filed 12/13/65; Rules (part), filed as Emergency 9/19/63, effective as Permanent Rule 10/19/63.] Repealed by Order 9-77, filed 7/18/77. | 180-28-169 | Out-of-district, state-resident students—Eligibility requirements for additional allotment of state funds. [Order 2-68, § 180-28-169, filed 1/8/68; Emergency Order 1-68, filed 1/5/68; SBE 28-4-1321, filed 10/13/67, effective 11/13/67; SBE 28-4-1321, filed 4/25/67, effective 5/26/67; Emergency Order SBE 28-4-1321, filed 2/23/67; SBE 28-4-132 (part), filed as Emergency Rule 9/19/63, effective as Permanent Rule 10/19/63, SBE 28-4-132. Prior history, see disposition of WAC 180-28-175 through 180-28-265.] Repealed by Order 9-77, filed 7/18/77. |
| 180-28-105 | Determination of amount of state assistance—Insurance funds. [SBE 28-4-110, filed 1/16/63; SBE 28-4-131 until Order filed as Emergency Order 9/19/63, effective as Permanent Order 10/19/63; Rules (part), filed 8/20/62.] Repealed by Order 9-77, filed 7/18/77. | | |
| 180-28-110 | Determination of amount of state assistance—Loss of a building by fire. [SBE 28-4-132, filed 1/16/63; SBE 28-4-132 until order filed as Emergency Order 9/19/63, effective as Permanent Order 10/19/63; Rules (part), filed 6/8/61.] Repealed by Order 9-77, filed 7/18/77. | 180-28-170 | Out-of-district, state-resident students—Determination of amount of additional allotment. [Order 2-68, § 180-28-170, filed 1/8/68; Emergency Order 1-68, § 180-28-170, SBE 28-4-1322, filed 1/5/68; SBE 28-4-1322, filed 4/25/67, effective 5/26/67; Emergency Order, SBE 28-4- |
| 180-28-115 | Determination of amount of state assistance—Condemnation of a building. [SBE 28-4-133, filed 1/16/63; SBE 28-4-133 until order filed as Emergency Order 9/19/63, effective as Permanent Order 10/19/63; Rules (part), filed 6/8/61.] Repealed by Order 9-77, filed 7/18/77. | | |
| 180-28-120 | Determination of amount of state assistance—Expenditures for items financed entirely with school district local funds. [SBE 28-4-134, filed 1/16/63; SBA Rules, Section IV C, filed 3/24/60.] Repealed by Order 9-77, filed 7/18/77. | | |
| 180-28-125 | Determination of amount of state assistance—Cost ceiling. [(1) and (2) Emergency Rule, filed 7/27/66; (1) and (2) Permanent Rule, filed 7/27/66, effective 8/26/66; SBE 28-4-135, filed 1/16/63; filed 4/2/62; SBA Rules, Section IV D, filed 3/24/60.] Repealed by Order 9-77, filed 7/18/77. | | |
| 180-28-130 | Determination of amount of state assistance—Community colleges. [SBE 28-4-136, filed 1/16/63; Rules, filed 4/2/62.] Decodified as amended, now codified in WAC 180-28-167. | | |

- 1322, filed 2/23/67.] Repealed by Order 9-77, filed 7/18/77.
- 180-28-171 Out-of-district, state-resident students—Effect of additional allotment on future allotments. [Order 2-68, § 180-28-171, filed 1/8/68; Emergency Order 1-68, § 180-28-171, filed 1/5/68; SBE 28-4-1323, filed 4/25/67, effective 5/26/67; Emergency Order, SBE 28-4-1323, filed 2/23/67.] Repealed by Order 9-77, filed 7/18/77.
- 180-28-175 Excess requirements. [SBE 28-4-2, filed 1/16/63.] Repealed by order effective as Emergency Order 9/19/63.
- 180-28-180 Excess requirements—Applicability of general regulations. [SBE 28-4-20, filed 1/16/63; SBA Rules, Section VI A, filed 3/24/60.] Repealed by order effective as Emergency Order 9/19/63.
- 180-28-185 Additional need and fiscal requirements—Additional requirements—General. [SBE 28-4-21, filed 1/16/63; SBA Rules, Section VI C (part), filed 3/24/60.] Repealed by order effective as Emergency Order 9/19/63.
- 180-28-190 Additional need and fiscal requirements—Emergency need for school facilities a basis for eligibility. [SBE 28-4-210, filed 1/16/63; SBA Rules, Section VI C 1, filed 3/24/60.] Repealed by order effective as Emergency Order 9/19/63.
- 180-28-195 Additional need and fiscal requirements—School district effort to provide capital funds a basis for eligibility. [SBE 28-4-211, filed 1/16/63; SBA Rules, Section VI C 2, filed 3/24/60.] Repealed by order effective as Emergency Order 9/19/63.
- 180-28-200 Additional need and fiscal requirements—Fiscal and enrollment requirements a qualification for continued eligibility. [SBE 28-4-212, filed 1/16/63; Rules, filed 6/8/61; SBA Rules, Section VI C 3, filed 3/24/60.] Repealed by order effective as Emergency Order 9/19/63.
- 180-28-210 Determination of amount of state assistance—Percentage of state assistance. [SBE 28-4-220, filed 1/16/63; SBA Rules, Section IV A, filed 3/24/60.] Repealed by order effective as Emergency Order 9/19/63.
- 180-28-215 Determination of amount of state assistance—Allowance for equipment and furnishings. [SBE 28-4-221, filed 1/16/63; Rules, filed 6/8/61; SBA Rules, Section VI D 2, filed 3/24/60.] Repealed by order effective as Emergency Order 9/19/63.
- 180-28-220 Determination of amount of state assistance—Design within square foot cost ceiling. [SBE 28-4-222, filed 1/16/63; Rules, filed 6/8/61.] Repealed by order effective as Emergency Order 9/19/63.
- 180-28-225 Determination of amount of state assistance—Area limitations. [SBE 28-4-223, filed 1/16/63; SBA Rules, Section V D 4, filed 3/24/60.] Repealed by order effective as Emergency Order 9/19/63.
- 180-28-230 Determination of amount of state assistance—Physical education facilities. [SBE 28-4-224, filed 1/16/63; SBA Rules, Section VI D 3, filed 3/24/60.] Repealed by order effective as Emergency Order 9/19/63.
- 180-28-235 Areas, facilities and items to be financed entirely with school district local funds. [SBE 28-4-23, filed 1/16/63; SBA Rules, Section VI B, filed 3/24/60.] Repealed by order effective as Emergency Order 9/19/63.
- 180-28-245 School district local fund expenditures—Architects fees. [SBE 28-4-240, filed 1/16/63; SBA Rules, Section VI D 5, filed 3/24/60.] Repealed by order effective as Emergency Order 9/19/63.
- 180-28-250 School district local fund expenditures—Prior commitments. [SBE 28-4-241, filed 1/16/63; SBA Rules, Section VI E 1, filed 3/24/60.] Repealed by order effective as Emergency Order 9/19/63.
- 180-28-255 School district local fund expenditures—Use of school district capital funds. [SBE 28-4-242, filed 1/16/63; SBA Rules, Section VI E 2, filed 3/24/60.] Repealed by order effective as Emergency Order 9/19/63.
- 180-28-260 School district local fund expenditures—Sites. [SBE 28-4-243, filed 1/16/63; Rules, filed 8/20/62; SBA Rules, Section VI E 3, filed 3/24/60.] Repealed by order effective as Emergency Order 9/19/63.
- 180-28-265 School district local fund expenditures—Additional and/or other costs. [SBE 28-4-244, filed 1/16/63; SBA Rules, Section VI E 4, filed 3/24/60.] Repealed by order effective as Emergency Order 9/19/63.
- 180-28-275 Advancement of projects pending availability of funds. [SBE 28-4-601, filed 6/20/67, effective 7/21/67; SBE 28-4-601, filed 2/1/66, effective 3/3/66; SBE 28-4-602, filed 7/11/63, effective 8/12/63, filed as Emergency Rule 5/6/63.] Repealed by Order 9-77, filed 7/18/77.
- 180-28-280 Under the \$46,611,550 appropriation provided by chapters 4 and 26, Laws of 1963 ex. sess. [Filed 7/11/63, effective 8/12/63.] Repealed by Order, filed 2/1/66, effective 3/3/66.
- 180-28-300 General regulations. [SBE 28-4-60, filed 1/16/63; SBA Rules, Section I A, filed 3/24/60.] Repealed by Order 9-77, filed 7/18/77.
- 180-28-305 Application regulations and procedures—Scope. [SBE 28-4-61 (part), filed 1/16/63.] Repealed by Order 9-77, filed 7/18/77.
- 180-28-310 Application regulations and procedures—Part one—Notification and study. [Order 4-68, § 180-28-310, filed 2/14/68; Order 1-67, § 180-28-310, filed 12/7/67; SBE 28-4-61 (part), filed 1/16/63; SBA Rules, Section I B 1, filed 3/24/60.] Repealed by Order 9-77, filed 7/18/77.
- 180-28-315 Application regulations and procedures—Part two—Filing of application and preliminary data. [SBE 28-4-61 (part), filed 1/16/63; SBA Rules, Section I B 2, filed 3/24/60.] Repealed by Order 9-77, filed 7/18/77.
- 180-28-320 Application regulations and procedures—Part three—Filing of preliminary plan and specifications. [Order 4-68, § 180-28-320, filed 2/14/68; SBE 28-4-61(2), filed 12/12/66, effective 1/12/67; SBE 28-4-61 (part), filed 1/16/63; Rules, filed 6/8/61; SBA Rules Section I B 3 and B 4, filed 3/24/60.] Repealed by Order 9-77, filed 7/18/77.
- 180-28-325 Approval of project, preliminary allotment of funds, final plan and specifications and construction bids—Project approval, allotment, authorization. [SBE 28-4-620, filed 1/16/63; Rules filed 6/8/61 (part); SBA Rules Section I B 5, filed 3/24/60.] Repealed by Order 9-77, filed 7/18/77.
- 180-28-330 Approval of project, preliminary allotment of funds, final plan and specifications and construction bids—Final plan and specifications, bid and contract provisions. [SBE 28-4-621, filed 1/16/63.] Repealed by Order 9-77, filed 7/18/77.
- 180-28-335 Approval of project, preliminary allotment of funds, final plan and specifications and construction bids—Separate bids on projects in excess of \$100,000. [SBE 28-4-6210, filed 12/12/66, effective 1/12/67; SBE 28-4-6210, filed 1/16/63; SBA Rules, Section III H, filed 3/24/60.] Repealed by Order 9-77, filed 7/18/77.
- 180-28-340 Approval of project, preliminary allotment of funds, final plan and specifications and construction bids—Alternate bids or cost breakdown on items to be financed from school district local funds. [SBE 28-4-6211, filed 1/16/63; SBA Rules, Section III I, filed 3/24/60.] Repealed by Order 9-77, filed 7/18/77.
- 180-28-345 Approval of project, preliminary allotment of funds, final plan and specifications and construction bids—Cash allowance. [SBE 28-4-6212, filed 1/16/63; Rules filed 6/8/61.] Repealed by Order 9-77, filed 7/18/77.
- 180-28-350 Approval of project, preliminary allotment of funds, final plan and specifications and construction bids—Fire insurance coverage on structure under contract. [SBE 28-4-6213, filed 1/16/63.] Repealed by Order 9-77, filed 7/18/77.
- 180-28-355 Approval of project, preliminary allotment of funds, final plan and specifications and construction bids—Bidders' guarantee requirements. [SBE 28-4-6214, filed 1/16/63; SBA Rules, Section III F, filed 3/24/60.] Repealed by Order 9-77, filed 7/18/77.
- 180-28-360 Approval of project, preliminary allotment of funds, final plan and specifications and construction bids—State fire marshal and state director of health approval of final plan and specifications. [SBE 28-4-6215, filed 1/16/63; Typographical error corrected by filing of 2/2/63; Rules filed 6/8/61; SBA Rules, Section III D, filed 3/24/60.] Repealed by Order 9-77, filed 7/18/77.

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| <p>180-28-365 Approval of project, preliminary allotment of funds, final plan and specifications and construction bids—Approval of final plan and specifications. [SBE 28-4-6220, filed 12/12/66, effective 1/12/67; SBE 28-4-6220, filed 1/16/63; Rules filed 6/8/61; SBA Rules, Section I B 7, filed 3/24/60.] Repealed by Order 9-77, filed 7/18/77.</p> <p>180-28-370 Approval of project, preliminary allotment of funds, final plan and specifications and construction bids—Bid specifications. [SBE 28-4-6221, filed 1/16/63.] Repealed by Order 9-77, filed 7/18/77.</p> <p>180-28-375 Approval of project, preliminary allotment of funds, final plan and specifications and construction bids—Advertisement for bids. [SBE 28-4-6222, filed 12/12/66, effective 1/12/67; SBE 28-4-6222, filed 1/16/63.] Repealed by Order 9-77, filed 7/18/77.</p> <p>180-28-380 Approval of project, preliminary allotment of funds, final plan and specifications and construction bids—Bid data and document requirements following bid opening. [SBE 28-4-623, filed 1/16/63; SBA Rules, Section I B 9, filed 3/24/60.] Repealed by Order 9-77, filed 7/18/77.</p> <p>180-28-390 Approval of project, preliminary allotment of funds, final plan and specifications and construction bids—Authorization required for contract award. [SBE 28-4-630, filed 1/16/63; SBA Rules, Sections I B 10 and 11, filed 3/24/60.] Repealed by Order 9-77, filed 7/18/77.</p> <p>180-28-395 Approval of project, preliminary allotment of funds, final plan and specifications and construction bids—Negotiation of school building contracts. [SBE 28-4-631, filed 1/16/63.] Repealed by Order 9-77, filed 7/18/77.</p> <p>180-28-400 Approval of project, preliminary allotment of funds, final plan and specifications and construction bids—Award of contract or contracts. [SBE 28-4-632, filed 1/16/63; SBA Rules, Section I B 11, filed 3/24/60.] Repealed by Order 9-77, filed 7/18/77.</p> <p>180-28-405 Approval of project, preliminary allotment of funds, final plan and specifications and construction bids—Final allotment of state funds. [SBE 28-4-633, filed 1/16/63; SBA Rules, Section I B 10, filed 3/24/60.] Repealed by Order 9-77, filed 7/18/77.</p> <p>180-28-450 General regulations—State superintendent to administer funds. [SBE 28-4-700, filed 1/16/63.] Repealed by Order 9-77, filed 7/18/77.</p> <p>180-28-455 General regulations—Payments on basis of work progress. [SBE 28-4-701, filed 1/16/63; Payment of Funds Rules, Section III (part), filed 3/24/60.] Repealed by Order 9-77, filed 7/18/77.</p> <p>180-28-460 General regulations—State warrants—Payable to and delivery. [SBE 28-4-702, filed 1/16/63; Payment of Funds Rules, Section V, filed 3/24/60.] Repealed by Order 9-77, filed 7/18/77.</p> <p>180-28-465 General regulations—Retainage on contract payments. [SBE 28-4-703, filed as Emergency Rule 7/24/63, effective as Permanent Rule 10/19/63; Emergency Rules (part), filed 7/11/63; Rules (part), filed 1/16/63; Payment of Funds Rules, Section III 2, filed 3/24/60.] Repealed by Order 9-77, filed 7/18/77.</p> <p>180-28-470 General regulations—Payments from school district local funds. [SBE 28-4-704, filed 1/16/63; Payment of Funds Rules, Section I (part), filed 3/24/60.] Repealed by Order 9-77, filed 7/18/77.</p> <p>180-28-475 General regulations—Payments from state funds. [SBE 28-4-705, filed 1/16/63; Payment of Funds Rules, Section I (part), filed 3/24/60.] Repealed by Order 9-77, filed 7/18/77.</p> <p>180-28-490 Payments from school district local funds—Disbursement regulations and procedures. [SBE 28-4-7100, filed 1/16/63; Payment of Funds Rules, Section II 1(a), filed 3/24/60.] Repealed by Order 9-77, filed 7/18/77.</p> <p>180-28-495 Payments from school district local funds—Notification to state superintendent of school district payments. [SBE 28-4-7101, filed 1/16/63; Payment of Funds Rules, Section II (part), filed 3/24/60.] Repealed by Order 9-77, filed 7/18/77.</p> <p>180-28-500 Payments from school district local funds—Certification of total disbursements. [SBE 28-4-7102, filed 1/16/63;</p> | <p>180-28-505 Payment of Funds Rules, Section II 3, filed 3/24/60.] Repealed by Order 9-77, filed 7/18/77.</p> <p>180-28-510 Payments from school district local funds—Progress payments from state funds. [SBE 28-4-711, filed 1/16/63.] Repealed by Order 9-77, filed 7/18/77.</p> <p>180-28-515 Payments from school district local funds—School district responsibility to submit vouchers. [SBE 28-4-7110, filed 1/16/63; Payment of Funds Rules, Section III (part), filed 3/24/60.] Repealed by Order 9-77, filed 7/18/77.</p> <p>180-28-520 Payments from school district local funds—Payments to contractors—Supporting data. [SBE 28-4-7111, filed 1/16/63; Payment of Funds Rules, Section III (part), filed 3/24/60.] Repealed by Order 9-77, filed 7/18/77.</p> <p>180-28-525 Payments from school district local funds—Payments to architects. [SBE 28-4-7112, filed 1/16/63; Payment of Funds Rules, Section III (part), filed 3/24/60.] Repealed by Order 9-77, filed 7/18/77.</p> <p>180-28-530 Payments from school district local funds—Final payments on contracts. [SBE 28-4-712, filed 1/16/63; Payment of Funds Rules, Section IV (part), filed 3/24/60.] Repealed by Order 9-77, filed 7/18/77.</p> <p>180-28-535 Payments from school district local funds—Acceptance of building, improvement or work as completed. [SBE 28-4-7120, filed 1/16/63; Payment of Funds Rules, Section IV (part), filed 3/24/60.] Repealed by Order 9-77, filed 7/18/77.</p> <p>180-28-550 Payments from school district local funds—Documents required for final payment. [SBE 28-4-7121, filed 1/16/63; Payment of Funds Rules, Section IV (part), filed 3/24/60.] Repealed by Order 9-77, filed 7/18/77.</p> <p>180-28-600 Certification by state tax commission and state department of labor and industries of payment of taxes. [SBE 28-4-72, filed 1/16/63; Payment of Funds Rules, Section IV (part), filed 3/24/60.] Repealed by Order 9-77, filed 7/18/77.</p> <p>180-28-650 Nonhigh school district participation in financing cost of high school facilities—Basic policy. [SBE 28-8-100, filed 1/16/63; Rules, filed 3/24/60.] Repealed by Order 9-77, filed 7/18/77.</p> <p>180-28-700 Federal grants to school districts for school building construction under provisions of Public Law 815—Policies and principles—Certification by state educational agency respecting allotment of federal funds for school building construction. [SBE 28-12-100, filed 1/16/63; Rules (part), filed 6/27/61.] Repealed by Order 9-77, filed 7/18/77.</p> <p>180-28-800 Area designations for elementary school buildings—Table. [Chart, filed 3/24/60.] Repealed by Order, filed 5/3/66.</p> <p>180-28-805 Portable buildings and portable classrooms—Statutory authority. [SBE 28-4-3, 28-4-30, filed 10/13/67, effective 11/13/67.] Repealed by Order 9-77, filed 7/18/77.</p> <p>180-28-810 Portable buildings and portable classrooms—Definitions. [SBE 28-4-31, filed 10/13/67, effective 11/13/67.] Repealed by Order 9-77, filed 7/18/77.</p> <p>180-28-815 Portable buildings and portable classrooms—Basic policy. [SBE 28-4-32, filed 10/13/67, effective 11/13/67.] Repealed by Order 9-77, filed 7/18/77.</p> <p>180-28-820 Portable buildings and portable classrooms—Construction regulations—Building code requirements. [SBE 28-4-34, 28-4-341, filed 10/13/67, effective 11/13/67.] Repealed by Order 9-77, filed 7/18/77.</p> <p>180-28-825 Portable buildings and portable classrooms—Provisions for the aging and physically handicapped persons. [SBE 28-4-342, filed 10/13/67, effective 11/13/67.] Repealed by Order 9-77, filed 7/18/77.</p> <p>180-28-830 Portable buildings and portable classrooms—Requirements established by state director of health. [SBE 28-4-343, filed 10/13/67, effective 11/13/67.] Repealed by Order 9-77, filed 7/18/77.</p> <p>180-28-835 Area designations—Portable buildings. [SBE 28-4-35, 28-4-351, filed 10/13/67, effective 11/13/67.] Repealed by Order 9-77, filed 7/18/77.</p> <p>180-28-840 Area designations—Portable classrooms. [SBE 28-4-352, filed 10/13/67, effective 11/13/67.] Repealed by Order 9-77, filed 7/18/77.</p> <p>180-28-845 Final plan and specifications for portable building or portable classroom. [SBE 28-4-36, filed 10/13/67,</p> |
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- effective 11/13/67.] Repealed by Order 9-77, filed 7/18/77.
- 180-28-845 Basic state assistance program regulations governing. [SBE 28-4-37, filed 10/13/67, effective 11/13/67.] Repealed by Order 9-77, filed 7/18/77.
- 180-28-850 Procedural requirements. [SBE 28-4-38, filed 10/13/67, effective 11/13/67.] Repealed by Order 9-77, filed 7/18/77.
- 180-28-855 Modernization of school plant facilities—Statutory authority. [SBE 28-4-4, 28-4-40, filed 10/13/67, effective 11/13/67.] Repealed by Order 9-77, filed 7/18/77.
- 180-28-860 Modernization of school plant facilities—Basic policies. [SBE 28-4-41, filed 10/13/67, effective 11/13/67.] Repealed by Order 9-77, filed 7/18/77.
- 180-28-865 Modernization of school plant facilities—State assistance limitations—Minimum projects—Twenty-five percent of replacement cost. [SBE 28-4-42, 28-4-421, filed 10/13/67, effective 11/13/67.] Repealed by Order 9-77, filed 7/18/77.
- 180-28-870 Modernization of school plant facilities—Maximum costs eligible for state matching—Fifty percent of replacement cost. [SBE 28-4-422, filed 10/13/67, effective 11/13/67.] Repealed by Order 9-77, filed 7/18/77.
- 180-28-875 Modernization of school plant facilities—Architectural and engineering service fees. [SBE 28-4-423, filed 10/13/67, effective 11/13/67.] Repealed by Order 9-77, filed 7/18/77.
- 180-28-880 Modernization of school plant facilities—Survey of existing facilities a prerequisite. [SBE 28-4-44, filed 10/13/67, effective 11/13/67.] Repealed by Order 9-77, filed 7/18/77.
- 180-28-885 Modernization of school plant facilities—Basic state assistance program regulations governing. [SBE 28-4-46, filed 10/13/67, effective 11/13/67.] Repealed by Order 9-77, filed 7/18/77.
- 180-28-900 Modernization of school plant facilities—Procedural requirements. [SBE 28-4-47, filed 10/13/67, effective 11/13/67.] Repealed by Order 9-77, filed 7/18/77.
- 180-28-950 Pilot or exemplary projects. [Order 4-69, § 180-28-950, filed 6/27/69.] Repealed by Order 9-77, filed 7/18/77.

Chapter 180-42

STUDENT TRANSFERS WITHIN THE COMMON SCHOOLS

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

Chapter 180-48

INSTRUCTIONAL MATERIALS

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

Chapter 180-54

JUNIOR HIGH SCHOOL EDUCATION

- 180-54-005 through 180-54-008. [SBE 56-4-40 through SBE 56-4-43, filed 3/29/65, effective 4/29/65.] Repealed by Order, filed 10/16/67, effective 7/1/68. Now codified in chapter 180-56 WAC.
- 180-54-010 through 180-54-040. [SBE 56-4-44 through 56-4-448, filed 3/29/65, effective 4/29/65; Rules (part), filed 3/24/60.] Repealed by Order, filed 10/16/67, effective 7/1/68. Now codified in chapter 180-56 WAC.

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

Chapter 180-60

EXTENDED SECONDARY EDUCATION

- 180-60-005 Regulatory provisions relate to RCW 28.84.120 through 28.84.150. [SBE 68-4-1, filed 3/25/64, effective 4/25/64.] Repealed by Order 11-71, filed 12/13/71.
- 180-60-010 General statement of purpose. [SBE 68-4-10, filed 3/25/64, effective 4/25/64; Rules (part), filed 12/21/60; Adopted 6/21/60; Rules (part), filed 3/24/60.] Repealed by Order 11-71, filed 12/13/71.
- 180-60-011 Basic policy relating to post-high school programs. [SBE 68-4-21, filed 3/25/64, effective 4/25/64; Rules (part), filed 12/21/60; Adopted 6/21/60; Rules (part), filed 3/24/60.] Repealed by Order 11-71, filed 12/13/71.
- 180-60-015 Types of programs. [Rules (part), filed 12/21/60; Adopted 6/21/60; Rules (part), filed 3/24/60.] Repealed by Order, filed 3/25/64, effective 4/25/64.
- 180-60-020 Type I—Approved pattern of special courses. [Rules (part), filed 12/21/60; Adopted 6/21/60; Rules (part), filed 3/24/60.] Repealed by Order, filed 3/25/64, effective 4/25/64.
- 180-60-021 Area or city vocational-technical schools—Purpose—Objectives. [SBE 68-8-10, filed 3/25/64, effective 4/25/64; Rules (part), filed 12/21/60; Adopted 6/21/60; Rules (part), filed 3/24/60.] Repealed by Order 11-71, filed 12/13/71.
- 180-60-022 Area or city vocational-technical schools—Purpose—Operational requisites. [SBE 68-8-20, 68-8-21, 68-8-22, 68-8-23, 68-8-24, 68-8-25, 68-8-26 and 68-8-27, filed 3/25/64, effective 4/25/64; Rules (part), filed 12/21/60; Adopted 12/6/60; Rules (part), filed 3/24/60.] Repealed by Order 11-71, filed 12/13/71.
- 180-60-023 Area or city vocational-technical schools—Purpose—Establishment, application for—Processing. [SBE 68-8-3 and 68-8-43, filed 3/25/64, effective 4/25/64; Rules (part), filed 12/21/60; Adopted 6/21/60; Rules (part), filed 3/24/60.] Repealed by Order 11-71, filed 12/13/71.
- 180-60-024 Area or city vocational-technical schools—Purpose—Establishment, approval of—Conditions—Termination. [SBE 68-8-41 and 68-8-42, filed 3/25/64, effective 4/25/64; Rules (part), filed 12/21/60; Adopted 6/21/60; Rules (part), filed 3/24/60.] Repealed by Order 11-71, filed 12/13/71.
- 180-60-025 Type II—Approved area or city vocational schools. [Rules (part), filed 12/21/60; Adopted 6/21/60; Rules (part), filed 3/24/60.] Repealed by Order, filed 3/25/64, effective 4/25/64. See WAC 180-60-021 through 180-60-026 above.
- 180-60-026 Type II—Approval of additional courses. [SBE 68-8-5, filed 5/3/66, effective 6/3/66; filed 3/25/64, effective 4/25/64; Rules (part), filed 12/21/60; Adopted 6/21/60; Rules (part), filed 3/24/60.] Repealed by Order 11-71, filed 12/13/71.

Chapter 180-62

COLLEGE EDUCATION—MISCELLANEOUS

- 180-62-010 Assistance to blind students attending institutions of higher education—Regulatory provisions pursuant to RCW 28.76.129, 28.76.130 and 28.76.140. [SBE 96-4-1, filed 3/29/65, effective 4/29/65.] Repealed by Order 4-74, filed 9/23/74.
- 180-62-015 Assistance to blind students attending institutions of higher education—Evidence of eligibility. [SBE 96-4-2, 96-4-20, 96-4-21, 96-4-22 and 96-4-23, filed 3/29/65, effective 4/29/65.] Repealed by Order 4-74, filed 9/23/74.

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| <p>180-62-020 Assistance to blind students attending institutions of higher education—Benefits. [SBE 96-4-30 and 96-4-31, filed 3/29/65, effective 4/29/65.] Repealed by Order 4-74, filed 9/23/74.</p> <p>180-62-025 Assistance to blind students attending institutions of higher education—Allocations. [SBE 96-4-40, 96-4-41 and 96-4-410, filed 3/29/65, effective 4/29/65.] Repealed by Order 4-74, filed 9/23/74.</p> <p>180-62-030 Assistance to blind students attending institutions of higher education—Notification of and acceptance of counseling by institutions of higher learning as prerequisites to assistance approval. [SBE 96-4-5, filed 3/29/65, effective 4/29/65.] Repealed by Order 4-74, filed 9/23/74.</p> <p>180-62-035 Assistance to blind students attending institutions of higher education—Administration—State superintendent. [SBE 96-4-60 and 96-4-61, filed 3/29/65, effective 4/29/65.] Repealed by Order 4-74, filed 9/23/74.</p> <p>180-62-100 Assistance to children of veterans attending institutions of higher education—Regulatory provisions pursuant to RCW 28.76.160. [SBE 98-4-1, filed 12/17/64, effective 1/18/65.] Repealed by Order 4-74, filed 9/23/74.</p> <p>180-62-105 Assistance to children of veterans attending institutions of higher education—Eligibility requirements—Generally. [SBE 98-4-2, filed 12/17/64, effective 1/18/65.] Repealed by Order 4-74, filed 9/23/74.</p> <p>180-62-110 Assistance to children of veterans attending institutions of higher education—Eligibility requirements—Domicile. [SBE 98-4-20, filed 12/17/64, effective 1/18/65.] Repealed by Order 4-74, filed 9/23/74.</p> <p>180-62-115 Assistance to children of veterans attending institutions of higher education—Benefits. [SBE 98-4-3, filed 12/17/64, effective 1/18/65.] Repealed by Order 4-74, filed 9/23/74.</p> <p>180-62-120 Assistance to children of veterans attending institutions of higher education—Administration. [SBE 98-4-4, filed 12/17/64, effective 1/18/65.] Repealed by Order 4-74, filed 9/23/74.</p> <p>180-62-125 Assistance to children of veterans attending institutions of higher education—Application—Substantiating evidence. [SBE 98-4-40, filed 12/17/64, effective 1/18/65.] Repealed by Order 4-74, filed 9/23/74.</p> <p>180-62-130 Assistance to children of veterans attending institutions of higher education—Application—Approval of and certification. [SBE 98-4-41, filed 12/17/64, effective 1/18/65.] Repealed by Order 4-74, filed 9/23/74.</p> <p>180-62-135 Assistance to children of veterans attending institutions of higher education—Payments from appropriated funds. [SBE 98-4-42, filed 12/17/64, effective 1/18/65.] Repealed by Order 4-74, filed 9/23/74.</p> | <p>180-64-015 Relating to duties of the state board of education. [Rules (part), effective 7/28/61.] Repealed by Order, filed 3/25/64, effective 4/25/64.</p> <p>180-64-020 Application procedure. [SBE 64-4-20, filed 3/25/64, effective 4/25/64; Rules (part), filed 6/27/62, effective 7/28/62; Rules (part), filed 6/27/61.] Repealed by Order 3-70, filed 3/10/70.</p> <p>180-64-021 Application procedure—Criteria standards—Community service area. [SBE 64-4-2101, 64-4-2110, 64-4-2111, 64-4-2112, 64-4-2120, 64-4-2121, 64-4-213, 64-4-214 and 64-4-215, filed 3/25/64, effective 4/25/64; Rules (part), filed 6/27/61; Rules (part), filed 12/20/60.] Repealed by Order 3-70, filed 3/10/70.</p> <p>180-64-022 Community college—School district relationship. [SBE 64-8-11, filed 3/25/64, effective 4/25/64.] Repealed by Order 3-70, filed 3/10/70.</p> <p>180-64-023 Variation in operation—Typical facilities, location and size. [SBE 64-8-12 and 64-8-13, filed 3/25/64, effective 4/25/64.] Repealed by Order 3-70, filed 3/10/70.</p> <p>180-64-025 Duties of applicant school district(s). [Rules (part), effective 7/28/61.] Repealed by Order, filed 3/25/64, effective 4/25/64.</p> <p>180-64-050 Policies, recommendations and regulations relating to the operation of community colleges under provisions of chapter 198, Laws of 1961—Promulgation. [Rules (part), effective 7/28/62.] Repealed by Order, filed 3/25/64, effective 4/25/64.</p> <p>180-64-055 Basic policies and principles. [Rules (part), effective 7/28/62.] Repealed by Order, filed 3/25/64, effective 4/25/64.</p> <p>180-64-060 General administration. [SBE 64-8-140, filed 3/25/64, effective 4/25/64; Rules (part), filed 6/27/62, effective 7/28/62.] Repealed by Order 3-70, filed 3/10/70.</p> <p>180-64-065 The college president—Position in administrative structure. [SBE 64-8-141, filed 3/25/64, effective 4/25/64; Rules (part), filed 6/27/62, effective 7/28/62.] Repealed by Order 3-70, filed 3/10/70.</p> <p>180-64-070 The college president—Recommendations as to duties and responsibilities. [SBE 64-8-1410, filed 3/25/64, effective 4/25/64; Rules (part), filed 6/27/62, effective 7/28/62.] Repealed by Order 3-70, filed 3/10/70.</p> <p>180-64-075 The college president—Other requirements. [Rules (part), effective 7/28/62.] Repealed by Order, filed 3/25/64, effective 4/25/64.</p> <p>180-64-080 Operation of community colleges, generally. [SBE 64-8-20, filed 3/25/64, effective 4/25/64.] Repealed by Order 3-70, filed 3/10/70.</p> <p>180-64-081 Operation of community colleges, generally—Admission and enrollment. [SBE 64-8-210, 64-8-211 and 64-8-212, filed 3/25/64, effective 4/25/64; Rules (part), filed 7/11/63, effective 8/11/64.] Repealed by Order 3-70, filed 3/10/70.</p> <p>180-64-100 Finance and statistics—State support, reimbursement pattern. [SBE 64-8-2200, filed 3/25/64, effective 4/25/64; Rules (part), filed 7/11/63, effective 8/12/63; Rules (part), filed 6/27/62, effective 7/28/62.] Repealed by Order 3-70, filed 3/10/70.</p> <p>180-64-101 Schedule of distribution of state funds. [SBE 64-8-2201, filed 5/3/66, effective 6/3/66; Filed 3/25/64, effective 4/25/64; Emergency Rule, filed 1/29/64; Rules (part), filed 7/11/63, effective 8/12/63.] Repealed by Order 3-70, filed 3/10/70.</p> <p>180-64-102 Schedule of distribution of state funds—Community college reimbursement units. [SBE 64-8-2202, filed 3/25/64, effective 4/25/64; Rules (part), filed 7/11/63, effective 8/12/63.] Repealed by Order 3-70, filed 3/10/70.</p> <p>180-64-103 Schedule of distribution of state funds—Nonresident tuition (out-of-state students). [SBE 64-8-2203, filed 3/25/64, effective 4/25/64; Rules (part), filed 7/11/63, effective 8/12/63.] Repealed by Order 3-70, filed 3/10/70.</p> <p>180-64-104 Schedule of distribution of state funds—Nonreimbursable community service. [SBE 64-8-2204, filed 3/25/64, effective 4/25/64; Rules (part), filed 7/11/63, effective 8/12/63.] Repealed by Order 3-70, filed 3/10/70.</p> <p>180-64-105 Schedule of distribution of state funds—Summer school. [SBE 64-8-2205, filed 3/25/64, effective 4/25/64; Rules</p> |
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Chapter 180-63

STATE PLANS ADOPTED PURSUANT TO FEDERAL LAW

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

Chapter 180-64

COMMUNITY COLLEGE EDUCATION

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| <p>180-64-010 Approval and establishment of community colleges—Promulgation. [Rules (part), effective 7/28/61.] Repealed by Order, filed 3/25/64, effective 4/25/64.</p> <p>180-64-011 Establishment generally. [(i) SBE 64-4-15, filed 5/3/66, effective 6/3/66; Filed 3/25/64, effective 4/25/64; Rules (part), filed 6/21/61. (ii) SBE 64-4-10, 64-4-100, 64-4-13, 64-4-14 and 64-4-150, filed 3/25/64, effective 4/25/64; Rules (part), filed 6/21/61.] Repealed by Order 3-70, filed 3/10/70.</p> <p>180-64-012 Advisory committees—Establishment—Organization—Purpose. [SBE 64-4-11, 64-4-120, 64-4-121, 64-4-122 and 64-4-123, filed 3/25/64, effective 4/25/64; Rules (part), filed 6/27/61.] Repealed by Order 3-70, filed 3/10/70.</p> | <p>180-64-102 Schedule of distribution of state funds—Community college reimbursement units. [SBE 64-8-2202, filed 3/25/64, effective 4/25/64; Rules (part), filed 7/11/63, effective 8/12/63.] Repealed by Order 3-70, filed 3/10/70.</p> <p>180-64-103 Schedule of distribution of state funds—Nonresident tuition (out-of-state students). [SBE 64-8-2203, filed 3/25/64, effective 4/25/64; Rules (part), filed 7/11/63, effective 8/12/63.] Repealed by Order 3-70, filed 3/10/70.</p> <p>180-64-104 Schedule of distribution of state funds—Nonreimbursable community service. [SBE 64-8-2204, filed 3/25/64, effective 4/25/64; Rules (part), filed 7/11/63, effective 8/12/63.] Repealed by Order 3-70, filed 3/10/70.</p> <p>180-64-105 Schedule of distribution of state funds—Summer school. [SBE 64-8-2205, filed 3/25/64, effective 4/25/64; Rules</p> |
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(part), filed 7/11/63, effective 8/12/63.] Repealed by Order 3-70, filed 3/10/70.

- 180-64-106 Schedule of distribution of state funds—Tuition. [SBE 64-8-221, filed 5/3/66, effective 6/3/66; Filed 3/25/64, effective 4/25/64; Rules (part), filed 7/11/63, effective 8/12/63.] Repealed by Order 3-70, filed 3/10/70.
- 180-64-107 Schedule of distribution of state funds—Deposit and disbursement of tuition payments. [SBE 64-8-2210, filed 8/26/64, effective 9/25/64.] Repealed by Order 3-70, filed 3/10/70.
- 180-64-108 Schedule of distribution of state funds—Fees. [SBE 64-8-222, filed 5/3/66, effective 6/3/66; Filed 3/25/64, effective 4/25/64; Rules (part), filed 6/27/61.] Repealed by Order 3-70, filed 3/10/70.
- 180-64-109 Schedule of distribution of state funds—Deposit and disbursement of fees. [SBE 64-8-2220, filed 8/26/64, effective 9/25/64.] Repealed by Order 3-70, filed 3/10/70.
- 180-64-110 Budget. [SBE 64-8-223, filed 3/25/64, effective 4/25/64; Rules (part), filed 6/27/61.] Repealed by Order 3-70, filed 3/10/70.
- 180-64-120 Reports. [SBE 64-8-23, filed 3/25/64, effective 4/25/64; Rules (part), filed 6/27/61.] Repealed by Order 3-70, filed 3/10/70.
- 180-64-130 Accreditation. [SBE 64-12-21, 64-12-22, 64-12-23 and 64-12-24, filed 3/25/64, effective 4/25/64; Rules (part), filed 3/23/60; adopted 6/13/50.] Repealed by Order 3-70, filed 3/10/70.
- 180-64-140 Program. [SBE 64-16-10, 64-16-11, 64-16-12 and 64-16-13, filed 3/25/64, effective 4/25/64.] Repealed by Order 3-70, filed 3/10/70.
- 180-64-141 Program—College transfer curricula. [SBE 64-16-20, filed 3/25/64, effective 4/25/64.] Repealed by Order 3-70, filed 3/10/70.
- 180-64-142 Program—Teacher preparation. [SBE 64-16-200, filed 3/25/64, effective 4/25/64.] Repealed by Order 3-70, filed 3/10/70.
- 180-64-143 Program—Vocational-technical curricula. [SBE 64-16-21, filed 3/25/64, effective 4/25/64.] Repealed by Order 3-70, filed 3/10/70.
- 180-64-144 Adult education curricula. [SBE 64-16-22, filed 5/3/66, effective 6/3/66; filed 3/25/64, effective 4/25/64.] Repealed by Order 3-70, filed 3/10/70.
- 180-64-145 Adult education curricula—Cultural activities. [SBE 64-16-23, filed 5/3/66, effective 6/3/66; filed 3/25/64, effective 4/25/64.] Repealed by Order 3-70, filed 3/10/70.
- 180-64-150 State assistance in construction of community college facilities. [Rules (part), effective 7/28/62.] Repealed by Order, filed 3/25/64, effective 4/25/64.
- 180-64-160 Granting of degrees—Associate's title. [SBE 64-20-20, filed 3/25/64, effective 4/25/64.] Repealed by Order 3-70, filed 3/10/70.

Chapter 180-68 SPECIAL EDUCATION

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

Chapter 180-76

RECOMMENDED LIBRARY SERVICES AND STANDARDS

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

Chapter 180-80

TEACHER EDUCATION AND CERTIFICATION

- 180-80-195 Purpose. [Order 11-77, § 180-80-195, filed 9/13/77; Order 5-77, § 180-80-195, filed 6/1/77.] Repealed by 78-06-063 (Order 7-78), filed 5/25/78. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW.
- 180-80-200 Teachers—General provisions. [Statutory Authority: RCW 28A.04.120, 78-03-013 (Order 1-78), § 180-80-200, filed 2/8/78; Order 11-77, § 180-80-200, filed 9/13/77; Order 4-76, § 180-80-200, filed 3/23/76; Order 1-76, § 180-80-200, filed 2/3/76; Order 2-75, § 180-80-200, filed 2/4/75, effective 7/1/75; Order 11-70, § 180-80-200, filed 10/30/70, effective 11/30/70; § I, filed 10/4/62; certification rules (C.R.), § I, filed 3/24/60. Former subsection (5), State history and government, filed 6/20/67, recodified as WAC 180-80-202.] Repealed by 78-06-063 (Order 7-78), filed 5/25/78. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW.
- 180-80-201 Evaluation of preparation and experience to determine equivalency of qualifications for teacher certification. [Order 9-71, § 180-80-201, filed 10/13/71.] Repealed by 78-06-063 (Order 7-78), filed 5/25/78. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW.
- 180-80-202 State history and government. [Order 6-76, § 180-80-202, filed 5/27/75; Order 11-70, § 180-80-202, filed 10/30/70, effective 11/30/70; § 180-80-200(5) and § 180-80-255, filed 6/20/67, effective 7/21/67; § I, filed 10/4/62; certification rules (C.R.), § I, filed 3/24/60; § III (part), filed 10/4/62; § III A (part), filed 3/24/60.] Repealed by 78-06-063 (Order 7-78), filed 5/25/78. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW.
- 180-80-205 Washington program of teacher education—Provisional and standard certificates. [Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW. 78-06-063 (Order 7-78), § 180-80-205, filed 5/25/78; Order 5-77, § 180-80-205, filed 6/1/77; Order 1-76, § 180-80-205, filed 2/3/76; Order 11-70, § 180-80-205, filed 10/30/70, effective 11/30/70; § II A (part), filed 10/4/62; § II A (part), filed 3/24/60.] Repealed by 88-05-048 (Order 4-88), filed 2/17/88. Statutory Authority: RCW 28A.70.005.
- 180-80-210 Washington program of teacher education—Provisional certificate. [Order 7-75, § 180-80-210, filed 7/22/75; Order 1-73, § 180-80-210, filed 2/28/73; Order 11-70, § 180-80-210, filed 10/30/70, effective 11/30/70; § II A (part), filed 10/4/62; § II A (part), filed 3/24/60.] Re-

- pealed by 88-05-048 (Order 4-88), filed 2/17/88. Statutory Authority: RCW 28A.70.005.
- 180-80-215 Washington program of teacher education—Standard certificate. [Statutory Authority: RCW 28A.04.120 (1), (2), and (3). 79-06-052 (Order 8-79), § 180-80-215, filed 5/22/79; Order 11-77, § 180-80-215, filed 9/13/77; Order 16-75, § 180-80-215, filed 12/11/75; Order 10-75, § 180-80-215, filed 9/9/75; Order 1-73, § 180-80-215, filed 2/28/73; Order 11-70, § 180-80-215, filed 10/30/70, effective 11/30/70; § II A (part), filed 10/4/62; § II A (part), filed 3/24/60.] Repealed by 88-05-048 (Order 4-88), filed 2/17/88. Statutory Authority: RCW 28A.70.005.
- 180-80-217 Extension of common school certification to experienced college teachers. [Order 1-76, § 180-80-217, filed 2/3/76; Order 11-70, § 180-80-217, filed 10/30/70, effective 11/30/70; Order, filed 6/21/63, effective 7/22/63.] Repealed by 78-06-063 (Order 7-78), filed 5/25/78. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW.
- 180-80-220 Vocational education certification—Qualifications for—General provisions. [Order 5-77, § 180-80-220, filed 6/1/77; Order 1-76, § 180-80-220, filed 2/3/76; Order 11-70, § 180-80-220, filed 10/30/70, effective 11/30/70; § II B (part), filed 10/4/62; § II D (part), filed 3/24/60.] Repealed by 78-06-063 (Order 7-78), filed 5/25/78. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW.
- 180-80-225 Vocational certificates—Agriculture. [§ II B (part), filed 10/4/62; § II D (part), filed 3/24/60.] Repealed by Order 11-70, filed 10/30/70, effective 11/30/70. See WAC 180-80-220.
- 180-80-230 Vocational certificates—Distributive education. [§ II B (part), filed 10/4/62; § II D (part), filed 3/24/60.] Repealed by Order 11-70, filed 10/30/70, effective 11/30/70. See WAC 180-80-220.
- 180-80-235 Vocational certificates—Trade and industry. [§ II B (part), filed 10/4/62; § II D (part), filed 3/24/60.] Repealed by Order 11-70, filed 10/30/70, effective 11/30/70. See WAC 180-80-220.
- 180-80-240 Junior college certificate. [§ II C, filed 10/4/62; Rule 2b, filed 6/27/61; § II E, filed 3/24/60.] Repealed by Order 11-70, filed 10/30/70, effective 11/30/70.
- 180-80-245 Adult education certification. [Order 1-76, § 180-80-245, filed 2/3/76; Order 11-70, § 180-80-245, filed 10/30/70, effective 11/30/70; § III D, filed 10/4/62; Rule 2b, filed 6/27/61.] Repealed by 78-06-063 (Order 7-78), filed 5/25/78. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW.
- 180-80-247 High school librarian certification. [Order 11-70, § 180-80-247, filed 10/30/70, effective 11/30/70; § II E, filed 10/4/62; rule II F, filed 3/24/60; formerly codified in WAC 180-80-250.] Repealed by 78-06-063 (Order 7-78), filed 5/25/78. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW.
- 180-80-250 Special and substitute certificates. [Order 11-77, § 180-80-250, filed 9/13/77; Order 5-77, § 180-80-250, filed 6/1/77; Order 1-76, § 180-80-250, filed 2/3/76; Order 7-75, § 180-80-250, filed 7/22/75; Order 4-75, § 180-80-250, filed 3/31/75; Order 11-70, § 180-80-250, filed 10/30/70, effective 11/30/70; § II E, filed 10/4/62; Rule II F, filed 3/24/60.] Repealed by 78-06-063 (Order 7-78), filed 5/25/78. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW.
- 180-80-251 Permits. [Permanent and Emergency Order 15-77, § 180-80-251, filed 12/7/77, effective 12/7/77; Order 11-77, § 180-80-251, filed 9/13/77.] Repealed by 78-06-063 (Order 7-78), filed 5/25/78. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW.
- 180-80-255 Certification of teachers from out-of-state—Requirement as to Washington or Pacific Northwest history and government. [§ 180-80-255, filed 6/20/67, effective 7/21/67; § III (part), filed 10/4/62; § III A (part), filed 3/24/60.] Repealed by Order 11-70, filed 10/30/70, effective 11/30/70. See WAC 180-80-202.
- 180-80-256 Certification of out-of-state trained teachers—Interstate educational personnel contracts. [Order 11-70, § 180-80-256, filed 10/30/70, effective 11/30/70.] Repealed by 78-06-063 (Order 7-78), filed 5/25/78. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW.
- 180-80-258 Certification of out-of-state trained teachers—General provisions. [Order 11-70, § 180-80-258, filed 10/30/70, effective 11/30/70; § III (part), filed 10/4/62; § III A (part), filed 3/24/60; formerly codified as WAC 180-80-255.] Repealed by 78-06-063 (Order 7-78), filed 5/25/78. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW.
- 180-80-260 Certification of out-of-state trained teachers—Elementary certificates. [Order 5-77, § 180-80-260, filed 6/1/77; Order 11-70, § 180-80-260, filed 10/30/70, effective 11/30/70; § III A, filed 10/4/62; § 3B, filed 3/24/60; provision relating to fifth year in out-of-state institution formerly codified in WAC 180-80-215(2b)(ii).] Repealed by 78-06-063 (Order 7-78), filed 5/25/78. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW.
- 180-80-265 Certification of out-of-state trained teachers—Secondary certificates. [Order 5-77, § 180-80-265, filed 6/1/77; Order 11-70, § 180-80-265, filed 10/30/70, effective 11/30/70; § III B, filed 10/4/62; § III C, filed 3/24/60; provision relating to fifth year in out-of-state institution formerly codified in WAC 180-80-215(2b)(ii).] Repealed by 78-06-063 (Order 7-78), filed 5/25/78. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW.
- 180-80-270 Certification of teachers from out-of-state—Elementary and secondary schools. [§ III C, filed 10/4/62.] Repealed by Order 11-70, filed 10/30/70, effective 11/30/70. See WAC 180-80-260 and 180-80-265.
- 180-80-275 Accreditation of private teachers of music. [Order 9-71, § 180-80-275, filed 10/13/71.] Repealed by 78-06-063 (Order 7-78), filed 5/25/78. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW; and Certification of teachers from out-of-state—Order of issuance of certificates. [§ III D, filed 10/4/62.] Repealed by Order 11-70, filed 10/30/70, effective 11/30/70. See WAC 180-80-210 and 180-80-215.
- 180-80-280 Administrators' credentials—Requirements—Types—Effective date—Interpretation of standards. [Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW. 78-06-063 (Order 7-78), § 180-80-280, filed 5/25/78; Order 13-75, § 180-80-280, filed 10/28/75; Order 11-70, § 180-80-280, filed 10/30/70, effective 11/30/70; § IV (part), filed 10/4/62; § 5 (part), filed 3/24/60.] Repealed by 88-05-048 (Order 4-88), filed 2/17/88. Statutory Authority: RCW 28A.70.005.
- 180-80-285 Administrators' credentials—Credit hour and degree requirements. [Order 11-70, § 180-80-285, filed 10/30/70, effective 11/30/70; § IV A (part), filed 10/4/62; § V A (part), filed 3/24/60; provisions relating to training institutions formerly codified in WAC 180-80-295.] Repealed by 88-05-048 (Order 4-88), filed 2/17/88. Statutory Authority: RCW 28A.70.005.
- 180-80-290 Administrators' credentials—Study program—Principals' credentials. [Order 11-70, § 180-80-290, filed 10/30/70, effective 11/30/70; § IV A (part), filed 10/4/62; § V A (part), filed 3/24/60.] Repealed by 88-05-048 (Order 4-88), filed 2/17/88. Statutory Authority: RCW 28A.70.005.
- 180-80-295 Administrators' credentials—Study program—Superintendent's credentials. [Order 11-70, § 180-80-295, filed 10/30/70, effective 11/30/70; § IV A (part), filed 10/4/60; § V A (part), filed 3/24/60.] Repealed by 88-05-048 (Order 4-88), filed 2/17/88. Statutory Authority: RCW 28A.70.005.
- 180-80-300 Administrators' credentials—Experience requirements. [Order 11-70, § 180-80-300, filed 10/30/70, effective 11/30/70; § IV B, filed 10/4/62; § V B, filed 3/24/60.] Repealed by 88-05-048 (Order 4-88), filed 2/17/88. Statutory Authority: RCW 28A.70.005.

- 180-80-301 Administrators' credentials—Teacher's certificate a prerequisite. [Order 11-70, § 180-80-301, filed 10/30/70, effective 11/30/70; § IV D (part), filed 10/4/62; § V D (part), filed 3/24/60; Formerly WAC 180-80-310.] Repealed by 88-05-048 (Order 4-88), filed 2/17/88. Statutory Authority: RCW 28A.70.005.
- 180-80-302 Administrators' credentials—General requirements for determination of applicant eligibility. [Order 11-70, § 180-80-302, filed 10/30/70, effective 11/30/70; § IV C (part) and IV D (part), filed 10/4/62; § V B (part) and V D (part), filed 3/24/60; Formerly WAC 180-80-305 and 180-80-310.] Repealed by 88-05-048 (Order 4-88), filed 2/17/88. Statutory Authority: RCW 28A.70.005.
- 180-80-303 Administrators' credentials—Administrative positions authorized. [Order 11-70, § 180-80-303, filed 10/30/70, effective 11/30/70; § IV D (part), filed 10/4/62; § V D (part), filed 3/24/60; Formerly WAC 180-80-310.] Repealed by 88-05-048 (Order 4-88), filed 2/17/88. Statutory Authority: RCW 28A.70.005.
- 180-80-304 Administrators' credentials—Assistant principals—Assistant superintendents. [Order 11-70, § 180-80-304, filed 10/30/70, effective 11/30/70; § IV D (part), filed 10/4/62; § V D (part), filed 3/24/60; formerly codified in WAC 180-80-310.] Repealed by 78-06-063 (Order 7-78), filed 5/25/78. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW.
- 180-80-305 Administrators' credentials—Procedures—For guidance of applicants. [Order 1-76, § 180-80-305, filed 2/3/76; Order 11-70, § 180-80-305, filed 10/30/70, effective 11/30/70; § IV C (part), filed 10/4/62; § V B (part), filed 3/24/60.] Repealed by 78-06-063 (Order 7-78), filed 5/25/78. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW.
- 180-80-310 Administrators' credentials—Out-of-state applicants—Out-of-state study. [Order 11-70, § 180-80-310, filed 10/30/70, effective 11/30/70; § IV D (part), filed 10/4/62; § V D (part), filed 3/24/60.] Repealed by 78-06-063 (Order 7-78), filed 5/25/78. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW.
- 180-80-312 Administrators' credentials—Period of validity and reinstatement of credentials. [Statutory Authority: RCW 28A.04.120 (1), (2), and (3). 79-06-052 (Order 8-79), § 180-80-312, filed 5/22/79; Order 11-70, § 180-80-312, filed 10/30/70, effective 11/30/70; § IV D (part), filed 10/4/62; § V D (part), filed 3/24/60; Formerly WAC 180-80-310.] Repealed by 88-05-048 (Order 4-88), filed 2/17/88. Statutory Authority: RCW 28A.70.005.
- 180-80-315 Appendix I—How to obtain a certificate—Original or initial certificate. [Appendix I, § A, filed 10/4/62; Appendix I, § A, filed 3/24/60.] Repealed by Order 11-70, filed 10/30/70, effective 11/30/70.
- 180-80-320 Appendix I—Renewals, reinstatements, conversions and duplicate certificates. [Appendix I, § B, filed 10/4/62; Appendix I, § A, filed 3/24/60.] Repealed by Order 11-70, filed 10/30/70, effective 11/30/70.
- 180-80-325 Appendix II—Alien teacher permits and certification—Aliens who do not qualify as exchange teachers from foreign countries. [Appendix II, filed 10/4/62.] Repealed by Order 11-70, filed 10/30/70, effective 11/30/70. See WAC 180-80-200(2).
- 180-80-330 Appendix III—Exchange teachers from foreign countries. [Appendix III, filed 10/4/62.] Repealed by Order 11-70, filed 10/30/70, effective 11/30/70. See WAC 180-80-200(2).
- 180-80-335 Appendix IV—Revocation of certificates. [Appendix IV, filed 10/4/62.] Repealed by Order 11-70, filed 10/30/70, effective 11/30/70.
- 180-80-340 Appendix V—Offices of county superintendents of schools. [Appendix V, filed 10/4/62.] Repealed by Order 11-70, filed 10/30/70, effective 11/30/70.
- 180-80-345 Appendix VI—Teacher education institutions in Washington. [Appendix VI, filed 10/4/62.] Repealed by Order 11-70, filed 10/30/70, effective 11/30/70.
- 180-80-350 Appendix VII—Junior colleges in the state of Washington. [Appendix VII, filed 10/4/62.] Repealed by Order 11-70, filed 10/30/70, effective 11/30/70. See WAC 180-80-202
- 180-80-355 relating to courses in Washington state history and government and WAC 180-80-522 relating to acceptance of community college work on transfer basis. Appendix VIII—Teacher placement. [Appendix VIII, filed 10/4/62.] Repealed by Order 11-70, filed 10/30/70, effective 11/30/70.
- 180-80-360 Appendix IX—Teachers' retirement and Social Security. [Appendix IX, filed 10/4/62.] Repealed by Order 11-70, filed 10/30/70, effective 11/30/70.
- 180-80-510 Guidelines and standards for programs of preparation leading to teacher certification—Basic principles and major features. [Order 11-70, § 180-80-510, filed 10/30/70, effective 11/30/70; Foreword, filed 10/4/62; Introduction (part), filed 10/4/62, formerly codified in WAC 180-80-515.] Repealed by 78-06-063 (Order 7-78), filed 5/25/78. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW.
- 180-80-515 Teacher education—Introduction. [Introduction, filed 10/4/62.] Repealed by Order 11-70, filed 10/30/70, effective 11/30/70. See WAC 180-80-510 for pertinent statements of principle formerly codified in WAC 180-80-515.
- 180-80-520 Guidelines and standards for programs of preparation leading to teacher certification—Institution to plan program—Definition of teaching role. [Order 11-70, § 180-80-520, filed 10/30/70, effective 11/30/70; § A, filed 10/4/62.] Repealed by 78-06-063 (Order 7-78), filed 5/25/78. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW.
- 180-80-522 Guidelines and standards for programs of preparation leading to teacher certification—Community college participation in teacher preparation. [Order 11-70, § 180-80-522, filed 10/30/70, effective 11/30/70; filed 6/21/63, effective 7/22/63; formerly codified as WAC 180-80-532.] Repealed by 78-06-063 (Order 7-78), filed 5/25/78. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW.
- 180-80-525 Guidelines and standards for programs of preparation leading to teacher certification—Selection, retention and recommendation of teacher candidates. [Order 11-70, § 180-80-525, filed 10/30/70, effective 11/30/70; § B, filed 10/4/62.] Repealed by 78-06-063 (Order 7-78), filed 5/25/78. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW.
- 180-80-530 Guidelines and standards for programs of preparation leading to teacher certification—Preservice program. [Order 11-70, § 180-80-530, filed 10/30/70, effective 11/30/70; § C, filed 10/4/62.] Repealed by 88-05-048 (Order 4-88), filed 2/17/88. Statutory Authority: RCW 28A.70.005.
- 180-80-532 Policy relating to community college participation in teacher preparation. [Filed 6/21/63, effective 7/22/63.] Repealed by Order 11-70, filed 10/30/70, effective 11/30/70. See WAC 180-80-522 for provisions formerly codified in WAC 180-80-532.
- 180-80-533 Guidelines and standards for programs of preparation leading to teacher certification—Assignment of beginning teachers. [Order 1-76, § 180-80-533, filed 2/3/76; Order 11-70, § 180-80-533, filed 10/30/70, effective 11/30/70; § H (part), filed 10/4/62; formerly codified in WAC 180-80-555.] Repealed by 78-06-063 (Order 7-78), filed 5/25/78. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW.
- 180-80-535 Guidelines and standards for programs of preparation leading to teacher certification—Follow-up of beginning teacher graduates. [Order 11-70, § 180-80-535, filed 10/30/70, effective 11/30/70; § D, filed 10/4/62.] Repealed by 78-06-063 (Order 7-78), filed 5/25/78. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW.
- 180-80-540 Guidelines and standards for programs of preparation leading to teacher certification—Fifth-year program. [Order 11-70, § 180-80-540, filed 10/30/70, effective 11/30/70; § E, filed 10/4/62.] Repealed by 78-06-063 (Order 7-78), filed 5/25/78. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW.

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| 180-80-545 | Guidelines and standards for programs of preparation leading to teacher certification—Program planning. [Order 1-76, § 180-80-545, filed 2/3/76; Order 11-70, § 180-80-545, filed 10/30/70, effective 11/30/70; § F, filed 10/4/62.] Repealed by 78-06-063 (Order 7-78), filed 5/25/78. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW. | 180-80-740 | Guidelines and standards for development and approval of programs of preparation—Effective date of issuance of certificates. [Order 3-71, § 180-80-740, filed 7/13/71, effective 9/1/71.] Repealed by 78-06-063 (Order 7-78), filed 5/25/78. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW. |
| 180-80-550 | Guidelines and standards for programs of preparation leading to teacher certification—Program approval and review. [Order 11-70, § 180-80-550, filed 10/30/70, effective 11/30/70; § G, filed 10/4/62.] Repealed by 78-06-063 (Order 7-78), filed 5/25/78. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW. | Chapter 180-84 SPECIALIZED PERSONNEL STANDARDS | |
| 180-80-555 | Certification and assignment. [§ H, filed 10/4/62.] Repealed by Order 11-70, filed 10/30/70, effective 11/30/70. See the following sections for provisions formerly codified in WAC 180-80-555: WAC 180-80-533 relating to assignment of beginning teachers; WAC 180-80-210 relating to provisional certification; WAC 180-80-215 relating to standard certification; and WAC 180-80-256, 180-80-258, 180-80-260 and 180-80-265 relating to out-of-state teacher candidates. | 180-84-010 | Basic principles. [Order 12-70, § 180-84-010, filed 10/30/70; Rules (part), effective 7/10/61.] Repealed by 78-06-062 (Order 8-78), filed 5/25/78. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW. Later promulgation, see chapters 180-78 and 180-79 WAC. |
| 180-80-575 | Appendix: Operational definitions of teacher competence and teacher roles. [Appendix, filed 10/4/62.] Repealed by Order 11-70, filed 10/30/70, effective 11/30/70. See WAC 180-80-520 for definition of teaching role. | 180-84-015 | Certification of school psychologists—Role and function. [Order 12-70, § 180-84-015, filed 10/30/70; Rules (part), effective 7/10/61.] Repealed by 88-05-049 (Order 5-88), filed 2/17/88. Statutory Authority: RCW 28A.70.005. |
| 180-80-580 | Form—Fifth college year. [Form, filed 10/4/62.] Repealed by Order 11-70, filed 10/30/70, effective 11/30/70. | 180-84-020 | Certification of school psychologists—Certification requirements. [Order 12-70, § 180-84-020, filed 10/30/70; Rules (part), effective 7/10/61.] Repealed by 88-05-049 (Order 5-88), filed 2/17/88. Statutory Authority: RCW 28A.70.005. |
| 180-80-600 | Substandard certification of teachers. [Order 1-76, § 180-80-600, filed 2/3/76; Order 11-70, § 180-80-600, filed 10/30/70, effective 11/30/70; SBE Bulletin No. 48-62, filed 4/2/62; Regulations for Substandard Teacher Certification, 1961-62, filed 5/25/61.] Repealed by 78-06-063 (Order 7-78), filed 5/25/78. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW. | 180-84-025 | Certification of school psychologists—Academic requirements. [Order 12-70, § 180-84-025, filed 10/30/70; Rules (part), effective 7/10/61.] Repealed by 88-05-049 (Order 5-88), filed 2/17/88. Statutory Authority: RCW 28A.70.005. |
| 180-80-610 | Educational experience acceptable for teacher certification. [Statutory Authority: RCW 28A.04.120. 78-03-013 (Order 1-78), § 180-80-610, filed 2/8/78; Order 1-76, § 180-80-610, filed 2/3/76; Order 7-75, § 180-80-610, filed 7/22/75; Order 11-70, § 180-80-610, filed 10/30/70, effective 11/30/70; Rules (part), filed 6/27/61, effective 7/28/61.] Repealed by 78-06-063 (Order 7-78), filed 5/25/78. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW. | 180-84-050 | Certification of school social workers—Role and function. [Order 12-70, § 180-84-050, filed 10/30/70; Rules (part), effective 7/10/61.] Repealed by 88-05-049 (Order 5-88), filed 2/17/88. Statutory Authority: RCW 28A.70.005. |
| 180-80-700 | Guidelines and standards for development and approval of programs of preparation—Certification of school professional personnel. [Order 3-71, § 180-80-700, filed 7/13/71, effective 9/1/71.] Repealed by 78-06-063 (Order 7-78), filed 5/25/78. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW. | 180-84-055 | Certification of school social workers—Educational requirements. [Order 12-70, § 180-84-055, filed 10/30/70; Rules (part), effective 7/10/61.] Repealed by 88-05-049 (Order 5-88), filed 2/17/88. Statutory Authority: RCW 28A.70.005. |
| 180-80-705 | Guidelines and standards for development and approval of programs of preparation—Certification. [Statutory Authority: RCW 28A.04.120 (1), (2), and (3). 79-06-052 (Order 8-79), § 180-80-705, filed 5/22/79; Order 3-71, § 180-80-705, filed 7/13/71, effective 9/1/71.] Repealed by 88-05-048 (Order 4-88), filed 2/17/88. Statutory Authority: RCW 28A.70.005. | 180-84-060 | Certification of school social workers—Certification requirements. [Order 12-70, § 180-84-060, filed 10/30/70; Rules (part), effective 7/10/61.] Repealed by 88-05-049 (Order 5-88), filed 2/17/88. Statutory Authority: RCW 28A.70.005. |
| 180-80-710 | Guidelines and standards for development and approval of programs of preparation—Consortium of agencies defined. [Order 3-71, § 180-80-710, filed 7/13/71, effective 9/1/71.] Repealed by 78-06-063 (Order 7-78), filed 5/25/78. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW. | 180-84-075 | Certification of school nurses—Role and function. [Order 12-70, § 180-84-075, filed 10/30/70.] Repealed by 88-05-049 (Order 5-88), filed 2/17/88. Statutory Authority: RCW 28A.70.005. |
| 180-80-720 | Guidelines and standards for development and approval of programs of preparation—Consortium programs. [Order 3-71, § 180-80-720, filed 7/13/71, effective 9/1/71.] Repealed by 78-06-063 (Order 7-78), filed 5/25/78. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW. | 180-84-080 | Certification of school nurses—Recommendation as to nursing specialization. [Order 12-70, § 180-84-080, filed 10/30/70.] Repealed by 88-05-049 (Order 5-88), filed 2/17/88. Statutory Authority: RCW 28A.70.005. |
| 180-80-730 | Guidelines and standards for development and approval of programs of preparation—State board of education and superintendent of public instruction. [Order 3-71, § 180-80-730, filed 7/13/71, effective 9/1/71.] Repealed by 78-06-063 (Order 7-78), filed 5/25/78. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW. | 180-84-085 | Certification of school nurses—Educational backgrounds. [Rules (part), effective 7/10/61.] Repealed by Order 12-70, filed 10/30/70. |
| | | 180-84-090 | Certification of school nurses—Certification requirements. [Order 12-70, § 180-84-090, filed 10/30/70; Rules (part), effective 7/10/61.] Repealed by 88-05-049 (Order 5-88), filed 2/17/88. Statutory Authority: RCW 28A.70.005. |
| | | 180-84-510 | Educational staff associate certification—Role and function. [Order 5-68, § 180-84-510, filed 10/1/68, effective 7/1/69.] Repealed by Order 4-71, filed 7/13/71, effective 9/1/71. |
| | | 180-84-515 | Educational staff associate certification—Forms of certification. [Order 5-68, § 180-84-515, filed 10/1/68, effective 7/1/69.] Repealed by Order 4-71, filed 7/13/71, effective 9/1/71. |
| | | 180-84-520 | Educational staff associate certification—Qualifying standards. [Order 5-68, § 180-84-520, filed 10/1/68, effective 7/1/69.] Repealed by Order 4-71, filed 7/13/71, effective 9/1/71. |
| | | 180-84-530 | Educational staff associate certification—Preparation—Steps in planning preparation experiences. [Order 5-68, § 180-84-530, filed 10/1/68, effective 7/1/69.] Repealed by Order 4-71, filed 7/13/71, effective 9/1/71. |
| | | 180-84-540 | Educational staff associate certification—Career considerations. [Order 5-68, § 180-84-540, filed 10/1/68, effective |

- 180-84-550 7/1/69.] Repealed by Order 4-71, filed 7/13/71, effective 9/1/71. Educational staff associate certification—Approval of preparation programs required. [Order 5-68, § 180-84-550, filed 10/1/68, effective 7/1/69.] Repealed by Order 4-71, filed 7/13/71, effective 9/1/71.
- 180-84-560 Certification of school nurses—Assignment of personnel. [Order 5-68, § 180-84-560, filed 10/1/68, effective 7/1/69.] Repealed by 78-06-062 (Order 8-78), filed 5/25/78. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW. Later promulgation, see chapters 180-78 and 180-79 WAC.
- 180-84-565 Educational staff associate certification—Effective date of issuance—Specialized personnel certificates discontinued. [Order 4-71, § 180-84-565, filed 7/13/71, effective 9/1/71; Order 12-70, § 180-84-565, filed 10/30/70; Order 5-68, § 180-84-565, filed 10/1/68, effective 7/1/69.] Repealed by 78-06-062 (Order 8-78), filed 5/25/78. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW. Later promulgation, see chapters 180-78 and 180-79 WAC.

Chapter 180-100**MISCELLANEOUS PROVISIONS**

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

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

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

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

- 180-08-010 Appearance and practice before the state board of education—Who may appear. [SBE .08.010, filed 12/21/60.] Repealed by 81-16-026 (Order 8-81), filed 7/28/81. Statutory Authority: Chapter 34.04 RCW.
- 180-08-020 Appearance and practice before the state board of education—Appearance in certain proceedings may be limited to attorneys. [SBE .08.020, filed 12/21/60.] Repealed by 81-16-026 (Order 8-81), filed 7/28/81. Statutory Authority: Chapter 34.04 RCW.
- 180-08-030 Appearance and practice before the state board of education—Solicitation of business unethical. [SBE .08.030, filed 12/21/60.] Repealed by 81-16-026 (Order 8-81), filed 7/28/81. Statutory Authority: Chapter 34.04 RCW.
- 180-08-040 Appearance and practice before the state board of education—Standards of ethical conduct. [SBE .08.040, filed 12/21/60.] Repealed by 81-16-026 (Order 8-81), filed 7/28/81. Statutory Authority: Chapter 34.04 RCW.
- 180-08-050 Appearance and practice before the state board of education—Appearance by former employee of board or former member of attorney general's staff. [SBE .08.050, filed 12/21/60.] Repealed by 81-16-026 (Order 8-81), filed 7/28/81. Statutory Authority: Chapter 34.04 RCW.
- 180-08-060 Appearance and practice before the state board of education—Appearance of former employee as expert witness. [SBE .08.060, filed 12/21/60.] Repealed by 81-16-026 (Order 8-81), filed 7/28/81. Statutory Authority: Chapter 34.04 RCW.
- 180-08-070 Computation of time. [SBE .08.070, filed 12/21/60.] Repealed by 81-16-026 (Order 8-81), filed 7/28/81. Statutory Authority: Chapter 34.04 RCW.
- 180-08-080 Notice and opportunity for hearing in contested cases. [SBE .08.080, filed 12/21/60.] Repealed by 81-16-026 (Order 8-81), filed 7/28/81. Statutory Authority: Chapter 34.04 RCW.
- 180-08-090 Service of process—By whom served. [SBE .08.090, filed 12/21/60.] Repealed by 81-16-026 (Order 8-81), filed 7/28/81. Statutory Authority: Chapter 34.04 RCW.
- 180-08-100 Service of process—Upon whom served. [SBE .08.100, filed 12/21/60.] Repealed by 81-16-026 (Order 8-81), filed 7/28/81. Statutory Authority: Chapter 34.04 RCW.
- 180-08-110 Service of process—Service upon parties. [SBE .08.110, filed 12/21/60.] Repealed by 81-16-026 (Order 8-81), filed 7/28/81. Statutory Authority: Chapter 34.04 RCW.
- 180-08-120 Service of process—Method of service. [SBE .08.120, filed 12/21/60.] Repealed by 81-16-026 (Order 8-81), filed 7/28/81. Statutory Authority: Chapter 34.04 RCW.
- 180-08-130 Service of process—When service complete. [SBE .08.130, filed 12/21/60.] Repealed by 81-16-026 (Order 8-81), filed 7/28/81. Statutory Authority: Chapter 34.04 RCW.
- 180-08-140 Service of process—Filing with agency. [SBE .08.140, filed 12/21/60.] Repealed by 81-16-026 (Order 8-81), filed 7/28/81. Statutory Authority: Chapter 34.04 RCW.
- 180-08-230 Depositions and interrogatories in contested cases—Right to take. [SBE .08.230, filed 12/21/60.] Repealed by 81-16-026 (Order 8-81), filed 7/28/81. Statutory Authority: Chapter 34.04 RCW.
- 180-08-240 Depositions and interrogatories in contested cases—Scope. [SBE .08.240, filed 12/21/60.] Repealed by 81-16-026 (Order 8-81), filed 7/28/81. Statutory Authority: Chapter 34.04 RCW.
- 180-08-250 Depositions and interrogatories in contested cases—Officer before whom taken. [SBE .08.250, filed 12/21/60.] Repealed by 81-16-026 (Order 8-81), filed 7/28/81. Statutory Authority: Chapter 34.04 RCW.
- 180-08-260 Depositions and interrogatories in contested cases—Authorization. [SBE .08.260, filed 12/21/60.] Repealed by 81-16-026 (Order 8-81), filed 7/28/81. Statutory Authority: Chapter 34.04 RCW.
- 180-08-270 Depositions and interrogatories in contested cases—Protection of parties and deponents. [SBE .08.270, filed 12/21/60.] Repealed by 81-16-026 (Order 8-81), filed 7/28/81. Statutory Authority: Chapter 34.04 RCW.
- 180-08-280 Depositions and interrogatories in contested cases—Oral examination and cross-examination. [SBE .08.280, filed 12/21/60.] Repealed by 81-16-026 (Order 8-81), filed 7/28/81. Statutory Authority: Chapter 34.04 RCW.
- 180-08-290 Depositions and interrogatories in contested cases—Recordation. [SBE .08.290, filed 12/21/60.] Repealed by 81-16-026 (Order 8-81), filed 7/28/81. Statutory Authority: Chapter 34.04 RCW.
- 180-08-300 Depositions and interrogatories in contested cases—Signing attestation and return. [SBE .08.300, filed 12/21/60.] Repealed by 81-16-026 (Order 8-81), filed 7/28/81. Statutory Authority: Chapter 34.04 RCW.
- 180-08-310 Depositions and interrogatories in contested cases—Use and effect. [SBE .08.310, filed 12/21/60.] Repealed by 81-16-026 (Order 8-81), filed 7/28/81. Statutory Authority: Chapter 34.04 RCW.
- 180-08-320 Depositions and interrogatories on contested cases—Fees of officers and deponents. [SBE .08.320, filed 12/21/60.] Repealed by 81-16-026 (Order 8-81), filed 7/28/81. Statutory Authority: Chapter 34.04 RCW.
- 180-08-330 Depositions upon interrogatories—Submission of interrogatories. [SBE .08.330, filed 12/21/60.] Repealed by 81-16-026 (Order 8-81), filed 7/28/81. Statutory Authority: Chapter 34.04 RCW.
- 180-08-340 Depositions upon interrogatories—Interrogation. [SBE .08.340, filed 12/21/60.] Repealed by 81-16-026 (Order 8-81), filed 7/28/81. Statutory Authority: Chapter 34.04 RCW.

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

WAC 180-08-003 Authority. The authority for this chapter is RCW 34.05.220 which authorizes the state board of education to adopt rules governing the formal and informal procedures prescribed or authorized by chapter 34.05 RCW.

[Statutory Authority: RCW 34.05.220(A) [34.05.220(1)(a)] and 34.05.250. 89-22-010, § 180-08-003, filed 10/20/89, effective 11/20/89. Statutory Authority: RCW 34.04.020. 83-21-063 (Order 8-83), § 180-08-003, filed 10/17/83.]

WAC 180-08-005 Administrative practices regarding hearings and rule proceedings. The state board of education is governed by the state Administrative Procedure Act, chapter 34.05 RCW, the Washington State Register Act, chapter 34.08 RCW, and the state office of Administrative Hearings Act, chapter 34.12 RCW. These acts govern the conduct of "agency action" and the conduct of "adjudicative proceedings" as these terms are defined in RCW 34.05.010. Appearances in representative capacities before the state board of education; the procedures and conditions governing petitions for declaratory rulings or the adoption, amendment, or repeal of a rule; and, the standards, procedures and conditions governing the conduct of contested case hearings and proceedings by or before the state board of education shall be as set forth in rules of the state code reviser and the office of administrative hearings as now or hereafter amended. The rules of the code reviser are currently set forth in chapters 1-08 and 1-21 WAC. The rules of the office of administrative hearings are currently set forth in chapter 10-08 WAC.

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

[Statutory Authority: RCW 34.05.220(A) [34.05.220(1)(a)] and 34.05.250. 89-22-010, § 180-08-005, filed 10/20/89, effective 11/20/89. Statutory Authority: RCW 34.04.020. 83-21-063 (Order 8-83), § 180-08-005, filed 10/17/83. Statutory Authority: Chapter 34.04 RCW. 81-16-026 (Order 8-81), § 180-08-005, filed 7/28/81.]

Chapter 180-10 WAC ACCESS TO PUBLIC RECORDS

WAC

- 180-10-001 Purpose.
180-10-003 Description of organization.
180-10-005 Operations and procedures.

180-10-010 Administrative practice regarding access to public records.

WAC 180-10-001 Purpose. Rules and regulations set forth herein are established pursuant to RCW 42.17.250 through 42.17.320 for the purposes of protecting public records and making them readily accessible to the public.

[Statutory Authority: RCW 28A.04.120, 42.17.010, 42.17.020, 47.17.250 [42.17.250] through 42.17.340. 80-06-092 (Order 6-80), § 180-10-001, filed 5/29/80.]

WAC 180-10-003 Description of organization. The state board of education is created by law in chapter 28A.305 RCW. The board consists of two voting members from each congressional district in the state who are elected by the members of school district boards of directors and serve staggered six-year terms; the superintendent of public instruction, who serves as an ex officio member and chief executive officer of the board and votes only to break ties; and, a nonvoting member elected at large by members of the boards of directors of approved private schools who serves a six-year term. A secretary (executive director) to the state board is appointed by the board and maintains the record of board proceedings. General powers of the board affect teacher training and certification programs, school accreditation, school building assistance, school district organization and classification, general government of the schools, approval of basic education programs, approval of private schools, and other matters which include the discipline of pupils and instructional program improvement.

[Statutory Authority: 1990 c 33. 90-17-009, § 180-10-003, filed 8/6/90, effective 9/6/90. Statutory Authority: RCW 42.17.250. 83-08-016 (Order 1-83), § 180-10-003, filed 3/29/83. Statutory Authority: RCW 28A.04.120, 42.17.010, 42.17.020, 42.17.250 through 42.17.340. 80-06-092 (Order 6-80), § 180-10-003, filed 5/29/80.]

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

[Statutory Authority: RCW 28A.04.120, 42.17.010, 42.17.020, 47.17.250 [42.17.250] through 42.17.340. 80-06-092 (Order 6-80), § 180-10-005, filed 5/29/80.]

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

[Statutory Authority: RCW 28A.04.120, 42.17.010, 42.17.020, 47.17.250 [42.17.250] through 42.17.340. 80-06-092 (Order 6-80), § 180-10-010, filed 5/29/80.]

Chapter 180-16 WAC

STATE SUPPORT OF PUBLIC SCHOOLS

WAC

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| 180-16-003 | Authority for rules. [Order 6-71, § 180-16-003, filed 10/13/71; Order, filed 5/3/66, effective 6/3/66; No. SBE, filed 12/17/64, effective 7/1/65.] Repealed by 84-11-043 (Order 2-84), filed 5/17/84. Statutory Authority: RCW 28A.58.754(6). |
| 180-16-005 | Regulations pursuant to RCW 28.41.060(4) and 28.41.110. [Rules, WAC 180-16-010 (SBE section 16-4), filed 12/17/64, effective 7/1/65 (repealed before publication in WAC).] Repealed by order filed 5/3/66, effective 6/3/66. |
| 180-16-010 | Apportionment of current state school funds to school districts—Educational unit basis. [Rules, WAC 180-16-010 (SBE section 16-4), filed 12/17/64, effective 7/1/65 (repealed before publication in WAC); Finance Regulations (part), adopted 2/21/55, filed 3/24/60.] Repealed by order filed 5/3/66, effective 6/3/66. |
| 180-16-015 | Apportionment of current state school funds to school districts—Administrative interpretations. [Rules, WAC 180-16-015 (SBE section 16-4), filed 12/17/64, effective 7/1/65 (repealed before publication in WAC); Finance Regulations (part), adopted 2/21/55, filed 3/24/60.] Repealed by order filed 5/3/66, effective 6/3/66. |
| 180-16-019 | Special service unit basis—Regulations pursuant to RCW 28.41.010(3). [Rules, WAC 180-16-019 (SBE section 16-4), filed 12/17/64, effective 7/1/65 (repealed before publication in WAC); Finance Regulations (part), adopted 2/21/55, filed 3/24/60.] Repealed by order filed 5/3/66, effective 6/3/66. |

- 180-16-020 Special service unit basis—Allotment of funds for special service units. [Rules, WAC 180-16-020 (SBE section 16-4), filed 12/17/64, effective 7/1/65 (repealed before publication in WAC); Finance Regulations (part), filed 3/24/60.] Repealed by order filed 5/3/66, effective 6/3/66.
- 180-16-025 Special service unit basis—Typical duties of personnel in each field. [Rules, WAC 180-16-025 (SBE section 16-4), filed 12/17/64, effective 7/1/65 (repealed before publication in WAC); Finance Regulations (part), filed 3/24/60.] Repealed by order filed 5/3/66, effective 6/3/66.
- 180-16-029 Special service unit basis—Minimum standards and schedule of minimum funds—Regulations pursuant to RCW 28.41.090. [Filed 12/17/64, effective 7/1/65; SBE 16-4-6 (repealed before publication in WAC).] Repealed by order filed 5/3/66, effective 6/3/66.
- 180-16-030 Minimum standards—Teachers salaries. [Rules, WAC 180-16-030 (SBE section 16-4), filed 12/17/64, effective 7/1/65 (repealed before publication in WAC); Finance Regulations (part), adopted 4/9/45, filed 3/24/60.] Repealed by order filed 5/3/66, effective 6/3/66.
- 180-16-035 Minimum standards—Schedule of minimum funds. [Rules, WAC 180-16-035, (SBE section 16-4), filed 12/17/64, effective 7/1/65 (repealed before publication in WAC); Finance Regulations (part), adopted April 21, 1947 with modifications automatically resulting because of subsequent legislative enactments: Amended March 31-April 1, 1958, filed 3/24/60.] Repealed by order filed 5/3/66, effective 6/3/66.
- 180-16-040 Minimum standards—Junior high support. [Rules, WAC 180-16-040 (SBE section 16-4), filed 12/17/64, effective 7/1/65 (repealed before publication in WAC); Finance Regulations (part), adopted 6/24-25/47, filed 3/24/60.] Repealed by order filed 5/3/66, effective 6/3/66.
- 180-16-044 Minimum standards—High school support. [Filed 12/17/64, effective 7/1/65; SBE 16-4-70; Finance Regulations (part), adopted 6/24-25/47, filed 3/24/60.] Repealed by order filed 5/3/66, effective 6/3/66.
- 180-16-045 Minimum standards—Equalization level of a school district that establishes a high school. [Rules, WAC 180-16-045 (SBE section 16-4), filed 12/17/64, effective 7/1/65 (repealed before publication in WAC).] Repealed by order filed 5/3/66, effective 6/3/66.
- 180-16-050 Minimum standards—Attendance credit for apportionment purposes in case of nonattendance. [Rules, WAC 180-16-050 (SBE section 16-4), filed 12/17/64, effective 7/1/65 (repealed before publication in WAC); Finance Regulations (part), adopted 2/24/60, filed 3/24/60.] Repealed by order filed 5/3/66, effective 6/3/66.
- 180-16-055 Minimum standards—More than 180 days school operation during any one school year—Summer school programs. [Rules, WAC 180-16-055 (SBE section 16-4), filed 12/17/64, effective 7/1/65 (repealed before publication in WAC); Finance Regulations (part), subsection 1, adopted 4/9/45; subsection 2, adopted 6/10-11/46; subsections 3-6, adopted 4/3-4/59; subsections 1-6, filed 3/24/60.] Repealed by order filed 5/3/66, effective 6/3/66.
- 180-16-057 Approval or nonapproval of summer school programs for apportionment credit. [Rules, WAC 180-16-057 (SBE section 16-8), filed 12/17/64, effective 7/1/65 (repealed before publication in WAC); filed 7/11/63, effective 8/12/63.] Repealed by order filed 5/3/66, effective 6/3/66.
- 180-16-060 Approval or nonapproval of summer school programs for apportionment credit—Allotments to school districts with an excessive annual increase in enrollment. [SBE 16-4-63, 16-4-630 and 16-4-631, filed 12/17/64, effective 7/1/65.] Repealed by order filed 5/3/66, effective 6/3/66.
- 180-16-065 Junior college apportionment units. [Adopted 11/3/41, filed 3/24/60.] Repealed by order filed 12/17/64, effective 7/1/65.
- 180-16-100 Intermediate school districts—Regulations and formula for the allocation of state funds. [Order 2-69, § 180-16-100, filed 6/27/69; SBE 16-20-2, filed 6/20/67, effective 7/21/67; SBE 16-20-1 and 16-20-2, filed 5/3/66, effective 6/3/66; subsection 1, filed 12/17/64, effective 7/1/65; subsection 2, filed 7/20/65; filed 12/17/64, effective 7/1/65; Adopted 6/9/59, filed 3/24/60.] Repealed by Order 6-71, filed 10/13/71.
- 180-16-101 Intermediate school districts—Budgets—Request for allocation. [Order 2-69, § 180-16-101, filed 6/27/69; SBE 16-20-3, filed 6/20/67, effective 7/21/67; SBE 16-20-3, filed 5/3/66, effective 6/3/66; filed 12/17/64, effective 7/1/65.] Repealed by Order 6-71, filed 10/13/71.
- 180-16-102 Intermediate school districts—Allocation of funds—By superintendent. [Order 2-69, § 180-16-102, filed 6/27/69; SBE 16-20-4, filed 5/3/66, effective 6/3/66; filed 12/17/64, effective 7/1/65.] Repealed by Order 6-71, filed 10/13/71.
- 180-16-150 Federal funds, channeling of for education—Policy statement. [SBE 16-24-1, filed 12/17/64, effective 7/1/65; Rules (part), filed 3/24/60, adopted 5/13-14/57.] Repealed by 82-20-054 (Order 5-82), filed 10/1/82.
- 180-16-160 Nursery school operation. [Order 3-77, § 180-16-160, filed 6/1/77; SBE 16-6-1, filed 12/17/64, effective 7/1/65.] Repealed by 82-20-053 (Order 7-82), filed 10/1/82. Statutory Authority: RCW 28A.34.010.
- 180-16-165 Minimum approval requirements for purposes of apportionment. [Order 3-77, § 180-16-165, filed 6/1/77; Order 2-76, § 180-16-165, filed 3/23/76; Order 5-73, § 180-16-165, filed 9/6/73; Order 4-72, § 180-16-165, filed 8/29/72; Order 7-70, § 180-16-165, filed 6/9/70; Order, filed 4/26/67; Order, filed 7/27/66.] Repealed by 78-06-097 (Order 3-78), filed 6/5/78. Statutory Authority: RCW 28A.41.130 and 28A.58.754.
- 180-16-166 Entry age. [Statutory Authority: RCW 28A.58.190. 79-06-047 (Order 2-79), § 180-16-166, filed 5/22/79.] Repealed by 83-13-004 (Order 5-83), § 180-16-166, filed 6/2/83.
- 180-16-167 Kindergarten operation on ninety full-day school year basis—Approval provisions. [Statutory Authority: RCW 28A.41.130 and 28A.58.754. 78-06-097 (Order 3-78), § 180-16-167, filed 6/5/78; Order 4-72, § 180-16-167, filed 8/29/72.] Repealed by 79-02-048 (Order 1-79), filed 1/30/79. Statutory Authority: RCW 28A.58.750.
- 180-16-170 Adult education. [SBE 16-12-4, filed 5/3/66, effective 6/3/66; filed 12/17/64, effective 7/1/65.] Repealed by Order 6-71, filed 10/13/71.
- 180-16-190 Community colleges, state support of. [Reference 16-16-8, filed 5/3/66, effective 6/3/66.] Repealed by Order 7-70, filed 6/9/70.
- 180-16-230 Definitions—Basic skills areas. [Statutory Authority: RCW 28A.41.130 and 28A.58.754. 78-06-097 (Order 3-78), § 180-16-230, filed 6/5/78.] Repealed by 79-10-033 (Order 10-79), filed 9/12/79. Statutory Authority: RCW 28A.01.010, 28A.04.120, 28A.41.130, 28A.41.140, 28A.58.754, 28A.58.758, and 1979 ex.s. c 250.
- 180-16-235 Definitions—Work skills. [Statutory Authority: RCW 28A.41.130 and 28A.58.754. 78-06-097 (Order 3-78), § 180-16-235, filed 6/5/78.] Repealed by 79-10-033 (Order 10-79), filed 9/12/79. Statutory Authority: RCW 28A.01.010, 28A.04.120, 28A.41.130, 28A.41.140, 28A.58.754, 28A.58.758, and 1979 ex.s. c 250.
- WAC 180-16-002 Authority.** The authority for this chapter is RCW 28A.150.220(6) which authorizes the state board of education to adopt rules that implement and ensure compliance with the basic program of education requirements of RCW 28A.150.250, 28A.150.260, and 28A.150.220 and such related basic program of education requirements as may be established by the state board of education.
- [Statutory Authority: 1990 c 33. 90-17-009, § 180-16-002, filed 8/6/90, effective 9/6/90. Statutory Authority: RCW 28A.58.754(6). 84-11-043 (Order 2-84), § 180-16-002, filed 5/17/84.]
- WAC 180-16-006 Purpose.** The purpose of this chapter is to set forth rules to:
- (1) Establish procedures and policies for state board of education approval of school district programs for the

purpose of entitlement to state basic program of education support, including the provisions of RCW 28A.150.250, 28A.150.260, and 28A.150.220; and

(2) Establish related program requirements for which compliance is required as part of state board of education approval.

[Statutory Authority: 1990 c 33. 90-17-009, § 180-16-006, filed 8/6/90, effective 9/6/90. Statutory Authority: RCW 28A.58.754(6). 84-11-043 (Order 2-84), § 180-16-006, filed 5/17/84.]

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

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

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

(a) All administrators must have proper credentials;

(b) WAC 180-16-220(2) which requires that all teachers have proper credentials;

(c) The school district shall provide adequate instruction for all pupils in attendance;

(d) WAC 180-16-240 (2)(g) which requires that adequate provisions must be made for the health and safety of all pupils;

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

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

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

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

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

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

WAC 180-16-163 Strike defined. For the purpose of WAC 180-16-162, the term "strike" shall mean: A concerted work stoppage by employees of a school district of which

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there has been a formal declaration by their recognized representative and notice thereof provided to the district by such representative at least two calendar school days in advance of the actual stoppage.

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

WAC 180-16-164 Work stoppages and maintenance of approved programs for less than 180 days not condoned. Nothing in WAC 180-16-162, 180-16-163 or 180-16-191 through 180-16-240 shall be construed as condoning or authorizing any form of work stoppage which disrupts the planned educational program of a district, or any portion thereof, or the maintenance of an approved program for less than the minimum number of school days required by law except as excused for apportionment purposes by the superintendent of public instruction pursuant to RCW 28A.150.290.

[Statutory Authority: 1990 c 33. 90-17-009, § 180-16-164, filed 8/6/90, effective 9/6/90. Statutory Authority: RCW 28A.01.010, 28A.04.120, 28A.41.130, 28A.41.140, 28A.58.754, 28A.58.758, and 1979 ex.s. c 250. 79-10-033 (Order 10-79), § 180-16-164, filed 9/12/79; Order 5-73, § 180-16-164, filed 9/6/73.]

WAC 180-16-180 Vocational-technical institutes, state support of. Pursuant to provisions of RCW 28A.150.250 and the provisos in the currently effective state budget and appropriations act appropriating to the superintendent of public instruction an amount for vocational-technical institutes and an amount for adult education in such institutes, the rules and regulations hereinafter set forth shall govern determination of eligibility of vocational-technical institutes for apportionment from state funds.

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

(2) Certification to state superintendent. The state board of education shall furnish to the superintendent of public instruction certification of approval of any and all vocational-technical institutes approved by the state board under authority of RCW 28A.150.250 and provisions of chapter 180-58 WAC.

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

[Statutory Authority: 1990 c 33. 90-17-009, § 180-16-180, filed 8/6/90, effective 9/6/90; Order 3-77, § 180-16-180, filed 6/1/77; Order 6-71, § 180-16-180, filed 10/13/71; Filed 5/3/66, effective 6/3/66; SBE 16-16-4, 16-16-40, 16-16-401 and 16-16-402, filed 12/17/64, effective 7/1/65.]

WAC 180-16-191 Programs subject to basic education allocation entitlement requirements. The requirements, procedures and other provisions set forth in this chapter shall apply to kindergarten programs, and to such portion of the grade one through twelve program including

related vocational instruction, as a school district provides for students enrolled in kindergarten through grade twelve.

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

WAC 180-16-195 Annual reporting and review process. (1) **Annual district reports.** A review of each school district's kindergarten through twelfth grade program shall be conducted annually for the purpose of determining compliance or noncompliance with these basic education allocation entitlement requirements. On or before the third Monday in October of each school year, each school district superintendent shall complete and return the program data report form(s) prepared and distributed by the superintendent of public instruction. Such forms shall be designed to elicit data necessary to a determination of a school district's compliance or noncompliance with these entitlement requirements. Data reported on any such form(s) by a school district shall accurately represent the actual status of the school district's program as of the first school day in October and as thus far provided and scheduled for the entire current school year. Such forms shall be signed by:

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

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

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

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

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

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

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

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

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

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

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

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

(f) In the event a school district fails to sign the compliance agreement within five school business days from the date of issuance or does not satisfy the terms of the signed compliance agreement within the designated amount of time, the superintendent of public instruction shall withhold state

funds for the basic education allocation until program compliance is assured.

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

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

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

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

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

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

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

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

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

For special education/handicapped programs operating in separate facilities in a school district, do not exclude the

time actually spent for eating lunchtime meals if that time is specifically identified and utilized as instructional meal training for each student in the program.

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

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

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

(e) Five percent variation—Basic skills and work skills requirements. A school district may establish minimum course mix percentages that deviate within any grade level grouping by up to five percentage points above or below the minimums established by subsections (3) through (6) of this

section, provided the total program hour offering requirement for the grade level grouping is met.

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

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

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

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

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

(a) Each school district shall make available to students in grades nine through twelve at least a total program hour offering of four thousand three hundred twenty hours each school year. A minimum of sixty percent (fifty-five percent with the five percent variation included, or 2,376 instructional hours) of such total program hour offerings shall be in the instruction of the basic skills areas of language arts, a

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

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

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

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

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

(8) **Waiver option.**

(a) A district, desiring to implement a local plan to provide an effective educational system to enhance the educational program for all students, may apply for a waiver from the provisions of subsections (2) through (6) of this section, pertaining to the total program hour offerings requirement and the basic skills/work skills percentages/instructional hours requirement. The state board of education shall grant said waiver. Approval of district waivers shall occur at a state board of education meeting prior to implementation. A district's application for a waiver shall be in the form of a resolution adopted by the district board

of directors which includes a request for the waiver, and a plan for restructuring the educational program of one or more schools consisting of at least the following information:

- (i) Identification of the requirements to be waived;
- (ii) Specific standards for increased student learning that the district expects to achieve;
- (iii) How the district plans to achieve the higher standards, including timelines for implementation;
- (iv) How the district plans to determine if the higher standards are met;
- (v) Evidence that the board of directors, teachers, administrators, and classified employees are committed to working cooperatively in implementing the plan; and
- (vi) Evidence that opportunities were provided for parents and citizens to be involved in the development of the plan.

(b) Application procedure.

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

(c) Renewal procedure.

Waivers granted by the state board of education under this section shall be renewed every three years upon the state board of education receiving a renewal request from the school district board of directors. The school district shall conduct at least one public meeting to evaluate the educational programs that were implemented as a result of the waivers before filing the request. The request to the state board of education shall include information regarding the activities and programs implemented as a result of the waivers, whether higher standards for students are being achieved, and a summary of the comments received at the public meeting or meetings.

(d) Minimum instructional hour offerings. If a school district intends to waive total program hour offerings requirements under this subsection, it shall make available to students enrolled in kindergarten at least a total instructional offering of four hundred fifty hours, and to students enrolled in grades one through twelve at least a district-wide annual average total instructional hour offering of one thousand hours.

[Statutory Authority: RCW 28A.410.010, 94-03-104 (Order 5-94), § 180-16-200, filed 1/19/94, effective 2/19/94. Statutory Authority: RCW 28A.150.220, 28A.320.200, 28A.150.260 and 1992 c 141, 92-17-053, § 180-16-200, filed 8/17/92, effective 9/17/92. Statutory Authority: RCW 28A.150.220 and [28A.150.]260, 92-05-047, § 180-16-200, filed 2/13/92, effective 3/15/92. Statutory Authority: RCW 28A.04.127 and 28A.41.140, 86-21-020 (Order 15-86), § 180-16-200, filed 10/7/86. Statutory Authority: RCW 28A.58.754(6), 84-11-043 (Order 2-84), § 180-16-200, filed 5/17/84. Statutory Authority: RCW 28A.01.010, 28A.04.120, 28A.41.130, 28A.41.140, 28A.58.754, 28A.58.758, and 1979 ex.s. c 250, 79-10-033 (Order 10-79), § 180-16-200, filed 9/12/79. Statutory Authority: RCW 28A.41.130 and 28A.58.754, 78-06-097 (Order 3-78), § 180-16-200, filed 6/5/78.]

WAC 180-16-205 Classroom teacher contact hours requirement—Waiver. (1) **Contact hours requirement—Definition.** The average annual classroom contact hours for each average annual full-time equivalent certificated classroom teacher employed by a school district shall be no less than twenty-five hours per week. For the purpose of this section "classroom contact hours" shall mean those hours a certificated classroom teacher is instructing students in a classroom, exclusive of such time as the teacher spends for preparation, conferences, administrative duties, and any other nonclassroom instruction duties.

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

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

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

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

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

(a) For each teacher, count the actual number of minutes during the school week when the teacher has regularly scheduled responsibilities for the instruction of students. Teacher instructional contact time for the purposes of this requirement shall be that time between the start of the first regularly scheduled class and the end of the last regularly

scheduled class including actual minutes scheduled in all regular classes, laboratories, study halls and the supervision of extended classrooms, work experience, outdoor education and other such programs.

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

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

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

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

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

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

(5) Waiver option.

(a) In the event that a district develops an educational excellence component(s) which consists of less than the twenty-five hours of average teacher contact and the district determines, but for the inclusion of this component(s), that it would meet the twenty-five hour average teacher contact requirement, the district may apply for a waiver of the inclusion of this component(s) within the calculations. The state board of education shall grant said waiver. Approval of district waivers shall occur at a state board of education

meeting prior to implementation. A district's application for a waiver shall be in the form of a resolution adopted by the district board of directors which includes a request for the waiver, and a plan for restructuring the educational program of one or more schools consisting of at least the following information:

- (i) Identification of the requirement to be waived;
- (ii) Specific standards for increased student learning expected to be achieved;
- (iii) How the district plans to achieve the higher standards, including timelines for implementation;
- (iv) How the district plans to determine if the higher standards are met;
- (v) Evidence that the board of directors, teachers, administrators, and classified employees are committed to working cooperatively in implementing the plan; and
- (vi) Evidence that opportunities were provided for parents and citizens to be involved in the development of the plan.

(b) Application procedure.

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

(c) Renewal procedures.

Waivers granted by the state board of education under this section shall be renewed every three years upon the state board of education receiving a renewal request from the school district board of directors. The school district shall conduct at least one public meeting to evaluate the educational programs that were implemented as a result of the waivers before filing the request. The request to the state board of education shall include information regarding the activities and programs implemented as a result of the waivers, whether higher standards for students are being achieved, and a summary of the comments received at the public meeting or meetings.

[Statutory Authority: RCW 28A.150.220, 28A.320.200, 28A.150.260 and 1992 c 141. 92-17-053, § 180-16-205, filed 8/17/92, effective 9/17/92. Statutory Authority: RCW 28A.150.220 and [28A.150.]260. 92-05-047, § 180-16-205, filed 2/13/92, effective 3/15/92. Statutory Authority: RCW 28A.04.127 and 28A.41.140. 86-21-020 (Order 15-86), § 180-16-205, filed 10/7/86. Statutory Authority: RCW 28A.58.754(6). 84-11-043 (Order 2-84), § 180-16-205, filed 5/17/84. Statutory Authority: RCW 28A.01.010, 28A.04.120, 28A.41.130, 28A.41.140, 28A.58.754, 28A.58.758, and 1979 ex.s. c 250. 79-10-033 (Order 10-79), § 180-16-205, filed 9/12/79. Statutory Authority: RCW 28A.41.130 and 28A.58.754. 78-06-097 (Order 3-78), § 180-16-205, filed 6/5/78.]

WAC 180-16-210 Kindergarten through grade three students to classroom teacher ratio requirement. The ratio of the FTE students enrolled in a school district in kindergarten through grade three to kindergarten through grade three FTE classroom teachers shall not be greater than the ratio of the FTE students to FTE classroom teachers in grades four through twelve. For the purpose of this section "classroom teacher" shall mean any instructional employee

who possesses a valid teaching certificate or permit issued by the superintendent of public instruction, but not necessarily employed as a certificated employee, and whose "primary" duty is the daily educational instruction of students.

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

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

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

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

(4) Calculations:

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

(b) The October FTE enrollment in grades 4 and above divided by the FTE classroom teachers whose "primary" duty is the daily instruction of pupils in grades 4 and above; *Provided*, That any district with three hundred or fewer FTE students in grades K-3 and an average K-3 classroom ratio of twenty-five or fewer FTE classroom students to one FTE classroom teacher shall be exempt from the FTE students to FTE classroom teachers ratio requirement of this subsection.

[Statutory Authority: RCW 28A.41.130, 89-01-039 (Order 24-88), § 180-16-210, filed 12/14/88; 87-12-043 (Order 12-87), § 180-16-210, filed 6/1/87. Statutory Authority: RCW 28A.58.754(6), 84-11-043 (Order 2-84), § 180-16-210, filed 5/17/84. Statutory Authority: RCW 28A.01.010, 28A.04.120, 28A.41.130, 28A.41.140, 28A.58.754, 28A.58.758, and 1979 ex.s. c 250, 79-10-033 (Order 10-79), § 180-16-210, filed 9/12/79. Statutory Authority: RCW 28A.41.130 and 28A.58.754, 78-06-097 (Order 3-78), § 180-16-210, filed 6/5/78.]

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

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

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

(4) **Five-day flexibility - Students graduating from high school.** A school district may schedule the last five

school days of the one hundred eighty day school year for noninstructional purposes in the case of students who are graduating from high school, including, but not limited to, the observance of graduation and early release from school upon the request of a student.

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

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

(1) **Student to certificated staff ratio requirement.** The ratio of students enrolled in a school district to full-time equivalent certificated employees shall not exceed twenty-three to one: *Provided*, That nonhigh school districts or school districts that have a student enrollment of two hundred fifty or less in grades nine through twelve may, as an alternative to the foregoing requirement, have a ratio of students to full-time equivalent certificated classroom teachers of twenty-six to one or less. For the purpose of this subsection, "certificated employees" shall mean those employees who are required by state statute or by rule of the state board of education, or by written policy of the school district to possess a professional education permit, certificate or credential issued by the superintendent of public instruction, as a condition to employment and "classroom teacher" shall be defined as in WAC 180-16-210 and the students to classroom teachers ratio shall be computed in accordance with WAC 180-16-210(1).

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

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

[Statutory Authority: RCW 28A.58.754(6), 28A.58.085 and 28A.58.090, 90-01-137, § 180-16-220, filed 12/20/89, effective 1/20/90. Statutory Authority: RCW 28A.58.090, 86-20-056 (Order 14-86), § 180-16-220, filed 9/29/86. Statutory Authority: RCW 28A.58.754(6), 86-13-015 (Order 5-86), § 180-16-220, filed 6/10/86; 84-11-043 (Order 2-84), § 180-16-220, filed 5/17/84. Statutory Authority: 28A.04.120(4), 81-08-026 (Order 1-81), § 180-16-220, filed 3/26/81. Statutory Authority: RCW 28A.04.120, 80-06-093 (Order 7-80), § 180-16-220, filed 5/29/80. Statutory Authority: RCW 28A.01.010, 28A.04.120, 28A.41.130, 28A.41.140, 28A.58.754, 28A.58.758, and 1979 ex.s. c 250, 79-10-033 (Order 10-79), § 180-16-220, filed 9/12/79. Statutory Authority: RCW 28A.41.130 and 28A.58.754, 78-06-097 (Order 3-78), § 180-16-220, filed 6/5/78.]

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

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

(a) Classroom teachers with continuing certificates issued pursuant to WAC 180-79-060 if such teachers were eligible for such certificates prior to August 31, 1987, and such certificates were applied for prior to July 1, 1988 or if such teachers would have been eligible for such certificate prior to August 31, 1987, but for one of the three-year experience requirement and such experience is completed and the certificate is applied for prior to August 31, 1988;

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

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

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

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

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

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

(a) Classroom teachers with continuing certificates issued pursuant to WAC 180-79-060 after August 31, 1987, unless such teachers were eligible for such certificates prior to August 31, 1987, and applied for such certificates prior to July 1, 1988 or unless such teachers would have been eligible for such certificates prior to August 31, 1987, but for one of the three-year experience requirement and such experience is completed and the certificates are applied for prior to August 31, 1988;

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

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

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

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

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

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

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

[Statutory Authority: RCW 28A.70.005. 87-12-040 (Order 9-87), § 180-16-221, filed 6/1/87. Statutory Authority: RCW 28A.58.754(6). 86-13-015 (Order 5-86), § 180-16-221, filed 6/10/86.]

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

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

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

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

(4) Any certificated teacher 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.

(10) Any certificated teacher who has completed twenty-four quarter hours (sixteen semester hours) of academic study in a content area that will be offered in grades four through nine may be assigned to that course even if the teacher does not hold an endorsement in that area.

[Statutory Authority: RCW 28A.150.220(6), 94-24-040, § 180-16-222, filed 12/2/94, effective 1/2/95. 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)(a) If the conditions in subsections (1), (2) and (3) of this section are met, a school district may place a teacher in an out-of-endorsement assignment without the approval of the state board of education.

(b) If the conditions in one or more of subsection (1), (2) or (3) of this section are not met a school district must apply for a waiver under subsection (6) of this section.

(6) *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 or such lesser period as specified by the board, 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, 94-20-054, § 180-16-223, filed 9/30/94, effective 10/31/94; 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 180-16-224 Second and third year temporary out-of-endorsement criteria. Notwithstanding the provisions of WAC 180-16-223(1), a classroom teacher who was assigned an out-of-endorsement grade level or subject area for the previous school year may be assigned to the same assignment for a second or third school year if the board of directors of the district offers to reimburse the teacher so assigned any tuition costs, equal to at least the rate of tuition at the nearest regional or state university, whichever is closer, that is necessary, up to a maximum of fifteen quarter or ten semester hours, to secure the needed endorsements for service as a classroom teacher in each of the out-of-endorsement grade level or subject areas.

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

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

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

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

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

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

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

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

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

Statutory Authority: RCW 28A.41.130 and 28A.58.754. 78-06-097 (Order 3-78), § 180-16-225, filed 6/5/78.]

WAC 180-16-226 Superintendent of public instruction annual report to state board of education. The superintendent of public instruction annually shall submit to the state board of education a comprehensive report on the status of compliance by school districts with WAC 180-16-221. Such report, among other matters deemed important by the superintendent of public instruction, shall contain summary data regarding out-of-endorsement assignments pursuant to WAC 180-16-223 (4) and (5).

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

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

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

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

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

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

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

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

WAC 180-16-236 Assignment of educational staff associates. No person shall be assigned within the basic program of education to serve in a specific educational staff associate role, as 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.]

WAC 180-16-240 Compliance with other program requirements. (1) Each school district superintendent shall file each year a statement that, pursuant to WAC 180-16-220(4), the school district has adopted a procedure ensuring awareness of and compliance with other statutory requirements as specified in subsection (2) of this section. Such statement shall be included as Part II of the annual basic education allocation entitlement program data report(s) required by WAC 180-16-195 and shall be submitted at the same time this annual report is submitted. Deviation from

these requirements shall not result in the withholding of any of a district's basic education allocation funds. The deviations shall be made available to the public separately or as a portion of the annual district guide published pursuant to RCW 28A.150.230(3) and this section.

(2) Other program requirements are as follows:

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

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

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

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

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

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

(g) There is adequate provision for the health and safety of all pupils within the custody of the school district. See, e.g., RCW 28A.305.130(11) regarding emergency exit instruction and drills and the rules or guidelines implementing the statute; the building code requirements of chapter 19.27 RCW and local building and fire code requirements; chapter 70.100 RCW regarding eye protection and the rules or guidelines implementing the chapter; RCW 28A.210.010 regarding contagious diseases and the rules, chapters 248-100 and 248-101 WAC, implementing the statute; RCW 43.20.050 regarding environmental conditions in schools and the rules, chapter 248-64 WAC, implementing the statute; and local health codes.

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

(i) Chapters 49.60 and 28A.640 RCW are complied with. These statutes prohibit unequal treatment of students on the basis of race, sex, creed, color, and national origin in activities supported by common schools.

(j) A descriptive guide to the district's common schools is published annually by the school district's board of directors, pursuant to RCW 28A.150.230(3), and is made available at each school in the district for examination by the public.

(k) Within each school, the school principal has determined that appropriate student discipline is established and enforced. The school principal has conferred with the certificated employees in the school building in order to develop and/or review building disciplinary standards and the uniform enforcement of those standards, pursuant to RCW 28A.400.110.

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

[Statutory Authority: 1990 c 33. 90-17-009, § 180-16-240, filed 8/6/90, effective 9/6/90. Statutory Authority: RCW 28A.58.754(6). 84-11-043 (Order 2-84), § 180-16-240, filed 5/17/84. Statutory Authority: RCW

28A.01.010, 28A.04.120, 28A.41.130, 28A.41.140, 28A.58.754, 28A.58.758, and 1979 ex.s. c 250. 79-10-033 (Order 10-79), § 180-16-240, filed 9/12/79. Statutory Authority: RCW 28A.58.750. 79-02-048 (Order 1-79), § 180-16-240, filed 1/30/79. Statutory Authority: RCW 28A.41.130 and 28A.58.754. 78-06-097 (Order 3-78), § 180-16-240, filed 6/5/78.]

Chapter 180-20 WAC

SCHOOL BUS TRANSPORTATION

WAC

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DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

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| 180-20-010 | Bus drivers—Certification and temporary certificates. [Bus regulations (part), adopted 10/19/46, filed 3/24/60.] Repealed by Order filed 12/17/64, effective 1/18/65. |
| 180-20-015 | Bus drivers—Requirements for certification. [Bus regulations (part), adopted 10/19/46, filed 3/24/60.] Repealed by Order filed 12/17/64, effective 1/18/65. |
| 180-20-020 | Bus drivers—Physical examination. [Bus regulations (part), adopted 10/8/54, filed 3/24/60.] Repealed by Order filed 12/17/64, effective 1/18/65. |
| 180-20-025 | Bus drivers—Physical examination form. [Bus regulations (part), adopted 9/9/57, filed 3/24/60.] Repealed by Order filed 12/17/64, effective 1/18/65. |
| 180-20-100 | 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 extra-curricular 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.

180-20-110 Schedule of required transportation charges for . . . School year. [School bus rules (part), filed 11/8/61.] Repealed and decodified upon order filed 12/17/64, effective 1/18/65. See WAC 180-20-106.

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 180-20-101 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 180-20-111 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.]

Chapter 180-22 WAC

EDUCATIONAL SERVICE DISTRICTS

WAC

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| 180-22-100 | Authority. |
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DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

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| 180-22-005 | Regulatory provisions relating to specific acts. [Order 3-68, § 180-22-005, filed 2/14/68.] Repealed by Order 3-69, filed 6/27/69 and Emergency Order 1-69, filed 5/1/69. |
| 180-22-010 | Definitions. [Order 3-68, § 180-22-010, filed 2/14/68.] Repealed by Order 3-69, filed 6/27/69 and Emergency Order 1-69, filed 5/1/69. |
| 180-22-015 | State-wide plan of service areas—Policy. [Order 3-68, § 180-22-015, filed 2/14/68.] Repealed by Order 3-69, filed 6/27/69 and Emergency Order 1-69, filed 5/1/69. |
| 180-22-020 | State-wide plan of service areas—Purpose—Criteria. [Order 3-68, § 180-22-020, filed 2/14/68.] Repealed by Order 3-69, filed 6/27/69 and Emergency Order 1-69, filed 5/1/69. |
| 180-22-025 | State-wide plan of service areas—Changes in service area boundaries—Procedure. [Order 3-68, § 180-22-025, filed 2/14/68.] Repealed by Order 3-69, filed 6/27/69 and Emergency Order 1-69, filed 5/1/69. |
| 180-22-030 | State-wide plan of service areas—Service area division. [Order 3-68, § 180-22-030, filed 2/14/68.] Repealed by Order 3-69, filed 6/27/69 and Emergency Order 1-69, filed 5/1/69. |
| 180-22-035 | Intermediate districts. [Order 3-68, § 180-22-035, filed 2/14/68.] Repealed by Order 3-69, filed 6/27/69 and Emergency Order 1-69, filed 5/1/69. |
| 180-22-200 | Educational service districts—Qualifications of superintendents. [Permanent and Emergency Order 12-77, § 180-22-200, filed 8/30/77, effective 8/30/77; Order 4-77, § 180-22-200, filed 6/2/77.] Repealed by 84-21-001 (Order 9-84), filed 10/4/84. Statutory Authority: RCW 28A.21.020. |
| 180-22-250 | Board of directors—Election of members. [Order 16-77, § 180-22-250, filed 12/13/77; Permanent and Emergency Order 12-77, § 180-22-250, filed 8/30/77, effective 8/30/77.] Repealed by 84-11-044 (Order 3-84), filed 5/17/84. Statutory Authority: RCW 28A.21.020. |
| 180-22-255 | Eligibility—Declaration of candidacy—Withdrawal—Lapse of election. [Statutory Authority: Chapter 28A.21 RCW and 1980 c 179. 81-01-022 (Order 13-80), § 180-22-255, filed 12/8/80; Order 16-77, § 180-22-255, filed 12/13/77; Permanent and Emergency Order 12-77, § 180-22-255, filed 8/30/77, effective 8/30/77.] Repealed by 84-11-044 (Order 3-84), filed 5/17/84. Statutory Authority: RCW 28A.21.020. |
| 180-22-260 | Biographical data—Limitation. [Order 16-77, § 180-22-260, filed 12/13/77; Permanent and Emergency Order 12-77, § 180-22-260, filed 8/30/77, effective 8/30/77.] Repealed by 84-11-044 (Order 3-84), filed 5/17/84. Statutory Authority: RCW 28A.21.020. |
| 180-22-265 | Ballots. [Order 16-77, § 180-22-265, filed 12/13/77; Permanent and Emergency Order 12-77, § 180-22-265, filed 8/30/77, effective 8/30/77.] Repealed by 84-11-044 (Order 3-84), filed 5/17/84. Statutory Authority: RCW 28A.21.020. |
| 180-22-270 | Voting. [Statutory Authority: Chapter 28A.21 RCW and 1980 c 179. 81-01-022 (Order 13-80), § 180-22-270, filed 12/8/80; Order 16-77, § 180-22-270, filed 12/13/77; Permanent and Emergency Order 12-77, § 180-22-270, filed 8/30/77, effective 8/30/77.] Repealed by 84-11-044 |

(Order 3-84), filed 5/17/84. Statutory Authority: RCW 28A.21.020.

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| 180-22-275 | Publicity. [Order 16-77, § 180-22-275, filed 12/13/77; Permanent and Emergency Order 12-77, § 180-22-275, filed 8/30/77, effective 8/30/77.] Repealed by 84-11-044 (Order 3-84), filed 5/17/84. Statutory Authority: RCW 28A.21.020. |
| 180-22-280 | Postage. [Statutory Authority: Chapter 28A.21 RCW and 1980 c 179. 81-01-022 (Order 13-80), § 180-22-280, filed 12/8/80; Permanent and Emergency Order 12-77, § 180-22-280, filed 8/30/77, effective 8/30/77.] Repealed by 84-11-044 (Order 3-84), filed 5/17/84. Statutory Authority: RCW 28A.21.020. |
| 180-22-285 | Recount of votes cast—Automatic—By request—Certification. [Permanent and Emergency Order 12-77, § 180-22-285, filed 8/30/77, effective 8/30/77.] Repealed by 84-11-044 (Order 3-84), filed 5/17/84. Statutory Authority: RCW 28A.21.020. |
| 180-22-290 | Composition of election board. [Permanent and Emergency Order 12-77, § 180-22-290, filed 8/30/77, effective 8/30/77.] Repealed by 84-11-044 (Order 3-84), filed 5/17/84. Statutory Authority: RCW 28A.21.020. |
| 180-22-295 | Contest of elections. [Permanent and Emergency Order 12-77, § 180-22-295, filed 8/30/77, effective 8/30/77.] Repealed by 84-11-044 (Order 3-84), filed 5/17/84. Statutory Authority: RCW 28A.21.020. |
| 180-22-297 | Listing of candidates' names. [Permanent and Emergency Order 12-77, § 180-22-297, filed 8/30/77, effective 8/30/77.] Repealed by Order 16-77, filed 12/13/77. |

WAC 180-22-100 Authority. The authority for this chapter is RCW 28A.310.020 which authorizes the state board of education to make changes in the number and boundaries of educational service districts.

[Statutory Authority: 1990 c 33. 90-17-009, § 180-22-100, filed 8/6/90, effective 9/6/90. Statutory Authority: RCW 28A.21.020. 84-21-001 (Order 9-84), § 180-22-100, filed 10/4/84.]

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

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

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

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

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

(1) Program and staff. An educational service district shall have the ability to support an administrative unit of sufficient staff to provide a program of educational services including but not limited to leadership and consultant services in administration and finance, in-service education programs for teachers and administrators, special services for the handicapped and educationally talented, planning of school facilities, counseling and guidance, instructional materials, and development of projects and proposals under various federal acts.

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

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

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

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

Chapter 180-23 WAC

EDUCATIONAL SERVICE DISTRICTS—ELECTION OF BOARD MEMBERS

WAC

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| 180-23-040 | Purpose. |
| 180-23-043 | Election officer. |
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| 180-23-080 | Ballots—Contents. |
| 180-23-085 | Ballots and envelopes—Mailing to voters. |
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| 180-23-100 | Receipt of ballots and count of votes. |
| 180-23-105 | Ineligible votes. |
| 180-23-110 | Recount of votes cast—Automatic—By request. |
| 180-23-115 | Certification of election. |
| 180-23-120 | Special elections. |

WAC 180-23-037 Authority. The authority for this chapter is RCW 28A.310.080 which authorizes the state board of education to adopt rules and regulations for the conduct of election for members of boards of educational service districts.

[Statutory Authority: 1990 c 33. 90-17-009, § 180-23-037, filed 8/6/90, effective 9/6/90. Statutory Authority: RCW 28A.21.031. 84-11-045 (Order 4-84), § 180-23-037, filed 5/17/84.]

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

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

WAC 180-23-043 Election officer. In accordance with RCW 28A.310.100, the secretary to the state board of education shall serve as the election officer for the coordination and conduct of the election of members of boards of educational service districts.

[Statutory Authority: 1990 c 33. 90-17-009, § 180-23-043, filed 8/6/90, effective 9/6/90. Statutory Authority: RCW 28A.21.031. 84-11-045 (Order 4-84), § 180-23-043, filed 5/17/84.]

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

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

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

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

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

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

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

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

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

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

WAC 180-23-060 Call of election. On August twenty-five, or if such date is a Saturday, Sunday or holiday, the state working day immediately preceding such date, the secretary to the state board of education shall give written notice of an election to be held in each educational service district within which resides a member of the board of the educational service district whose term of office expires on the second Monday of January next following, and shall give written notice thereof to each member of the board of directors of each school district in such educational service district. Notice shall be accomplished by mailing the call of election notice, declaration of candidacy, biographical data form, tentative certification of electors, calendar and rules and regulation established by the state board of education for the conduct of the election to each member of a public school district board of directors.

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

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

(1) Eligibility. A person is eligible to be a candidate for membership on an educational service district board if he or she is a registered voter and a resident of the board-member district for which the candidate files. Restriction on other service pursuant to RCW 28A.310.070.

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

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

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

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

[Statutory Authority: 1990 c 33. 90-17-009, § 180-23-065, filed 8/6/90, effective 9/6/90. Statutory Authority: RCW 28A.21.031. 84-11-045 (Order 4-84), § 180-23-065, filed 5/17/84.]

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

I,, solemnly swear (or affirm): That I reside within the boundary of Educational Service District No., within the boundary of board-member district No., and am a registered voter of the same board-member district; That I am aware that, if elected, I cannot concurrently serve as a member of an educational service district board, and as an employee of a school district or a

member of a board of directors of a common school district or a member of the state board of education; and That I hereby declare myself a candidate for membership on Educational Service District No. Board of Directors for a term of four years beginning the second Monday in January, 19. . ., subject to the election to be held pursuant to law and I request that my name be listed on the ballot therefor.

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

(Signed)

Address:

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

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

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

WAC 180-23-075 Biographical data form.

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

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

WAC 180-23-077 Withdrawal of candidacy.

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

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

Board-member district positions which become vacant after the call of election specified in WAC 180-23-060 shall be filled by appointment by the educational service district pursuant to RCW 28A.310.060 and the appointee shall serve until his or her successor has been elected at the next election called by the secretary to the state board of education.

[Statutory Authority: 1990 c 33. 90-17-009, § 180-23-077, filed 8/6/90, effective 9/6/90. Statutory Authority: RCW 28A.21.031. 84-11-045 (Order 4-84), § 180-23-077, filed 5/17/84.]

WAC 180-23-078 Certification of electors. The list of eligible voters shall remain open for changes and dele-

tions until 5:00 p.m. September 26 or, in the event such date is a Saturday, Sunday, or holiday, until 5:00 p.m. the working day immediately following such date. The secretary to the state board of education as soon thereafter as is practical shall certify the list of electors.

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

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

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

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

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

The inner and smaller envelope shall be unlabeled and unmarked.

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

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

WAC 180-23-090 Voting—Marking and return of ballots. (1) The election shall be conducted in strict accordance with the requirements of RCW 28A.310.100.

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

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

(a) Placing his or her marked official ballot in the smaller, unmarked envelope and sealing the same;

(b) Placing the smaller envelope containing the ballot in the larger preaddressed envelope marked "official ballot" and sealing the same;

(c) If not already designated, completing the following information on the face of the official ballot envelope: Name, mailing address, identification of school district and educational service district.

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

[Statutory Authority: 1990 c 33. 90-17-009, § 180-23-090, filed 8/6/90, effective 9/6/90. Statutory Authority: RCW 28A.21.031. 84-11-045 (Order 4-84), § 180-23-090, filed 5/17/84.]

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

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

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

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

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

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

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

(1) Votes for write-in candidates;

(2) Votes cast on other than an official ballot provided pursuant to this chapter;

(3) Ballots which contain a vote for more than one candidate in board-member district;

(4) Ballots contained in other than an official ballot envelope provided pursuant to this chapter;

(5) Ballots contained in an official ballot envelope upon which the voter's name is not designated;

(6) Ballots received after 5:00 p.m. October sixteenth: *Provided*, That any ballot that is postmarked on or before midnight October sixteenth and received prior to the initial counting of votes by the election board shall be accepted: *Provided further*, That any ballot received pursuant to the United States mail on or before 5:00 p.m. on October twenty-first that is not postmarked or legibly postmarked shall also be accepted; and

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

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

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

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

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

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

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

WAC 180-23-120 Special elections. If no candidate receives a majority of the votes cast, a second election provided for in RCW 28A.310.100 shall be conducted in accordance with the pertinent procedural and substantive provisions of this chapter, including the time schedules governing the conduct of elections, as modified by the secretary to the state board of education to accommodate the special nature of the election and special statutory dates and requirements.

[Statutory Authority: 1990 c 33. 90-17-009, § 180-23-120, filed 8/6/90, effective 9/6/90. Statutory Authority: RCW 28A.21.031. 84-11-045 (Order 4-84), § 180-23-120, filed 5/17/84.]

Chapter 180-24 WAC

SCHOOL DISTRICT ORGANIZATION

WAC

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- 180-24-008 Constitutional and statutory framework.
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- 180-24-016 Factors pertaining to geographic accessibility.
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- 180-24-335 Election of regional committee members—Certification of electors.
- 180-24-340 Election of regional committee members—Ballots—Contents.
- 180-24-345 Election of regional committee members—Ballots and envelopes—Mailing to voters.
- 180-24-350 Election of regional committee members—Voting—Marking and return of ballots.
- 180-24-355 Election of regional committee members—Election board—Appointment and composition.
- 180-24-360 Election of regional committee members—Receipt of ballots and count of votes.
- 180-24-365 Election of regional committee members—Ineligible votes.
- 180-24-370 Election of regional committee members—Recount of votes cast—Automatic—By request.
- 180-24-375 Election of regional committee members—Certification of election.
- 180-24-380 Election of regional committee members—Run off elections.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

- 180-24-005 Changes in organization and extent of school districts—Regulatory provisions pursuant to chapter 28A.57 RCW. [Order 8-70, § 180-24-005, filed 6/9/70; SBE 24-4-1, filed 12/17/64, effective 1/18/65.] Repealed by 87-04-059 (Order 1-87), filed 2/4/87. Statutory Authority: RCW 28A.04.120(9).
- 180-24-010 Changes in organization and extent of school districts—Guidelines for county committees—General. [Order 8-70, § 180-24-010, filed 6/9/70; SBE 24-4-20 (part), filed 12/17/64, effective 1/18/65; Regulation 1, filed 3/24/60, adopted 12/9/55, amended 5/26/56.] Repealed by 87-04-059 (Order 1-87), filed 2/4/87. Statutory Authority: RCW 28A.04.120(9).
- 180-24-015 Changes in organization and extent of school districts—Planning organizational improvements. [Order 8-70, § 180-24-015, filed 6/9/70; SBE 24-4-20 (part), filed 12/17/64, effective 1/18/65; Regulations 2-6, filed 3/24/60, adopted 12/9/55, amended 5/26/56.] Repealed by 87-04-059 (Order 1-87), filed 2/4/87. Statutory Authority: RCW 28A.04.120(9).

- 180-24-020 Changes in organization and extent of school districts—Principles and policies governing state assistance in providing school facilities as related to school district organization. [Order 8-70, § 180-24-020, filed 6/9/70; SBE 24-4-201, filed 12/17/64, effective 1/18/65.] Repealed by 87-04-059 (Order 1-87), filed 2/4/87. Statutory Authority: RCW 28A.04.120(9).
- 180-24-025 Changes in organization and extent of school districts—Administrative procedures. [Order 8-70, § 180-24-025, filed 6/9/70; SBE 24-4-30 and 24-4-31, filed 12/17/64, effective 1/18/65.] Repealed by 87-04-059 (Order 1-87), filed 2/4/87. Statutory Authority: RCW 28A.04.120(9).
- 180-24-030 Changes in organization and extent of school districts—Glossary of terms. [Order 8-70, § 180-24-030, filed 6/9/70; SBE 24-4-4, filed 12/17/64, effective 1/18/65.] Repealed by 87-04-059 (Order 1-87), filed 2/4/87. Statutory Authority: RCW 28A.04.120(9).
- 180-24-100 Rules for classification of school districts. [Order 8-70, § 180-24-100, filed 6/9/70. Prior: SBE 24-8-1, 24-8-20, 24-8-21, 24-8-22, and 24-8-23, filed 3/29/65, effective 4/29/65; WAC 180-56-015 and 180-56-060, Rules (part), filed 3/24/60.] Repealed by 87-04-059 (Order 1-87), filed 2/4/87. Statutory Authority: RCW 28A.04.120(9).

WAC 180-24-003 Authority. The general authority for this chapter is RCW 28A.305.130(9) which authorizes the state board of education to carry out powers and duties relating to the organization and reorganization of school districts under chapter 28A.315 RCW. This authority is supplemented by the following specific statutes:

(1) RCW 28A.305.150 which requires the state board of education to prescribe regulations governing the classification and numbering system of school districts;

(2) RCW 28A.315.120 which authorizes the state board of education to establish standards and considerations to be utilized by regional committees and the state board of education for approval of proposals for changes in the organization of school districts, including any equitable adjustment of the assets and liabilities of the districts involved in the reorganization;

(3) RCW 28A.315.060 which empowers the state board of education to establish regulations for the conduct of elections for membership on regional committees.

[Statutory Authority: 1990 c 33. 90-17-009, § 180-24-003, filed 8/6/90, effective 9/6/90. Statutory Authority: RCW 28A.04.120(9). 87-04-059 (Order 1-87), § 180-24-003, filed 2/4/87.]

WAC 180-24-007 Purpose. The purpose of this chapter is to set forth policies and procedures of the state board of education related to the implementation of its authority pursuant to chapter 28A.315 RCW, Organization and reorganization of school districts, and its related authority within RCW 28A.305.150 pertaining to the classification and numbering of school districts.

[Statutory Authority: 1990 c 33. 90-17-009, § 180-24-007, filed 8/6/90, effective 9/6/90. Statutory Authority: RCW 28A.04.120(9). 87-04-059 (Order 1-87), § 180-24-007, filed 2/4/87.]

WAC 180-24-008 Constitutional and statutory framework. Under the constitutional framework and the laws of the state of Washington, local school districts are political subdivisions of the state and, consequently, the organization of such districts—including the powers, duties, and boundaries thereof—may be altered or abolished by laws of the state of Washington. Current laws provide three

alternative methods for changing district boundaries. They are:

(1) Consolidation of existing districts into a new district, pursuant to RCW 28A.315.270, which requires ratification by a majority of the registered voters within each district affected by the consolidation proposal;

(2) Transfer of territory from one district to another, pursuant to RCW 28A.315.280, and which requires ratification by a majority of the registered voters within the area to be transferred only if ten percent or more of the common school population within the district of the territory proposed to be transferred are affected;

(3) Dissolution and annexation of a district to one or more contiguous districts under conditions stated in RCW 28A.315.290 and 28A.315.320. Such conditions may require dissolution and annexation or may require the regional committee to give consideration to such action; but, in either case, no ratification by the registered voters within the dissolved school district is required.

[Statutory Authority: 1990 c 33. 90-17-009, § 180-24-008, filed 8/6/90, effective 9/6/90. Statutory Authority: RCW 28A.04.120(9). 87-04-059 (Order 1-87), § 180-24-008, filed 2/4/87.]

WAC 180-24-013 State policy—The preferred four-part test. The state board of education is vested with the final administrative power and duty to judge and approve or disapprove recommended changes in the organization and extent of school districts as defined in RCW 28A.315.020 (hereafter referred to as a change in school district organization). Prior to acting upon a recommended change in school district organization, the state board of education shall consider the regional committee report required by WAC 180-24-115. No single consideration or combination of considerations necessarily warrants a change in school district organization. It, however, shall be the policy of the state board of education to favor those recommended changes in school district organization which in the board's judgment meet the following four-part test:

(1) Part one—Geographic accessibility. The first part of the test is that a recommended change in school district organization involves populated areas, and either (a) the area recommended for transfer from one school district to another is significantly more geographically accessible for school program purposes to the school district to which transfer is proposed, or (b) in the case of a recommended annexation or consolidation, the area or areas of the proposed enlarged or new district or districts taken as a whole is generally geographically accessible for school program purposes.

Whether or not geographic accessibility warrants a favorable consideration of a recommended change in school district organization shall be judged based upon the factors set forth in WAC 180-24-016.

(2) Part two—Significant detrimental effects, if any, on operational efficiency. The second part of the test is that at a minimum the recommended change in school district organization is not likely to have a significant detrimental effect upon the operational efficiency of any affected school district.

The likely effects of a recommended change in school district organization upon the operational efficiency of the

affected school districts shall be judged based upon the factors set forth in WAC 180-24-017.

Part two of the test involves a minimum or threshold consideration respecting operational efficiency, and is not intended to disregard the desirability of effecting improvements in the organization and operation of school districts above and beyond a significant increase in geographic accessibility. Accordingly, the likely positive effects upon operational efficiency shall also be judged in accordance with the third part of the test.

(3) Part three—Overall satisfactory improvement in the school system. The third part of the test is that the likely positive and negative effects of a recommended change in school district organization respecting (a) geographic accessibility and (b) operational efficiency taken as a whole provide for a satisfactory improvement in the school district system of the counties and the state.

Part three of the test involves a judgmental weighing of the various degrees of the likely positive and negative effects of a recommended change in school district organization. In making this judgment the state board of education may consider such additional matters as the state board deems pertinent including, but not limited to, the region involved, the state's instructional and building programs, and economic patterns.

(4) Part four—Equitable adjustment of assets and liabilities. If the recommended change in school district organization necessarily involves a consideration of an adjustment in school district assets and liabilities, the fourth part of the test is that an equitable adjustment of assets and liabilities is provided for.

[Statutory Authority: 1990 c 33, 90-17-009, § 180-24-013, filed 8/6/90, effective 9/6/90. Statutory Authority: RCW 28A.04.120(9), 87-04-059 (Order 1-87), § 180-24-013, filed 2/4/87.]

WAC 180-24-016 Factors pertaining to geographic accessibility. The matter of geographic accessibility generally involves a consideration of the extent to which two or more areas are, or are not, compatible in terms of travel to and from the areas. The following factors shall be considered in judging whether or not a recommended change in school district organization meets the first part of the test set forth in WAC 180-24-013:

(1) Mountains, hills, valleys, waste land, and related geographic and man-made features which either enhance or impede travel;

(2) Rivers, lakes, canals, and other natural or man-made waterways and bodies of water which either enhance or impede travel;

(3) The extent and nature of roads, highways, ferries, and traffic patterns;

(4) Climatic conditions; and

(5) The time required to travel to and from school.

[Statutory Authority: RCW 28A.04.120(9), 87-04-059 (Order 1-87), § 180-24-016, filed 2/4/87.]

WAC 180-24-017 Factors pertaining to operational efficiency. The following factors shall be considered in judging pursuant to the second and third parts of the test set forth in WAC 180-24-013 the likely positive and negative

effects of a recommended change in school district organization upon operational efficiency:

(1) The total and per pupil assessed property valuations of the affected school districts;

(2) The current and anticipated tax rates of the affected school districts for maintenance and operation, and capital bond retirement purposes;

(3) The extent the recommended change would reduce or increase a disparity in assessed property valuations as between the affected school districts;

(4) Equalization of the burden of financing the cost of high school facilities through the extension of a high school district's boundaries to include territory of a nonhigh district served by the high school districts;

(5) The extent the recommended change would potentially reduce or increase the individual and aggregate transportation costs of the affected school districts;

(6) The likely effects of the recommended change upon the existing basic education program offerings of the affected school districts, including related services, equipment, materials, and supplies;

(7) The likely effects of the recommended change upon the utilization of existing school buildings, sites, and playfields;

(8) The potential the recommended change would provide for the consolidation of programs into fewer schools and the closure of existing schools;

(9) The likely effects of the recommended change upon the existing or foreseeable needs of the affected school districts for the modernization or construction of facilities; and

(10) The likely effects of the recommended change upon economies in the administration and operation of the affected school districts due to the size of administrative units and areas of attendance.

[Statutory Authority: RCW 28A.04.120(9), 87-04-059 (Order 1-87), § 180-24-017, filed 2/4/87.]

WAC 180-24-021 Statutory framework for implementation of modification in school district organization.

The provisions of chapter 28A.315 RCW govern the procedures for modification of school district organization. Key provisions of that chapter regarding the allocation of responsibility are:

(1) RCW 28A.315.110 which sets forth the powers and duties of regional committees to:

(a) Approve proposals for organization which provide for the satisfactory improvements in the school district system;

(b) Make proposals for the equitable adjustment of assets and liabilities of districts affected by the organization proposal; and

(c) Hold hearings on the above proposals.

(2) RCW 28A.315.200 which requires the superintendent of public instruction to provide personnel to assist the regional committees in the performance of their respective duties.

(3) RCW 28A.315.140 which requires the state board of education to judge whether proposals for organization are satisfactory and/or whether proposals for adjustment of assets and liabilities are equitable.

[Statutory Authority: 1990 c 33. 90-17-009, § 180-24-021, filed 8/6/90, effective 9/6/90. Statutory Authority: RCW 28A.04.120(9). 87-04-059 (Order 1-87), § 180-24-021, filed 2/4/87.]

WAC 180-24-080 Notification to superintendent of public instruction of regional committee meetings. The secretary of each regional committee—i.e., the educational service district superintendent—shall notify the superintendent of public instruction of all meetings of the regional committee called pursuant to RCW 28A.315.100 and all proposals pursuant to RCW 28A.315.110.

[Statutory Authority: 1990 c 33. 90-17-009, § 180-24-080, filed 8/6/90, effective 9/6/90. Statutory Authority: RCW 28A.04.120(9). 87-04-059 (Order 1-87), § 180-24-080, filed 2/4/87.]

WAC 180-24-101 Organizational impact statement—Requirement. Prior to action by the regional committee to recommend approval, to reject or to revise a proposal for consolidation, transfer of territory, or dissolution and annexation, the superintendent of public instruction shall assist the regional committee, pursuant to WAC 180-24-102, in preparing an organizational impact statement which addresses each of the considerations noted in WAC 180-24-016 and 180-24-017.

[Statutory Authority: RCW 28A.04.120(9). 87-04-059 (Order 1-87), § 180-24-101, filed 2/4/87.]

WAC 180-24-102 Regional committee responsibility—Assistance of superintendent of public instruction. Pursuant to WAC 180-24-101, the superintendent of public instruction shall assist the regional committees with the following:

- (1) Providing technical advice;
- (2) Preparing the organizational impact statement which addresses each of the considerations noted in WAC 180-24-016 and 180-24-017;
- (3) Preparing findings of fact and conclusions; and/or
- (4) Other support that the superintendent of public instruction deems necessary.

[Statutory Authority: RCW 28A.04.120(9). 87-04-059 (Order 1-87), § 180-24-102, filed 2/4/87.]

WAC 180-24-110 Organizational impact statement—Format. The organizational impact statement required by WAC 180-24-101 shall address for each of the considerations enumerated in WAC 180-24-016 and 180-24-017 the following questions:

- (1) Is there sufficient evidence to determine with reasonable certainty, the positive and negative effects of the proposal organization as related to the stated consideration?
- (2) If yes, what are those positive and/or negative effects?
- (3) What significance do the positive and/or negative effects have on the determination of whether the proposed organization makes a satisfactory improvement in the school district system?

[Statutory Authority: RCW 28A.04.120(9). 87-04-059 (Order 1-87), § 180-24-110, filed 2/4/87.]

WAC 180-24-112 Adjustment of assets and liabilities considerations. Upon determination that a change in

school organization should be recommended to the state board of education, the regional committee shall consider the following factors in preparing its recommendations for an equitable adjustment in the assets and liabilities of the districts affected:

- (1) The number of children of school age resident in and the assessed valuation of the property located in each school district and in each part of a district involved or affected.
- (2) The purpose for which the bonded indebtedness of any district was incurred.
- (3) The history and relationship of the property affected to the students and communities affected.
- (4) The value, location, and disposition of all improvements located in the school districts involved or affected.
- (5) Additional burdens to the districts affected as a result of the proposed organization.
- (6) Any other equitable factor, in addition to factors noted above, which would cause the regional committee to adjust the assets and liabilities of the districts affected by other than a formula approach based on students affected and assessed valuation involved.

[Statutory Authority: RCW 28A.04.120(9). 87-04-059 (Order 1-87), § 180-24-112, filed 2/4/87.]

WAC 180-24-115 Report of regional committee to state board of education. Upon conclusion of the regional committee's favorable consideration for a change in the organization and extent of school districts, the regional committee shall transmit to the state board of education a report which contains all information required by RCW 28A.315.110 and the following additional information:

- (1) The factual basis as to why the regional committee concluded that the proposed change in organization made a satisfactory improvement in the school district system;
- (2) The factual basis as to why the regional committee concluded that the proposed adjustment in the assets and liabilities of the school districts affected would be equitable;
- (3) A list of the public hearings held to consider the aforementioned proposals;
- (4) A copy of the organizational impact statement required by WAC 180-24-101.

[Statutory Authority: 1990 c 33. 90-17-009, § 180-24-115, filed 8/6/90, effective 9/6/90. Statutory Authority: RCW 28A.04.120(9). 87-04-059 (Order 1-87), § 180-24-115, filed 2/4/87.]

WAC 180-24-120 Superintendent of public instruction review of regional committee proposals. Reports of regional committees, pursuant to WAC 180-24-115, shall be reviewed by the superintendent of public instruction for compliance with the provisions of this chapter. The superintendent of public instruction shall present to the state board of education the results of such review as well as recommended action to be taken by the state board of education in response to the regional committee's report. The superintendent of public instruction's recommendations shall be made prior to final action by the state board of education pursuant to RCW 28A.315.140.

[Statutory Authority: 1990 c 33. 90-17-009, § 180-24-120, filed 8/6/90, effective 9/6/90. Statutory Authority: RCW 28A.04.120(9). 87-04-059 (Order 1-87), § 180-24-120, filed 2/4/87.]

WAC 180-24-125 State board of education standards for determining whether a regional committee report for organization is satisfactory. The considerations to be utilized by the state board of education in determining whether or not to approve the recommendation of a regional committee pursuant to RCW 28A.315.140 shall include but not be limited to the following:

(1) Compliance by the regional committee with the applicable provisions of chapter 28A.315 RCW and the implementing regulations of the state board of education;

(2) Sufficiency of the factual basis reported by the regional committee for its conclusion that the proposed change in the organization made a satisfactory improvement in the school system;

(3) Validity of the conclusion by the regional committee that the factual basis supported a conclusion that the proposed change in organization made a satisfactory improvement in the school district system.

[Statutory Authority: 1990 c 33. 90-17-009, § 180-24-125, filed 8/6/90, effective 9/6/90. Statutory Authority: RCW 28A.04.120(9). 87-04-059 (Order 1-87), § 180-24-125, filed 2/4/87.]

WAC 180-24-130 State board of education standards for determining whether a regional committee report for adjustment of assets and liabilities is equitable. The considerations to be utilized by the state board of education in determining whether a regional committee report for adjustment of assets pursuant to RCW 28A.315.140 and liabilities is equitable include but are not necessarily limited to the following:

(1) Compliance by the regional committee with the applicable provisions of chapter 28A.315 RCW, particularly the equity considerations stated in RCW 28A.315.110(2), and the implementing regulations of the state board of education;

(2) Sufficiency of the factual basis reported by the regional committee for its conclusion that the proposed plan for adjustment of assets and liabilities is equitable;

(3) Validity of the conclusion by the regional committee that the factual basis supported a conclusion that the proposed plan for the adjustment of assets and liabilities is equitable.

[Statutory Authority: 1990 c 33. 90-17-009, § 180-24-130, filed 8/6/90, effective 9/6/90. Statutory Authority: RCW 28A.04.120(9). 87-04-059 (Order 1-87), § 180-24-130, filed 2/4/87.]

WAC 180-24-140 Disapproval action by state board of education. If the state board of education, pursuant to RCW 28A.315.140, judges that the regional committee's proposal for a change in the organization and extent of districts is unsatisfactory or that its proposal for adjustment of assets and liabilities is inequitable, the state board of education shall state the reasons for its action and return the proposal to the regional committee pursuant to RCW 28A.315.140. In the event the proposal is rejected a second time by the state board of education following its resubmission, the rejection shall be final unless otherwise qualified by the board.

[Statutory Authority: 1990 c 33. 90-17-009, § 180-24-140, filed 8/6/90, effective 9/6/90. Statutory Authority: RCW 28A.04.120(9). 87-04-059 (Order 1-87), § 180-24-140, filed 2/4/87.]

WAC 180-24-200 Numbering system of school districts. (1) **Authority for rules.** Pursuant to authority contained in RCW 28A.305.150, the state board of education hereby establishes the rules and regulations hereinafter set forth to govern the numbering system of school districts.

(2) **Intent.** It is the intent of the state board of education to establish a procedure by which school districts which currently have duplicate numbers and all new or consolidated districts may have the opportunity, consistent with these rules, to obtain a unique number.

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

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

(5) **Exception to rules.** In accordance with RCW 28A.315.250, the educational service district superintendent has the authority to designate the number in case of the incorporation of a city or town containing territory lying in two or more school districts or of the uniting of two or more cities or towns not located in the same school district, except where the incorporation or consolidation would affect a district or districts of the first class.

(6) **Superintendent of public instruction to administer numbering system.** Consistent with the regulations hereinbefore set forth and pursuant to RCW 28A.300.040, the superintendent of public instruction hereby is authorized to act for the state board of education in the numbering and/or renumbering of school districts and to establish a procedure for administration of the numbering system.

[Statutory Authority: 1990 c 33. 90-17-009, § 180-24-200, filed 8/6/90, effective 9/6/90. Statutory Authority: RCW 28A.04.120(9). 87-04-059 (Order 1-87), § 180-24-200, filed 2/4/87; Order 2-72, § 180-24-200, filed 6/27/72.]

WAC 180-24-205 Classification system of school districts. (1) **Authority.** The authority for this section is RCW 28A.305.150 which authorizes the state board of education to establish the classification system for school districts.

(2) **Purpose.** The purpose of this section is to set forth the definitions for the classification of a school district as either a high school or a nonhigh school district.

(3) **High school district.** A high school district is one which conducts a ninth through twelfth grade program for district residents eligible to enroll therein which:

(a) Has been approved by the state board of education as may be required by RCW 28A.305.130(7); and

(b) Meets the basic education program requirements set forth in chapter 180-16 WAC.

(4) **Nonhigh school district.** A nonhigh school district is one that is not classified as a high school district under subsection (3) of this section.

(5) **Applicability.** The classifications of school districts established in subsections (3) and (4) of this section shall apply for the purposes of chapter 28A.545 RCW, RCW 84.52.0531, and the application of other laws under which a district's classification as either a high school or nonhigh school district is material.

[Statutory Authority: 1990 c 33. 90-17-009, § 180-24-205, filed 8/6/90, effective 9/6/90. Statutory Authority: RCW 28A.04.130 and 28A.04.120(9). 89-22-005, § 180-24-205, filed 10/20/89, effective 11/20/89.]

WAC 180-24-300 Election of regional committee members—Applicable provisions. The provisions of WAC 180-24-300 through 180-24-380 shall apply to the election of regional committee members.

[Statutory Authority: RCW 28A.04.120(9). 87-04-059 (Order 1-87), § 180-24-300, filed 2/4/87.]

WAC 180-24-305 Election of regional committee members—Election officer. In accordance with RCW 28A.315.060, the educational service district superintendent shall serve as the election officer for the coordination and conduct of the election of members of the respective regional committees of the educational service districts.

[Statutory Authority: 1990 c 33. 90-17-009, § 180-24-305, filed 8/6/90, effective 9/6/90. Statutory Authority: RCW 28A.04.120(9). 87-04-059 (Order 1-87), § 180-24-305, filed 2/4/87.]

WAC 180-24-310 Election of regional committee members—Dissolution—Position numbers—Initial elections—Regular elections—Terms of office. Elections for members of regional committees shall be conducted within the time periods noted in WAC 180-24-312 through 180-24-380. The term of office of each regional committee member and position shall expire as of the second Monday of January 1995. Each regional committee member position shall therefore be open for election purposes in 1994. Regional committee member position numbers shall be assigned by the educational service district superintendent for purposes of all elections held pursuant to RCW 28A.315.060. For the initial election conducted pursuant to RCW 28A.315.030 and the election of a new regional committee following a change in the number of educational service districts or board members, regional committee member positions one, three, five, seven, and nine shall be for a term of two years, positions two, four, six, and eight shall be for a term of four years. Following the initial election, regular elections of regional committee members shall be conducted in subsequent even-numbered years for four-year terms and until their successors are certified as elected: *Provided*, That whenever a change in the number of educational service districts or board members occurs, a new regional committee shall be elected for each affected educational service district at the next regular election. Those regional committee members serving within an educational service district affected by the change shall continue to constitute the regional committee for the educational service district within which they are registered to vote until the majority of a new

regional committee has been elected and certified at the next regular election.

[Statutory Authority: RCW 28A.305.130(10), 28A.315.010(1) and 1993 c 416. 94-13-018, § 180-24-310, filed 6/3/94, effective 7/4/94. Statutory Authority: RCW 28A.04.120(9). 87-04-059 (Order 1-87), § 180-24-310, filed 2/4/87.]

WAC 180-24-312 Election of regional committee members—Tentative certification of electors. On September twenty-first of each even-numbered year or if such date is a Saturday, Sunday, or holiday the state working day immediately preceding such date, the educational service district superintendent shall certify a tentative list of electors consisting of all persons eligible to vote, per RCW 28A.315.060, if the election were held on that date.

[Statutory Authority: RCW 28A.305.130(10), 28A.315.010(1) and 1993 c 416. 94-13-018, § 180-24-312, filed 6/3/94, effective 7/4/94. Statutory Authority: 1990 c 33. 90-17-009, § 180-24-312, filed 8/6/90, effective 9/6/90. Statutory Authority: RCW 28A.04.120(9). 87-04-059 (Order 1-87), § 180-24-312, filed 2/4/87.]

WAC 180-24-315 Election of regional committee members—Call for election—Regional committee members. On or before September twenty-fifth of each even-numbered year, the educational service district superintendent shall call for an election for the purpose of electing members of the regional committee for those positions whose term of office expires in January of the following year. Such notice shall be sent to each eligible voter and shall contain instructions and a copy of the pertinent rules and regulations for the conduct of the election.

[Statutory Authority: RCW 28A.305.130(10), 28A.315.010(1) and 1993 c 416. 94-13-018, § 180-24-315, filed 6/3/94, effective 7/4/94. Statutory Authority: RCW 28A.04.120(9). 87-04-059 (Order 1-87), § 180-24-315, filed 2/4/87.]

WAC 180-24-320 Election of regional committee members—Candidates—Eligibility—Filing. (1) **Eligibility.** A person is eligible to be a candidate for membership on the regional committee if he or she is a registered voter and a resident of the committee member district for which the candidate files. Eligibility, due to other service, is restricted pursuant to RCW 28A.315.050.

(2) **Forms for filing.** A person who desires to be a candidate shall complete:

(a) The declaration of candidacy and affidavit form provided for in WAC 180-24-325; and

(b) The biographical data form provided for in WAC 180-24-327: *Provided*, That a declarant may elect not to submit biographical data.

(3) **Filing period.** The filing period for candidates for a position on a regional committee is from October first through October fifteenth of each even-numbered year. Any declaration of candidacy that is not received by the educational service district superintendent on or before 5:00 p.m. October fifteenth shall not be accepted and such a declarant shall not be a candidate: *Provided*, That any declaration that is postmarked on or before midnight October fifteenth and received by mail on or before 5:00 p.m. October twentieth shall be accepted: *Provided further*, That any declaration received pursuant to the United States mail on or before 5:00

p.m. October twentieth that is not postmarked or legibly postmarked shall also be accepted.

[Statutory Authority: RCW 28A.305.130(10), 28A.315.010(1) and 1993 c 416. 94-13-018, § 180-24-320, filed 6/3/94, effective 7/4/94. Statutory Authority: 1990 c 33. 90-17-009, § 180-24-320, filed 8/6/90, effective 9/6/90. Statutory Authority: RCW 28A.04.120(9). 87-04-059 (Order 1-87), § 180-24-320, filed 2/4/87.]

WAC 180-24-325 Election of regional committee members—Declaration and affidavit of candidacy form. The declaration and affidavit of candidacy which each candidate is required to substantially complete and to file as a condition to having his or her name placed on an official ballot shall be as follows:

I,, solemnly swear (or affirm): That I reside within the boundary of Educational Service District No. . . . , within the boundary of regional committee member district No. . . . , and am a registered voter of the same regional committee member district; That I am aware that, if elected, I cannot concurrently serve as the superintendent of public instruction, a member of the state board of education, an educational service district superintendent, a member of a board of directors of a school district, a member of an educational service district board, a member of a governing board of either a private school or a private school district which conducts any grades kindergarten through twelve, an officer appointed by any such governing board, an employee of a school district, an employee of an educational service district, an employee of the office of the superintendent of public instruction, an employee of a private school, or an employee of a private school district; and That I hereby declare myself a candidate for membership on Educational Service District No. . . . Regional Committee on school district organization for a term of four years beginning the second Monday in January, 19. . . , subject to the election to be held pursuant to law and I request that my name be listed on the ballot therefor.

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

(Signed)
Address:
.

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

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

[Statutory Authority: RCW 28A.305.130(10), 28A.315.010(1) and 1993 c 416. 94-13-018, § 180-24-325, filed 6/3/94, effective 7/4/94. Statutory Authority: RCW 28A.04.120(9). 87-04-059 (Order 1-87), § 180-24-325, filed 2/4/87.]

WAC 180-24-327 Election of regional committee members—Biographical data form. The educational service district superintendent shall provide a biographical data form not exceeding two letter size typewritten pages in length which each candidate may complete. Completed forms submitted to the educational service district superintendent by a candidate must be camera ready. Biographical data forms shall be reproduced as submitted and distributed

by the superintendent with the ballots to each voter. The biographical data form shall require no more information from the candidate than the candidate's name and address and the regional committee district number for which the candidate is filing.

[Statutory Authority: RCW 28A.04.120(9). 87-04-059 (Order 1-87), § 180-24-327, filed 2/4/87.]

WAC 180-24-330 Election of regional committee members—Withdrawal of candidacy. Any candidate may withdraw his or her declaration of candidacy by delivering a written, signed and notarized statement of withdrawal to the educational service district superintendent on or before 5:00 p.m. October twentieth. A candidate's failure to withdraw as prescribed above shall result in the inclusion of the candidate's name on the appropriate election ballot.

A regional committee member district position shall be stricken from the ballot if no candidate files for the position within the timelines specified in WAC 180-24-320.

Board-member district positions which become vacant after the call of election specified in WAC 180-24-315 shall be filled by appointment by the regional committee pursuant to RCW 28A.315.070 and the appointee shall serve until his or her successor has been elected at the next election called by the educational service district superintendent.

[Statutory Authority: 1990 c 33. 90-17-009, § 180-24-330, filed 8/6/90, effective 9/6/90. Statutory Authority: RCW 28A.04.120(9). 87-04-059 (Order 1-87), § 180-24-330, filed 2/4/87.]

WAC 180-24-335 Election of regional committee members—Certification of electors. The list of eligible voters as authorized by RCW 28A.315.060(3) shall remain open for changes and deletions until 5:00 p.m. October twenty-sixth or, in the event such date is a Saturday, Sunday, or holiday, until 5:00 p.m. the working day immediately following such date. The educational service district superintendent as soon thereafter as is practical shall certify the list of electors.

[Statutory Authority: 1990 c 33. 90-17-009, § 180-24-335, filed 8/6/90, effective 9/6/90. Statutory Authority: RCW 28A.04.120(9). 87-04-059 (Order 1-87), § 180-24-335, filed 2/4/87.]

WAC 180-24-340 Election of regional committee members—Ballots—Contents. Ballots shall be prepared by the educational service district superintendent. The ballot for each position subject to election pursuant to this chapter shall contain the names of each candidate eligible for the particular position. There shall be a separate listing of the candidates for each regional committee member district open in the particular educational service district. The educational service district superintendent shall develop voting instructions which shall accompany the ballots.

[Statutory Authority: RCW 28A.04.120(9). 87-04-059 (Order 1-87), § 180-24-340, filed 2/4/87.]

WAC 180-24-345 Election of regional committee members—Ballots and envelopes—Mailing to voters. (1) On or before November first ballots shall be mailed to voters together with two envelopes to be used for voting. The outer and larger envelope (i.e., official ballot envelope) shall:
(a) Be labeled "official ballot";

(b) Be preaddressed with the educational service district superintendent as addressee;

(c) Have provision for prepaid postage; and

(d) Have provision for the identification of the voter, mailing address, his or her school district, and educational service district.

The inner and smaller envelope shall be unlabeled and unmarked.

(2) One ballot and two envelopes to be used for voting purposes and pertinent instructions for voting purposes shall be mailed to each member of a public school district board of directors as certified by the educational service district superintendent pursuant to WAC 180-24-335.

[Statutory Authority: RCW 28A.04.120(9). 87-04-059 (Order 1-87), § 180-24-345, filed 2/4/87.]

WAC 180-24-350 Election of regional committee members—Voting—Marking and return of ballots. (1) The election shall be conducted in strict accordance with the requirements of RCW 28A.315.060.

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

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

(a) Placing his or her marked official ballot in the smaller, unmarked envelope and sealing the same;

(b) Placing the smaller envelope containing the ballot in the larger preaddressed envelope marked "official ballot" and sealing the same;

(c) If not already designated, completing the following information on the face of the official ballot envelope: Name, mailing address, identification of school district, and educational service district;

(d) Placing the official ballot envelope in the United States mail to the superintendent of the educational service district.

[Statutory Authority: 1990 c 33. 90-17-009, § 180-24-350, filed 8/6/90, effective 9/6/90. Statutory Authority: RCW 28A.04.120(9). 87-04-059 (Order 1-87), § 180-24-350, filed 2/4/87.]

WAC 180-24-355 Election of regional committee members—Election board—Appointment and composition. In each election the educational service district board shall appoint a three member election board and at least one alternate who shall serve thereon in the absence of a regular member of the election board. Votes cast at elections, conducted pursuant to this chapter shall be counted by the educational service district superintendent or his or her designee and the election board.

[Statutory Authority: RCW 28A.305.130(10), 28A.315.010(1) and 1993 c 416. 94-13-018, § 180-24-355, filed 6/3/94, effective 7/4/94. Statutory Authority: RCW 28A.04.120(9). 87-04-059 (Order 1-87), § 180-24-355, filed 2/4/87.]

WAC 180-24-360 Election of regional committee members—Receipt of ballots and count of votes. (1) As official ballot envelopes are received by the educational service district superintendent, a preliminary determination

shall be made as to the eligibility of the voter, and a record shall be made on a list of eligible voters that the voter has voted. Official ballot envelopes not submitted in compliance with this chapter and other envelopes containing ballots shall be set aside for a final review and acceptance or rejection by the election board.

(2) The election board shall convene for the purpose of counting votes after November twenty-first and not later than November twenty-fifth or the next business day if the twenty-fifth falls on a Saturday, Sunday, or legal holiday at a date, time and place designated by the educational service district superintendent. Official ballot envelopes that are accepted by the election board shall be opened, and the inner envelopes containing ballots shall be removed and placed aside, still sealed. The inner envelopes shall then be opened and the votes counted by the election board.

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

(4) Each vote cast shall count as one full vote, and a candidate shall be elected by a majority of the total votes cast for all candidates for the particular position.

[Statutory Authority: RCW 28A.04.120(9). 87-04-059 (Order 1-87), § 180-24-360, filed 2/4/87.]

WAC 180-24-365 Election of regional committee members—Ineligible votes. The following ballots and votes shall be declared void and shall not be accepted:

(1) Votes for write-in candidates;

(2) Votes cast on other than an official ballot provided pursuant to this chapter;

(3) Ballots which contain a vote for more than one candidate in a regional committee member district;

(4) Ballots contained in other than an official ballot envelope provided pursuant to this chapter;

(5) Ballots contained in an official ballot envelope upon which the voter's name is not designated;

(6) Ballots received after 5:00 p.m. November sixteenth; *Provided*, That any ballot that is postmarked on or before midnight November sixteenth and received prior to the initial counting of votes by the election board shall be accepted; *Provided further*, That any ballot received pursuant to the United States mail on or before 5:00 p.m. on November twenty-first that is not postmarked or legibly postmarked shall also be accepted; and

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

[Statutory Authority: RCW 28A.04.120(9). 87-04-059 (Order 1-87), § 180-24-365, filed 2/4/87.]

WAC 180-24-370 Election of regional committee members—Recount of votes cast—Automatic—By request. (1) Automatic. A recount of votes cast shall be automatic if the difference between any two viable candidates for the same position is one vote or less than one percent of votes cast for the position, whichever is greater. For the purpose of this section, the term viable candidate shall mean any candidate whose election outcome could be changed if the difference noted above were added to his or her total votes.

(2) Upon request. A recount of votes cast shall be afforded any candidate as a matter of right: *Provided*, That

the request shall be made in writing and received by the educational service district superintendent within seven calendar days after the date upon which the votes were counted by the election board.

[Statutory Authority: RCW 28A.04.120(9). 87-04-059 (Order 1-87), § 180-24-370, filed 2/4/87.]

WAC 180-24-375 Election of regional committee members—Certification of election. Within ten calendar days after the date upon which the votes were counted, the educational service district superintendent shall officially certify to the superintendent of public instruction the name or names of candidates elected to membership on the regional committee.

[Statutory Authority: RCW 28A.04.120(9). 87-04-059 (Order 1-87), § 180-24-375, filed 2/4/87.]

WAC 180-24-380 Election of regional committee members—Run off elections. If no candidate receives a majority of the votes cast, then, not later than the first day of December, the educational service district superintendent shall call a second election to be conducted in the same manner as the first election and at which the candidates shall be the two candidates receiving the highest and next highest number of votes cast. No vote cast at such second election shall be received for counting if postmarked after the sixteenth day of December, or if not postmarked or the postmark is not legible, if received by mail after 5:00 p.m. of the twenty-first day of December. Votes cast at the second election shall be counted in accordance with WAC 180-24-355, 180-24-360, 180-24-365, and 180-24-370 prior to the second Monday of January next following. The candidate receiving a majority of the votes cast at any such second election shall be declared elected. In the event of a tie in such second election, the candidate elected shall be determined by a chance drawing of a nature established by the educational service district superintendent.

[Statutory Authority: RCW 28A.04.120(9). 87-04-059 (Order 1-87), § 180-24-380, filed 2/4/87.]

Chapter 180-25 WAC

STATE ASSISTANCE IN PROVIDING SCHOOL PLANT FACILITIES—PRELIMINARY PROVISIONS

WAC

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DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

180-25-300 Project approval moratorium. [Statutory Authority: RCW 28A.47.060, 28A.47.802 and 28A.47.830. 89-22-006, § 180-25-300, filed 10/20/89, effective 11/20/89; 89-08-086 (Order 7-89), § 180-25-300, filed 4/5/89.] Repealed by 90-04-032, filed 1/30/90, effective 3/2/90. Statutory Authority: RCW 28A.47.803, 28A.47.060, 28A.47.802 and 28A.47.105.

WAC 180-25-005 Authority. This chapter is adopted pursuant to RCW 28A.525.200 which authorizes the state board of education to prescribe rules and regulations governing the administration, control, terms, conditions, and disbursements of moneys to school districts to assist them in providing school facilities. In accordance with RCW 28A.525.200, the only provisions of chapter 28A.525 RCW currently applicable to state assistance for school facilities are RCW 28A.525.030, 28A.525.040, 28A.525.050, 28A.525.162 through 28A.525.178.

[Statutory Authority: 1990 c 33. 90-17-009, § 180-25-005, filed 8/6/90, effective 9/6/90. Statutory Authority: RCW 28A.47.830. 83-21-064 (Order 9-83), § 180-25-005, filed 10/17/83.]

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

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

WAC 180-25-015 Definition—School facilities. As used in this chapter, and in chapters 180-26 through 180-33 WAC, the term "school facilities" means school plant facilities, school plant projects, school buildings, common school facilities and the grounds as those terms are utilized in chapter 28A.525 RCW. Any structure not placed on a permanent foundation shall be excluded from this definition.

[Statutory Authority: 1990 c 33. 90-17-009, § 180-25-015, filed 8/6/90, effective 9/6/90. Statutory Authority: RCW 28A.47.830. 83-21-064 (Order 9-83), § 180-25-015, filed 10/17/83.]

WAC 180-25-020 District application—Study and survey. Prior to state board of education consideration of

state assistance in providing school facilities, the board of directors of a school district shall file with the superintendent of public instruction an application for each school facility project, whether new construction or modernization of an existing facility, and shall request the superintendent of public instruction to study and survey existing and proposed school facilities within the district.

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

WAC 180-25-025 State study and survey—Content.

The study and survey to be conducted by the superintendent of public instruction with the cooperation of the local school district shall include the following:

(1) An inventory and area analysis of existing school facilities within the district, a description of the types and kinds of systems and subsystems used in those facilities and their physical condition;

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

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

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

(5) The existence of a school housing emergency;

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

(7) The type and extent of new and/or additions to existing school facilities required and the urgency of need for such facilities;

(8) A cost/benefit analysis on the need to modernize and/or replace existing school facilities in order to meet current educational needs and the current state building code;

(9) The need and the estimated capital cost to restore, to design specifications, the major systems and subsystems in the facilities that have deteriorated due to deferred maintenance.

(10) A determination from data as to whether the district is eligible to receive funds from the state board of education for the construction and/or modernization of its school facilities: *Provided*, That modernization requests included in a project application for any building that was accepted by the school district board of directors after January 1, 1993, shall be subject to the limitations on basic state assistance as determined in chapter 180-33 WAC;

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

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

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

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

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

public instruction to complete the study and survey and to establish the eligibility of the district for state assistance in school facility construction.

[Statutory Authority: [RCW 28A.525.020.] 91-12-058, § 180-25-025, filed 6/5/91, effective 7/6/91. Statutory Authority: RCW 28A.47.803, 28A.47.060, 28A.47.802 and 28A.47.105. 90-04-031, § 180-25-025, filed 1/30/90, effective 3/2/90. Statutory Authority: RCW 28A.47.830. 85-24-047 (Order 24-85), § 180-25-025, filed 11/27/85; 83-21-064 (Order 9-83), § 180-25-025, filed 10/17/83.]

WAC 180-25-030 State study and survey—Local involvement.

When in the judgment of the superintendent of public instruction information is not readily available to complete the state study and survey or the superintendent of public instruction determines that an existing study and survey, although completed within the previous six years, is out of date, the superintendent of public instruction shall request the state board of education to approve a district's request for state assistance to offset all or a portion of the cost of acquiring such information. If the state board of education concurs that such information is incomplete or the state study and survey is out of date, the state board of education shall approve such request unless the state board of education determines there is no possibility that the district will be eligible for state assistance within the next seventy-two months. Such assistance shall be based on a minimum flat grant for each enrollment category plus a variable allocation based on the district's estimated gross square footage of existing school facilities and in accordance with the following schedule:

Headcount Enrollment Categories

Enrollment of 1 to 500—Minimum grant plus square footage allocation

Enrollment of 501 to 3,000—Minimum grant plus square footage allocation

Enrollment of 3,001 to 10,000—Minimum grant plus square footage allocation

Enrollment of above 10,000—Minimum grant plus square footage allocation

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

[Statutory Authority: RCW 28A.525.020 and 1992 c 233 § 24(8). 92-16-058, § 180-25-030, filed 8/3/92, effective 9/3/92. Statutory Authority: RCW 28A.47.830. 85-24-047 (Order 24-85), § 180-25-030, filed 11/27/85; 83-21-064 (Order 9-83), § 180-25-030, filed 10/17/83.]

WAC 180-25-031 Special state study and surveys—

Additional state assistance. Each school district that has participated subsequent to October 5, 1991, or hereafter participates, at the request of the state board of education or superintendent of public instruction, in a special state study and survey by developing and providing data above and beyond the data called for by WAC 180-25-025 shall be eligible for state assistance in addition to such state assistance as the school district may be eligible for under WAC 180-25-030. Such additional state assistance shall be based upon the direct costs incurred by a school district for the development of such additional data and shall not exceed ten thousand dollars per school district per special state study and survey.

[Statutory Authority: RCW 28A.525.020, 92-04-043, § 180-25-031, filed 1/31/92, effective 3/2/92.]

WAC 180-25-032 State study and survey—Special state assistance for building condition surveys. If, as of May 22, 1992, a district is actively conducting a state study and survey or has a current study and survey on file at the superintendent of public instruction, the district may make application to the superintendent of public instruction for special state assistance to conduct a standardized building condition analysis as required by WAC 180-27-535 to determine state funding priority rankings. This special assistance shall not be available to districts which receive a study and survey grant after July 1, 1992. The grant amount shall not exceed four hundred dollars per active school facility and will be paid only on actual incremental direct costs. The superintendent of public instruction shall report to the state board of education on grant requests and payments made under this section on an annual basis until July 1, 1995.

[Statutory Authority: RCW 28A.525.020 and 1992 c 233 § 24(8), 92-16-058, § 180-25-032, filed 8/3/92, effective 9/3/92.]

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

WAC 180-25-050 District authority to proceed.

Upon receipt of the state board of education approval, the school district is authorized to proceed as follows:

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

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

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

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

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

WAC 180-25-060 Eligibility for state assistance for new construction—Definition—Contiguous school district. As used in this chapter the term "contiguous school district" means a school district sharing a common boundary with another school district.

[Statutory Authority: RCW 28A.47.803, 28A.47.060, 28A.47.802 and 28A.47.105. 90-01-075, § 180-25-060, filed 12/19/89, effective 12/19/89.]

WAC 180-25-065 Eligibility for state assistance for new construction—Definition—Negotiate in good faith. As used in this chapter the term "negotiate in good faith" means approach a school district with an available and suitable school facility with the intent to enter into an agreement to lease the facility.

[Statutory Authority: RCW 28A.47.803, 28A.47.060, 28A.47.802 and 28A.47.105. 90-01-075, § 180-25-065, filed 12/19/89, effective 12/19/89.]

WAC 180-25-070 Eligibility for state assistance for new construction—Survey of available and suitable school plant facilities in contiguous school districts. A

school district applying for state assistance for new construction shall conduct a documented survey of available and suitable school plant facilities in each contiguous school district that meet the needs of the applicant school district and are either currently vacant or scheduled for vacation within the foreseeable future.

[Statutory Authority: RCW 28A.47.803, 28A.47.060, 28A.47.802 and 28A.47.105. 90-01-075, § 180-25-070, filed 12/19/89, effective 12/19/89.]

WAC 180-25-075 Eligibility for state assistance for new construction—Contents of survey. The survey required in WAC 180-25-070 shall include at a minimum:

(1) A listing of contiguous school districts.

(2) Name and title of each person contacted regarding availability of facilities.

(3) A listing of available facilities including location.

[Statutory Authority: RCW 28A.47.803, 28A.47.060, 28A.47.802 and 28A.47.105. 90-01-075, § 180-25-075, filed 12/19/89, effective 12/19/89.]

WAC 180-25-080 Eligibility for state assistance for new construction—Application to superintendent of public instruction—Necessary documentation. As part of the application submitted to the superintendent of public instruction, the district applying for state assistance for new construction shall include:

(1) A copy of the survey conducted pursuant to WAC 180-25-070.

(2) A board resolution certifying one of the following:

(a) No suitable space is available in any contiguous district;

(b) Space is available in a contiguous district but the facilities do not meet needs of the applicant district. The applicant district shall provide substantial evidence to support the unsuitability of the available facility;

(c) Space is available in a contiguous district but good faith negotiations did not lead to an agreement between the applicant district and the district containing the available facility. The applicant district shall provide substantial evidence to support the lack of lease agreement including a history of the negotiations and proposed offers by each district.

(3) Other information deemed pertinent by the applicant district.

[Statutory Authority: RCW 28A.47.803, 28A.47.060, 28A.47.802 and 28A.47.105. 90-01-075, § 180-25-080, filed 12/19/89, effective 12/19/89.]

WAC 180-25-085 Eligibility for state assistance for new construction—Review of survey of available and suitable school plant facilities in contiguous school districts. The superintendent of public instruction shall review and approve the applicant school boards certification and supporting documentation submitted pursuant to WAC 180-25-080, if the certification is complete, technically accurate, and complies with all applicable rules and regulations. Until this certification is approved by the superintendent of public instruction, the school district's application for state assistance will not be forwarded to the state board of education.

[Statutory Authority: RCW 28A.47.803, 28A.47.060, 28A.47.802 and 28A.47.105. 90-01-075, § 180-25-085, filed 12/19/89, effective 12/19/89.]

WAC 180-25-090 Eligibility for state assistance for new construction—Approval by state board of education of applicant's school district certification. Upon presentation by the superintendent of public instruction, the state board of education shall approve an applicant school district's certification of the unavailability of suitable school plant facilities in contiguous school districts if it is established to the state board of education's satisfaction that vacant, available, and suitable school plant facilities neither exist nor are scheduled to exist within the foreseeable future in a contiguous school district.

[Statutory Authority: RCW 28A.47.803, 28A.47.060, 28A.47.802 and 28A.47.105. 90-01-075, § 180-25-090, filed 12/19/89, effective 12/19/89.]

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

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

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

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

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

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

Chapter 180-26 WAC

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

WAC

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| 180-26-015 | Educational specifications. |
| 180-26-020 | Site conditions—Acceptance criteria. |
| 180-26-025 | Racial imbalance prohibition—Definition and acceptance criteria. |
| 180-26-030 | Site nonacceptance by superintendent of public instruction—Appeal to state board of education. |
| 180-26-040 | District authority to proceed. |
| 180-26-050 | Option to request preliminary funding status prior to proceeding pursuant to WAC 180-26-040. |
| 180-26-057 | State board of education project commitment at preliminary funded status. |
| 180-26-058 | Suspension of state building assistance commitments pending adoption of new priority system for allocating state assistance. |
| 180-26-060 | Loss of preliminary funding status. |
| 180-26-200 | Forms. |

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

180-26-055 Preliminary funding status to certain projects. [Statutory Authority: RCW 28A.47.060, 28A.47.802 and 28A.47.830. 89-08-085 (Order 6-89), § 180-26-055, filed 4/5/89. Statutory Authority: RCW 28A.47.830. 85-24-047 (Order 24-85), § 180-26-055, filed 11/27/85.] Repealed by 90-24-068, filed 12/5/90, effective 1/5/91. Statutory Authority: RCW 28A.525.020.

WAC 180-26-005 Authority. This chapter is adopted pursuant to RCW 28A.525.200 relating to authority of the state board of education to prescribe rules and regulations governing the administration, control, terms, conditions, and disbursements of allocations to school districts to assist them in providing school facilities. In accordance with RCW 28A.525.200, the only provisions of chapter 28A.525 RCW currently applicable to state assistance for school facilities are RCW 28A.525.030, 28A.525.040, 28A.525.050, and 28A.525.162 through 28A.525.178.

[Statutory Authority: 1990 c 33. 90-17-009, § 180-26-005, filed 8/6/90, effective 9/6/90. Statutory Authority: RCW 28A.47.830. 83-21-065 (Order 10-83), § 180-26-005, filed 10/17/83.]

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

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

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

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

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

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

WAC 180-26-020 Site conditions—Acceptance criteria. The superintendent of public instruction shall conduct an on-site review and evaluation of a proposed site

in the case of new construction and an existing site in the case of modernization. The superintendent of public instruction shall accept a site that meets the following conditions:

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

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

WAC 180-26-025 Racial imbalance prohibition—
Definition and acceptance criteria. The superintendent of public instruction shall not accept a site unless the applicant district provides assurances that its attendance policies for the proposed or modernized school facility will not create or aggravate racial imbalance within the boundaries of the applicant school district. For the purpose of this chapter, racial imbalance shall be defined as the situation that exists when minority enrollment (as defined by current federal categories) of a school plant facility is as follows:

(1) General rule. As a general rule—except for greater than fifty percent minority school districts—racial imbalance shall be defined as the situation that exists:

(a) When the combined minority enrollment of a school exceeds the district-wide combined minority percentage by twenty percentage points or more; or

(b) When a school's enrollment of a single minority group with a district-wide enrollment of less than thirty percent exceeds fifty percent; or

(c) When a school's enrollment of a single minority group with a district-wide enrollment of thirty percent or more exceeds the minority group's district-wide percentage by twenty percentage points or more.

(2) Greater than fifty percent minority districts. This is a school district with a district-wide combined minority enrollment that exceeds fifty percent. Racial imbalance in a greater than fifty percent minority, nonmultiracial school district shall be defined as existing:

(a) When the combined minority enrollment of a school varies from the district-wide combined minority percentage by more than plus or minus twenty-five percentage points; or

(b) When a school's enrollment of a single minority group with a district-wide enrollment of less than thirty percent exceeds fifty percent; or

(c) When a school's enrollment of a single minority group with a district-wide enrollment of thirty percent or more exceeds the minority group's district-wide percentage by twenty percentage points or more.

(3) Greater than fifty percent minority, multiracial districts. This is a school district with a district-wide combined minority enrollment that exceeds fifty percent and consists of two or more minority group enrollments which are each greater than twenty percent. Racial imbalance in a greater than fifty percent minority, multiracial school district shall be defined as existing:

(a) When the combined minority enrollment of a school varies from the district-wide combined minority percentage by more than plus or minus twenty-five percent percentage points; or

(b) When a school's enrollment of a single minority exceeds the combined district-wide minority percentage.

(4) Exclusions—This policy does not apply to:

(a) Public schools located on American Indian reservations; or

(b) School buildings which are the sole site within a school district for the conduct of a regular or special needs program for students of the age(s) or grade level(s) served at the site; or

(c) Student enrollments in programs established and conducted to address extraordinary educational needs, such as bilingual orientation programs, where the assignment and

enrollment of students are based solely upon their extraordinary educational needs, the enrollment of students in the program is limited to the duration of their extraordinary educational need, and adherence to the policy would defeat the educational purpose of the program.

[Statutory Authority: RCW 28A.525.020. 94-20-055, § 180-26-025, filed 9/30/94, effective 10/31/94. Statutory Authority: RCW 28A.47.830. 84-11-046 (Order 5-84), § 180-26-025, filed 5/17/84; 83-21-065 (Order 10-83), § 180-26-025, filed 10/17/83.]

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

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

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

- (1) Commence with the design of the school facility in accordance with the district's educational specifications.
- (2) Complete the energy conservation report pursuant to WAC 180-27-075.
- (3) Complete a value engineering study pursuant to WAC 180-27-080.

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

WAC 180-26-050 Option to request preliminary funding status prior to proceeding pursuant to WAC 180-26-040. As used in chapters 180-26, 180-27, and 180-29 WAC, the term "preliminary funding status" shall mean the project shall be considered for approval pursuant to WAC 180-29-107 prior to projects without such preliminary funding status and shall be eligible for state assistance pursuant to the state board of education rules pertaining to eligible square footage, maximum area cost allowance, and priorities in effect at the time such status is granted. Any district may request the superintendent of public instruction to grant preliminary funding status for any project with secured local capital funds and authority to proceed pursuant to WAC 180-26-040. The superintendent of public instruction shall grant such approval if in the judgment of the superintendent of public instruction such project will receive approval pursuant to WAC 180-29-107 within one year.

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

WAC 180-26-057 State board of education project commitment at preliminary funded status. Except as provided at WAC 180-26-058 when preliminary funding status for a project is requested and granted pursuant to

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

[Statutory Authority: RCW 28A.525.020 and 1991 c 14. 91-20-151, § 180-26-057, filed 10/2/91, effective 11/2/91. Statutory Authority: RCW 28A.525.020. 90-24-068, § 180-26-057, filed 12/5/90, effective 1/5/91. Statutory Authority: RCW 28A.47.830. 86-04-065 (Order 1-86), § 180-26-057, filed 2/4/86.]

WAC 180-26-058 Suspension of state building assistance commitments pending adoption of new priority system for allocating state assistance. Notwithstanding the terms of WAC 180-26-057, there is no commitment whatsoever by the state board of education or the state to any project which has been or is hereafter granted project approval pursuant to WAC 180-25-040 subsequent to January 26, 1991, or to any amount of state assistance therefor. Furthermore, no commitment whatsoever to any such project or the amount of state assistance therefor is or may be made until such time as the state board of education hereafter develops a new priority system for allocating state assistance for school construction and modernization projects and repeals this rule. The eligibility and the extent of eligibility for state assistance, if any, of any project which has been or is hereafter granted project approval pursuant to WAC 180-25-040 subsequent to January 26, 1991, shall be determined in accordance with amendments hereafter made to chapters 180-25 through 180-33 WAC which implement the new priority system for allocating state assistance, regardless of the negative and/or positive impact of such changes.

[Statutory Authority: RCW 28A.525.020 and 1991 c 14. 91-20-151, § 180-26-058, filed 10/2/91, effective 11/2/91.]

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

[Statutory Authority: RCW 28A.525.020 and 28A.525.164. 91-12-055, § 180-26-060, filed 6/5/91, effective 7/6/91. Statutory Authority: RCW 28A.525.020. 90-24-068, § 180-26-060, filed 12/5/90, effective 1/5/91. Statutory Authority: RCW 28A.47.830. 85-24-047 (Order 24-85), § 180-26-060, filed 11/27/85.]

WAC 180-26-200 Forms. Commencing January 1, 1986, forms applicable to the provisions of this chapter for school facilities projects after such date shall be as follows:

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

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

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

Chapter 180-27 WAC

STATE ASSISTANCE IN PROVIDING SCHOOL PLANT FACILITIES—BASIC STATE SUPPORT

WAC

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DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

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| 180-27-055 | State assistance—Priorities. [Statutory Authority: RCW 28A.47.830. 83-21-066 (Order 11-83), § 180-27-055, filed 10/17/83.] Repealed by 85-04-008 (Order 2-85), filed 1/25/85. Statutory Authority: RCW 28A.47.830. |
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WAC 180-27-005 Authority. This chapter is adopted pursuant to RCW 28A.525.200 relating to authority of the state board of education to prescribe rules and regulations governing the administration, control, terms, conditions, and disbursements of allotments to school districts to assist them in providing school facilities. In accordance with RCW 28A.525.200, the only provisions of chapter 28A.525 RCW currently applicable to state assistance for school plant facilities are RCW 28A.525.030, 28A.525.040, 28A.525.050, and 28A.525.162 through 28A.525.178.

[Statutory Authority: 1990 c 33. 90-17-009, § 180-27-005, filed 8/6/90, effective 9/6/90. Statutory Authority: RCW 28A.47.830. 83-21-066 (Order 11-83), § 180-27-005, filed 10/17/83.]

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

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

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

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

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

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

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

(e) To recognize that districts may have reasons to remove district facilities from current inventories and provide consistent state-wide policies for removal.

(2) Nonhigh district participation in financing the cost of secondary school facilities shall be established pursuant to the provisions of chapter 28A.540 RCW.

[Statutory Authority: 1990 c 33. 90-17-009, § 180-27-015, filed 8/6/90, effective 9/6/90. Statutory Authority: RCW 28A.47.830, 28A.47.060 and 28A.47.802. 90-01-076, § 180-27-015, filed 12/19/89, effective 12/19/89. Statutory Authority: RCW 28A.47.830. 83-21-066 (Order 11-83), § 180-27-015, filed 10/17/83.]

WAC 180-27-016 Rules determining eligibility and timing of state assistance. The eligibility for and the amount of state assistance shall be determined as outlined in WAC 180-27-020. The prioritization and timing for receipt of state assistance for eligible projects shall be determined by WAC 180-27-058 or 180-27-500, as applicable.

[Statutory Authority: RCW 28A.525.020 and 1992 c 233 § 24(8). 92-16-058, § 180-27-016, filed 8/3/92, effective 9/3/92.]

WAC 180-27-017 Definition—School facilities. As used in this chapter, the term "school facilities" means school plant facilities, school plant projects, school buildings, and common school facilities placed on a permanent foundation.

[Statutory Authority: RCW 28A.47.830, 28A.47.060 and 28A.47.802. 90-01-076, § 180-27-017, filed 12/19/89, effective 12/19/89.]

WAC 180-27-018 Definition—Portable facility. As used in this chapter, "portable facility" means any factory-built structure, transportable in one or more sections, which requires a chassis to be transported, and is designed to be used as an educational space with or without a permanent foundation when connected to the required utilities. The structure shall be trailerable and capable of being demounted and relocated to other locations as needs arise.

[Statutory Authority: RCW 28A.525.020 and 28A.525.164. 91-12-059, § 180-27-018, filed 6/5/91, effective 7/6/91. Statutory Authority: RCW 28A.47.830, 28A.47.060 and 28A.47.802. 90-01-076, § 180-27-018, filed 12/19/89, effective 12/19/89.]

WAC 180-27-019 Definition—Instructional space. As used in this chapter, the term "instructional space" means the gross amount of square footage calculated in accordance with the *American Institute of Architects, Document D101, The Architectural Area and Volume of Buildings, January 1980 edition*, for a school facility utilized by a school district for the purpose of instructing students: *Provided*, That the following areas shall not be included in any calculation of instructional space:

- (1) Exterior covered walkways, cantilevered or supported.
- (2) Exterior porches including loading platforms.
- (3) Space used by central administrative personnel.
- (4) Stadia and grandstands.
- (5) Bus garages.
- (6) Free-standing warehouse space specifically designed for that purpose.
- (7) Portable facilities.
- (8) Other square footage not otherwise available or related to direct instruction or instructional support of the education program in the district.

[Statutory Authority: RCW 28A.47.830, 28A.47.060 and 28A.47.802. 90-01-076, § 180-27-019, filed 12/19/89, effective 12/19/89.]

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

- (a) The number of unhoused students;
- (b) Space allocations;
- (c) Reduction of the number of operating schools as per chapter 180-33 WAC;
- (d) Area cost allowance;
- (e) Allowances for furniture and equipment purchases;
- (f) The amount of insurance, federal, or other nontax source local moneys applied to a school facilities project;
- (g) Certain specified costs which must be financed directly by the school district; and
- (h) The amount of fees for professional services.

(2) State assistance for an approved project shall be derived by multiplying the percentage of state assistance determined pursuant to RCW 28A.525.166 by the following:

- (a) The eligible construction cost which shall be calculated by multiplying the approved square foot area of the project as set forth in WAC 180-27-035 by the area cost allowance as set forth in WAC 180-27-060;
- (b) The cost of preparing educational specifications as set forth in WAC 180-27-065;
- (c) The cost of basic architectural and engineering services as set forth in WAC 180-27-070;
- (d) The cost of preparing and reviewing the energy conservation report as set forth in WAC 180-27-075;
- (e) The cost of a value engineering study during design as set forth in WAC 180-27-080;
- (f) The construction cost savings—sharing incentive as set forth in WAC 180-27-085;
- (g) The cost of furniture and equipment as set forth in WAC 180-27-095; and
- (h) The cost of special inspections and testing as set forth in WAC 180-27-100.

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

[Statutory Authority: RCW 28A.525.020 and chapters 39.35 and 60.28 RCW. 92-24-027, § 180-27-020, filed 11/24/92, effective 12/25/92. Statutory Authority: 1990 c 33. 90-17-009, § 180-27-020, filed 8/6/90, effective 9/6/90. Statutory Authority: RCW 28A.47.830. 83-21-066 (Order 11-83), § 180-27-020, filed 10/17/83.]

WAC 180-27-023 Emerging high school district eligibility. If a new secondary program is being established in a nonhigh district pursuant to chapter 180-56 WAC, the district shall make application and be eligible for state funding assistance of new construction for school facilities to serve the projected high school enrollment.

[Statutory Authority: RCW 28A.47.830, 28A.47.060 and 28A.47.802. 90-01-076, § 180-27-023, filed 12/19/89, effective 12/19/89.]

WAC 180-27-025 State matching percentage—General. (1) The percentage of state assistance for which a school district is eligible, if otherwise qualified under prevailing statutory provisions and rules and regulations of the state board of education, shall be determined in accor-

dance with the matching formula set forth in RCW 28A.525.166.

(2) In the event the percentage of state assistance to any school district computed in accordance with RCW 28A.525.166(2) is less than twenty percent and such school district otherwise is eligible for state assistance under statutory provisions and state board of education regulations, the percentage for such district shall be twenty percent of the matchable cost of the project.

(3) In addition to the computed percent of state assistance as stated above, a school district as provided in RCW 28A.525.166(3), shall be entitled to additional percentage points determined by the average percentage of growth for the past three years. One percent shall be added to the computed percent of state assistance for each average percent of student growth for the past three years, with a maximum addition of twenty percent. In no case shall the state dollars matched exceed one hundred percent of the maximum allowable cost of the project.

[Statutory Authority: 1990 c 33, 90-17-009, § 180-27-025, filed 8/6/90, effective 9/6/90. Statutory Authority: RCW 28A.47.830, 83-21-066 (Order 11-83), § 180-27-025, filed 10/17/83.]

WAC 180-27-030 Applicable state matching percentage for project. Pursuant to provisions of RCW 28A.525.166, the percentage of state assistance prevailing at the time the voters of the school district authorize the issuance of bonds and/or the levying of excess taxes to meet the statutory and state board of education fiscal requirements for state assistance in providing school facilities shall be the percentage used for the allocation of state moneys: *Provided*, That in the event a higher percentage of state assistance prevails at the time of state board of education project approval or at the superintendent of public instruction construction and other document approval as set forth in WAC 180-29-030 and 180-29-085, then that higher percentage of state assistance shall govern the project.

[Statutory Authority: 1990 c 33, 90-17-009, § 180-27-030, filed 8/6/90, effective 9/6/90. Statutory Authority: RCW 28A.47.830, 83-21-066 (Order 11-83), § 180-27-030, filed 10/17/83.]

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

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

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

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

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

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

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

(4) Space allowance for state matching purposes—districts with senior or four-year high schools with fewer than four hundred students. Space allowance for districts with senior or four-year high schools with fewer than four hundred students for state matching purposes shall be computed in accordance with the following formula:

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

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

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

- (1) Exterior covered walkways, cantilevered or supported; and
- (2) Exterior porches, including loading platforms.

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

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

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

- (1) A three or five-year cohort survival enrollment projection for growth districts, whichever is greater;
- (2) A three or five-year cohort survival enrollment projection for a declining district, whichever is lesser;
- (3) Actual enrollment of preschool handicapped students; and
- (4) Supplemental information regarding district growth factors which may include but not be limited to the following types of information:
 - (a) County live birth rates;
 - (b) New housing starts;
 - (c) Utility/telephone hookups; and
 - (d) Economic/industrial expansion.

For the purpose of this section, kindergarten students and students with disabilities shall be counted as provided under WAC 180-27-035 and all other grade one through twelve students shall be counted as October count day full-time equivalent students as reported to the superintendent of public instruction: *Provided*, That a school district which has or has had an annual average full-time equivalent enrollment of over five hundred, and which applied for and received additional state basic education allocation moneys based upon an enrollment increase after the first of the month enrollment count, may use the average of the two highest monthly full-time equivalent enrollment counts during the school year.

[Statutory Authority: RCW 28A.525.020 and chapters 39.35 and 60.28 RCW. 92-24-027, § 180-27-045, filed 11/24/92, effective 12/25/92. Statutory Authority: RCW 28A.47.830. 83-21-066 (Order 11-83), § 180-27-045, filed 10/17/83.]

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

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

- (2) The number of students projected at each grade span shall be multiplied by appropriate numbers of square feet as

set forth in WAC 180-27-035. (Note: The area generated at each grade level determines district eligibility, if any.)

- (3) The amount of housing the district is eligible to construct at each grade span is determined by subtracting the area computed in subsection (2) of this section from the existing housing capacity at each grade span in the school district. Using this formula, over housing at the secondary grade level, grades nine through twelve, or elementary grade level, kindergarten through eight, will not negatively affect unhooded eligibility at the elementary grade level or secondary grade level respectively.

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

[Statutory Authority: RCW 28A.47.803, 28A.47.060, 28A.47.802 and 28A.47.105. 90-04-031, § 180-27-050, filed 1/30/90, effective 3/2/90. Statutory Authority: RCW 28A.47.830. 83-21-066 (Order 11-83), § 180-27-050, filed 10/17/83.]

WAC 180-27-052 Order of funding under dual priority systems. During a priority approval process imposed by order of the state board of education, projects which secured local capital funds and state board of education project approval under WAC 180-25-045 as of January 26, 1991, and which continue to remain eligible under WAC 180-25-040 and 180-26-060, shall be prioritized under WAC 180-27-058 and funded prior to other projects. All other projects shall then be prioritized under WAC 180-27-500 and funded to the extent state construction assistance moneys remain available.

[Statutory Authority: RCW 28A.525.020 and 1992 c 233 § 24(8). 92-16-058, § 180-27-052, filed 8/3/92, effective 9/3/92.]

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

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

WAC 180-27-054 Implementation of priority approval process. In the event the state board of education determines that projected revenues, as calculated by the ceiling established in WAC 180-27-056(2), are insufficient to meet school construction needs of school districts for the ensuing state fiscal year, the state board of education shall order the implementation of a priority approval process on final approval by the superintendent of public instruction of additional school construction projects pursuant to WAC 180-29-107. Such priority approval process shall remain in effect until the order is rescinded by the state board of education: *Provided*, That if the state board of education determines that projected revenue is insufficient for the 1985-86 state fiscal year, the priority approval process shall

not become effective prior to the end of the 1985 regular session and any immediately following special session of the forty-ninth legislature unless the state board of education prior to such adjournment specifically orders an earlier implementation date.

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

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

(1) On or after July 1 following the state board of education order for the implementation of a priority approval process the superintendent of public instruction shall rank all projects for which final approval has been requested pursuant to WAC 180-29-107 as per the applicable priority list in WAC 180-27-058 or 180-27-500. Only school construction projects with state board of education approval under WAC 180-25-045 and secured local capital funds by December 31 of the previous state fiscal year and eligible for final approval pursuant to WAC 180-29-107 by June 30 of the previous state fiscal year shall be placed on that priority list: *Provided*, That for the state fiscal year beginning July 1, 1992, the December 31, 1991, cutoff date is extended to March 27, 1992.

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

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

[Statutory Authority: RCW 28A.525.020 and 1992 c 233 § 24(8). 92-16-058, § 180-27-056, filed 8/3/92, effective 9/3/92. Statutory Authority: RCW 28A.47.830. 85-04-008 (Order 2-85), § 180-27-056, filed 1/25/85.]

WAC 180-27-05605 Additional funding during a period of a priority approval process. Notwithstanding the provisions of WAC 180-27-056, if within any state fiscal year, that is the second year of a biennium, there is funding authority and revenue in excess of what is required for the priority list established pursuant to WAC 180-27-056, then there may be a subsequent priority list established on March 1 of the same state fiscal year for the purpose of funding only those projects for which preliminary funded status had been granted prior to July 1 of that state fiscal year. The priority order shall be as per WAC 180-27-058.

[Statutory Authority: RCW 28A.525.020 and chapters 39.35 and 60.28 RCW. 92-24-027, § 180-27-05605, filed 11/24/92, effective 12/25/92. Statutory Authority: RCW 28A.525.020. 90-24-068, § 180-27-05605, filed 12/5/90, effective 1/5/91.]

WAC 180-27-05607 Funding for specifically appropriated projects during a period of a priority approval process. Notwithstanding the provisions of WAC 180-27-056, if the State Capital Appropriations Act for any biennium makes a special, specific appropriation for a particular project or priority category, such projects, or projects within the priority category, shall be exempt from the time lines established by WAC 180-27-056 and may receive final approval pursuant to WAC 180-29-107 at any time, provided that the requirements of chapter 180-29 WAC have been complied with.

[Statutory Authority: RCW 28A.525.020. 90-24-068, § 180-27-05607, filed 12/5/90, effective 1/5/91.]

WAC 180-27-057 State assistance—Deferred payment. (1) In the event state moneys are not sufficient for a school district project, a school district may proceed at its own financial risk. At such time state moneys become available, reimbursement may be made for the project provided the provisions of chapter 180-29 WAC have been complied with.

(2) Notwithstanding subsection (1) of this section, and the moratorium upon approval imposed by WAC 180-25-300, a school district may elect to proceed in compliance with the procedural requirements of chapters 180-25 through 180-33 WAC with a project for which a completed request for state board approval was filed with the superintendent of public instruction during the period January 1 through March 30, 1989, at the district's expense and risk; and, the project may be approved for state assistance purposes by the board subsequent to the termination of this moratorium subject to the terms and conditions of chapters 180-25 through 180-33 WAC, as hereafter revised and in effect at the time of approval.

[Statutory Authority: RCW 28A.47.060, 28A.47.802 and 28A.47.830. 89-22-007, § 180-27-057, filed 10/20/89, effective 11/20/89. Statutory Authority: RCW 28A.47.830. 83-21-066 (Order 11-83), § 180-27-057, filed 10/17/83.]

WAC 180-27-058 State assistance—Priorities. The priority system for the funding of school construction projects that have secured local capital funds and state board of education project approval per WAC 180-25-045 as of January 26, 1991, during a priority approval process imposed by order of the state board of education shall be as follows:

(1) Priority one: New construction projects in districts with unhousted students other than those in priority two. Projects within this priority shall be ranked as follows: The project with the highest percentage of unhousted students in the district by grade level on the date of project approval pursuant to WAC 180-25-040 shall be ranked highest—i.e., projected enrollment times authorized space allocation as calculated pursuant to WAC 180-27-035 divided by capacity of existing buildings as calculated pursuant to WAC 180-27-050(1). In the event two or more districts possess an equal percentage of unhousted students, the district with the greatest number of unhousted students shall be ranked the highest.

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

(3) Priority three: All projects with secured local capital funding and authority to proceed pursuant to WAC 180-25-040 as of September 30, 1985, which are not included in priority one or two pursuant to this section. Projects within this priority shall be ranked pursuant to the priority system in effect as of September 30, 1985: *Provided*, That the authority to proceed pursuant to WAC 180-25-040 and the priority three ranking of any such project shall lapse and be null and void as of July 2, 1991, unless approval to open bids for the project has been granted pursuant to WAC 180-29-107 prior to that date.

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

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

tion vocational technical institute and interdistrict cooperative facilities other than interdistrict transportation cooperatives shall be considered as independent school district projects: *Provided*, That under no circumstances should this priority receive less than sixty percent of funds available for priorities four and five.

(6) Priority six: New construction of interdistrict cooperative facilities which are not included in priority three, four, or seven. The project with the earliest date of project approval pursuant to WAC 180-25-040 shall be ranked the highest. In the event two or more projects possess the same project approval date, the project with the earliest date of application received in the office of superintendent of public instruction shall be ranked the highest.

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

[Statutory Authority: RCW 28A.525.020 and 1992 c 233 § 24(8). 92-16-058, § 180-27-058, filed 8/3/92, effective 9/3/92. Statutory Authority: RCW 28A.525.020 and 28A.525.164. 91-12-059, § 180-27-058, filed 6/5/91, effective 7/6/91. Statutory Authority: RCW 28A.525.020. 90-24-068, § 180-27-058, filed 12/5/90, effective 1/5/91. Statutory Authority: RCW 28A.47.803, 28A.47.060, 28A.47.802 and 28A.47.105. 90-04-031, § 180-27-058, filed 1/30/90, effective 3/2/90. Statutory Authority: RCW 28A.47.830. 85-24-048 (Order 25-85), § 180-27-058, filed 11/27/85; 85-04-008 (Order 2-85), § 180-27-058, filed 1/25/85.]

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

[Statutory Authority: RCW 28A.525.020. 90-24-068, § 180-27-059, filed 12/5/90, effective 1/5/91. Statutory Authority: RCW 28A.47.830. 85-24-048 (Order 25-85), § 180-27-059, filed 11/27/85.]

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

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

(2) The calculation in subsection (1) of this section shall be made for each subsequent two-month period averaging six

Washington cities and the Portland, Oregon metropolitan area reported by E. H. Boeckh Company.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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 180-27-075 Energy conservation report. In compliance with the provisions of chapter 39.35 RCW, school districts constructing school facilities shall complete an energy conservation report for any new construction or for additions to and modernization of existing school facilities which will be reviewed by the Washington state energy office. One copy of the energy conservation report, approved by the district board of directors, shall be filed with the superintendent of public instruction. The amount of state assistance for which a district is eligible for the preparation of the energy conservation report shall be the state matching percentage multiplied by ten thousand dollars. The amount of state assistance for which a district is eligible for the report review fee charged by the Washington state energy office shall be the state matching percentage multiplied by the fee charged.

[Statutory Authority: RCW 28A.525.020 and chapters 39.35 and 60.28 RCW. 92-24-027, § 180-27-075, filed 11/24/92, effective 12/25/92. Statutory Authority: RCW 28A.47.830. 83-21-066 (Order 11-83), § 180-27-075, filed 10/17/83.]

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

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

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

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

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

(2) The state matched fee for basic architectural and engineering services shall not be reduced if the project is bid and is awarded below the approved state matchable construc-

tion cost (WAC 180-27-070) or the cost contracted for between the school district and architect/engineer, whichever is less.

(3) Any project attached to or adjacent to or otherwise designed to operate in conjunction with an existing facility and which contains additional area equal to or less than fifty percent of the area in the existing facility shall be classified as an addition and shall not be eligible for the cost saving incentive option authorized in this section.

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

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

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

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

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

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

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

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

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

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

sibility to replace or repair the number of square feet destroyed or damaged by the fire.

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

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

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

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

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

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

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

WAC 180-27-115 Support level—Additional assistance. State assistance in addition to the amount determined pursuant to WAC 180-27-020 and 180-27-055 may be allowed for the purposes and in accordance with the requirements set forth in this section: *Provided*, That in no case shall the state assistance exceed one hundred percent of the amount calculated for matching purposes: In each of the following exceptions, either at the time the project is approved pursuant to WAC 180-25-040 or at any time prior to receiving secured funding status pursuant to WAC 180-29-107, 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 particular school facility will be reduced by more than ten percentage points, and that the above stated results will be obtained as a direct result of increased enrollment of nonminority students in the particular school facility: *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 180-27-120 Costs to be financed entirely with school district funds. The cost of the following areas, facilities, and items shall not be eligible for the state matching purposes:

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

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(11) All costs in excess of state support level factors established by the state board of education for state participation in financing school construction.

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

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

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

WAC 180-27-400 Instructional space survey of district facilities. Prior to April 1, 1990, each school district shall provide the superintendent of public instruction with the following information regarding school facilities, within the boundaries of the school district which, as of January 1, 1990, have not otherwise been redesignated for noninstructional use or disposal by a resolution or other recorded official action of the local board of directors prior to December 1, 1989:

- (1) Building name;
- (2) Location (address);
- (3) Gross square footage;
- (4) Gross square footage of available instructional space (if different than subsection (3) of this section);
- (5) Date of construction, additions, and/or modernizations; and
- (6) Grade spans served in the facility.

The foregoing information shall be included in the active instructional space inventory of the superintendent of public instruction.

[Statutory Authority: RCW 28A.47.830, 28A.47.060 and 28A.47.802. 90-01-076, § 180-27-400, filed 12/19/89, effective 12/19/89.]

WAC 180-27-405 Instructional space inventory of school facilities—Eligibility. For purposes of determining district eligibility for state financial assistance for the new construction of school facilities, except for the new construction of school facilities for which an acceptable Form D-3 project request was on file with the superintendent of public instruction and local matching funds were secured prior to March 31, 1989, the superintendent of public instruction shall establish and maintain an instructional space inventory of all school facilities within the state of Washington. Such listing shall consist of the following:

- (1) Facility name;
- (2) Location (address);
- (3) Gross square footage;
- (4) Gross square footage of available instructional space (if different than subsection (3) of this section);
- (5) Date of construction, additions, and/or modernizations; and
- (6) Grade spans served in the facility.

School facilities that are surplus and under lease per the provision of RCW 28A.335.040 are considered to be available for instructional activities and shall be included in the instructional space inventory.

[Statutory Authority: 1990 c 33, 90-17-009, § 180-27-405, filed 8/6/90, effective 9/6/90. Statutory Authority: RCW 28A.47.830, 28A.47.060 and 28A.47.802. 90-01-076, § 180-27-405, filed 12/19/89, effective 12/19/89.]

WAC 180-27-410 Removal from instructional space inventory—Demolition. A school facility shall be removed from the superintendent of public instruction active instructional space inventory five years after it has been demolished under the following conditions:

- (1) The facility is at least forty years old.
- (2) The facility is determined to be surplus to the needs of the district by the local school board.

[Statutory Authority: RCW 28A.47.830, 28A.47.060 and 28A.47.802. 90-01-076, § 180-27-410, filed 12/19/89, effective 12/19/89.]

WAC 180-27-415 Removal from instructional space inventory—Sale or long-term lease of building. A school facility shall be removed from the superintendent of public instruction's active instructional space inventory five years after it has been sold or long-term leased under the following conditions:

- (1) The facility is determined to be surplus to the needs of the district by the local school board.
- (2) The sale is in compliance with the requirements of chapter 28A.335 RCW.

For purposes of this section a long-term lease having a term of no less than forty years constitutes a sale of the building.

[Statutory Authority: 1990 c 33, 90-17-009, § 180-27-415, filed 8/6/90, effective 9/6/90. Statutory Authority: RCW 28A.47.830, 28A.47.060 and 28A.47.802. 90-01-076, § 180-27-415, filed 12/19/89, effective 12/19/89.]

WAC 180-27-420 Removal from inventory—Conversion from instructional space. Instructional space shall be removed from the superintendent of public instruction's active instructional space inventory if it has been converted from instructional use for five years under the following conditions:

- (1) The facility is determined to be surplus to the needs of the district by the local school board.
- (2) The school facility is not needed for instructional use by a neighboring district.

[Statutory Authority: RCW 28A.47.830, 28A.47.060 and 28A.47.802. 90-01-076, § 180-27-420, filed 12/19/89, effective 12/19/89.]

WAC 180-27-425 Removal from instructional space inventory—Replacement. A school facility shall be removed from the superintendent of public instruction's active instructional space inventory after it has been replaced with a school facility on a square footage basis through one of the following actions:

- (1) The replacement school facility is wholly financed with local district funds; or
- (2) The replacement school facility is constructed with state funding assistance authorized under the authority of chapter 180-33 WAC.

[Statutory Authority: RCW 28A.47.803, 28A.47.060, 28A.47.802 and 28A.47.105. 90-04-031, § 180-27-425, filed 1/30/90, effective 3/2/90.]

WAC 180-27-500 State assistance—Priorities after June 30, 1992. The priority system for the funding of

school construction projects after June 30, 1992, that are not subject to the priority system under WAC 180-27-058 shall be as follows: For all new construction and modernization projects for school districts, there will be a unique priority score determined by the following several factors and formulas contained in WAC 180-27-505 through 180-27-520. The total score shall be used to rank all projects that have secured local funding and state board of education approval after January 26, 1991, and are otherwise eligible for state funding assistance. The following factors are divided into three groups:

- (1) Common factors;
- (2) New construction for growth factors; and
- (3) Modernization or new-in-lieu of modernization factors.

In the case of a combined project (i.e., new construction for growth and modernization), the respective scores in each group will be prorated on the basis of each group's related gross square footage in the total project. *Provided*, That all related priority scores for projects that are front funded by the district under the provisions of WAC 180-27-057 shall be determined and the project shall take its place on the priority funding list as if it had not been completed.

[Statutory Authority: RCW 28A.525.020 and 1992 c 233 § 24(8). 92-16-058, § 180-27-500, filed 8/3/92, effective 9/3/92.]

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 Up to \$1,000,000 | Required Joint Funding 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.]

WAC 180-27-510 State assistance—New construction for growth priority factors. The three factors that are related to new construction for growth are as follows:

(1) Projected percent unhoused - Fifty-five possible points. The district percent unhoused five years in the future is based on the projection of enrollment per WAC 180-27-045 for two grade categories, including preschool special education, compared to the formula capacity of existing space based on WAC 180-27-035 as computed per WAC 180-27-050.

If the projected district percent unhoused for the applicable grade category is equal to or greater than forty percent, full points are awarded. If the projected district percent unhoused is less than five percent but greater than zero percent, then a minimum of fifteen points are awarded. If the projected percent unhoused is between five percent and forty percent, then the forty remaining points (55-15) are proportionately awarded.

(2) Mid-range projection - Five possible points. This factor is to recognize the degree of immediacy of a district's

capacity problem. The district's point score in subsection (1) of this section is first multiplied by .091 to reflect the relationship between the fifty-five possible points in subsection (1) of this section and the five points in this subsection. This produces the maximum points a project can be awarded in this factor. The actual points are determined by the relationship between the district's unhoused percentage three years in the future divided by the unhoused percentage five years in the future. For example, if a district received 43.57 points in subsection (1) of this section due to a projected thirty percent unhoused condition and its three-year projection is that it will be twenty-four percent unhoused, it will receive 3.17 points (i.e., ((42.57 x .091) X (24 percent/30 percent)) = 3.17).

(3) Number of years unhoused - Five possible points. This factor is to recognize the duration of an unhoused problem. One point is awarded for each year the district has had an unhoused condition in the applicable grade category during the past five years, up to the five points maximum.

The scores shall be determined at the time of project approval per WAC 180-25-045. These scores shall be carried for a period of twenty-four months, at which time new scores shall be determined utilizing the then most current enrollment projections and facts. A district may request a redetermination of scores at any time.

[Statutory Authority: RCW 28A.525.020 and 1992 c 233 § 24(8). 92-16-058, § 180-27-510, filed 8/3/92, effective 9/3/92.]

WAC 180-27-515 Modernization factors or new-in-lieu of modernization priority factors. The three factors that are related to modernization or new-in-lieu projects are as follows:

(1) Health & safety - Twenty possible points. Sixteen points are awarded based on the evaluation contained in the Building Condition Evaluation Form (BCEF) (WAC 180-27-535) and are awarded as follows:

15 - 19 percent = 16 points, 20 - 24 percent = 15 points, 25 -29 percent = 14 points, etc., until 95 percent at which no points are awarded.

The health and safety condition points are combined with an additional:

Two points if school does not meet seismic code requirements.
Two points if school is not asbestos free.

(2) Condition of building - Thirty possible points. The score is based on the building condition evaluation form (WAC 180-27-535) analysis for all categories other than handicapped access. If the building condition score is thirty-one or less, then the maximum thirty points are awarded to the project. If the condition score is ninety-one or more, then no points are awarded. If the condition score is from thirty-two to ninety, the condition score is subtracted from ninety-one and multiplied by fifty percent to determine the points. In cases where projects affect multiple buildings, the BCEF score is weighted by the proportion of gross square feet (GSF) affected.

(3) Cost/benefit factor - Ten minus points possible. If the proposed project is a modernization and the BCEF score

is less than forty, one point is deducted for each point the BCEF score is less than forty up to a total possible deduction of ten points.

If the proposed project is a new-in-lieu of modernization and the BCEF score is greater than sixty, one point is deducted for each point the BCEF score is higher than sixty to a total possible deduction of ten points.

The scores shall be determined at the time of project approval per WAC 180-25-045. These scores shall be carried until the district requests a redetermination.

[Statutory Authority: RCW 28A.525.020 and 1992 c 233 § 24(8). 92-16-058, § 180-27-515, filed 8/3/92, effective 9/3/92.]

WAC 180-27-525 State assistance—Priorities for co-ops. For cooperative projects approved by the state board of education under the authority of chapters 180-31 and 180-32 WAC, the following priority scores shall be assigned with similar projects ranked in order of date of approval with the earliest date ranked highest:

| Type of Interdistrict Cooperative Facility | Priority Score |
|---|-------------------|
| Vocational Skill Centers | 25 |
| Transportation Centers | 10 |
| Other Cooperative Facilities | 20 |

[Statutory Authority: RCW 28A.525.020 and 1992 c 233 § 24(8). 92-16-058, § 180-27-525, filed 8/3/92, effective 9/3/92.]

WAC 180-27-530 Type of school space—Determination. In order to determine the inventory space category of net assignable square feet for priority scoring purposes in WAC 180-27-305, the category use for which the space is designated by the district shall be the assigned category. When inventory space has been designated and scheduled for multiple purposes, the category for priority scoring purposes shall be the primary scheduled use.

[Statutory Authority: RCW 28A.525.020 and 1992 c 233 § 24(8). 92-16-058, § 180-27-530, filed 8/3/92, effective 9/3/92.]

WAC 180-27-535 Existing building condition—Evaluation. Building condition and health and safety evaluations for purposes of determining priority scores and completing building inventories shall be conducted and reported to the superintendent of public instruction, utilizing an evaluation model and reporting forms for building type, history, equipage, condition, health and safety factors, and portables on site that shall be adopted and subject to revision from time to time by the state board of education. The information provided by the district on these forms shall be subject to review by the state board of education, the staff or agents of the superintendent of public instruction, or to audit by the state auditor. Compliance with this requirement for all schools in a district is a requirement for the receipt of any state construction assistance for projects approved after January 26, 1991.

[Statutory Authority: RCW 28A.525.020 and 1992 c 233 § 24(8). 92-16-058, § 180-27-535, filed 8/3/92, effective 9/3/92.]

WAC 180-27-990 Interim application of priority system during transitional period. (1) It is the intent of

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

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

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

Notwithstanding provisions of the first paragraph of this subsection to the contrary, the Kent School District Kentridge Senior High School special education project addition shall be issued C-6 approval immediately following the issuance of C-6 approval for the Federal Way School District Wildwood Elementary and Federal Way High School special education project additions: *Provided*, That the conditions for C-6 approval of the Kentridge project addition have been met by the Kent School District prior to June 30, 1985.

If available state assistance still remains for fiscal year 1985-86 allocation purposes, the priority system established pursuant to WAC 180-27-058 shall again be utilized for the purpose of allocating such remaining available state assistance. For the purposes of this subsection, all one-A

building projects for which available state assistance has been allocated shall be deemed to have been reissued the requisite Form C-6 approval pursuant to WAC 180-29-107.

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

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

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

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

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

If available state assistance still remains for fiscal year 1987-88 allocation purposes, the priority system established pursuant to WAC 180-27-058 shall again be utilized for the purpose of allocating such remaining available state assistance. For the purposes of this subsection, all one-A building projects for which available state assistance has

been allocated shall be deemed to have been reissued the requisite Form C-6 approval pursuant to WAC 180-29-107.

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

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

Chapter 180-29 WAC

STATE ASSISTANCE IN PROVIDING SCHOOL PLANT FACILITIES—PROCEDURAL REGULATIONS

WAC

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| 180-29-147 | Retained percentage law related requirements. |
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| 180-29-155 | Final acceptance of project by architect/engineer. |
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| 180-29-165 | Documents required for release of retainage by school district. |
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| 180-29-200 | Forms. |

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

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| 180-29-300 | Project approval moratorium. [Statutory Authority: RCW 28A.47.060, 28A.47.802 and 28A.47.830. 89-22-009, § 180-29-300, filed 10/20/89, effective 11/20/89; 89-08-087 (Order 8-89), § 180-29-300, filed 4/5/89.] Repealed by 90-04-032, filed 1/30/90, effective 3/2/90. Statutory Authority: RCW 28A.47.803, 28A.47.060, 28A.47.802 and 28A.47.105. |
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WAC 180-29-005 Authority. This chapter is adopted pursuant to RCW 28A.525.200 relating to authority of the state board of education to prescribe rules and regulations governing the administration, control, terms, conditions, and disbursements of allotments to school districts to assist them in providing school facilities. In accordance with RCW 28A.525.200, the only provision of chapter 28A.525 RCW currently applicable to state assistance for school plant facilities are RCW 28A.525.030, 28A.525.040, 28A.525.050, and 28A.525.162 through 28A.525.178.

[Statutory Authority: 1990 c 33. 90-17-009, § 180-29-005, filed 8/6/90, effective 9/6/90. Statutory Authority: RCW 28A.47.830. 83-21-067 (Order 12-83), § 180-29-005, filed 10/17/83.]

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

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

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

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

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

WAC 180-29-020 Study and survey—Local involvement. School districts seeking state assistance in school facility construction shall cooperate with the superintendent

of public instruction in gathering required information set forth in chapter 180-25 WAC.

[Statutory Authority: RCW 28A.47.830. 83-21-067 (Order 12-83), § 180-29-020, filed 10/17/83.]

WAC 180-29-021 Deadline for submission of agenda items. The superintendent of public instruction shall not place on the agenda of any regular meeting of the state board of education any item requested by a district pertaining to the approval of school facilities, including state board of education action regarding study and surveys, site approval or waiver, planning grants, and any other matters requiring action by the state board of education pertaining to a school facility unless such district has presented to the superintendent of public instruction in satisfactory form all materials required by law or rule or regulation of the state board of education pertaining to such action at least sixty calendar days preceding the date of commencement of the next scheduled meeting of the state board of education: *Provided*, That if any error or omission in such materials is found prior to the thirtieth calendar day preceding the first day of such meeting and is corrected prior to such date, the superintendent of public instruction shall place such item on the agenda of the state board of education.

[Statutory Authority: RCW 28A.47.830. 85-24-050 (Order 27-85), § 180-29-021, filed 11/27/85.]

WAC 180-29-025 State board of education review. Upon completion of the study and survey by the superintendent of public instruction and review by district board of directors, the study and survey shall be submitted to the state board of education, accompanied by recommendations from the superintendent of public instruction and an application for state assistance from the district for the project(s) to be considered by the board. State board of education approval of a proposed project(s) shall establish the maximum area allowance and estimated amount of state financial assistance based upon the information furnished in the study and survey.

[Statutory Authority: RCW 28A.47.830. 83-21-067 (Order 12-83), § 180-29-025, filed 10/17/83.]

WAC 180-29-030 State board of education approval. Upon review of the application and study and survey the state board of education shall approve or deny the application. When approved, the superintendent of public instruction shall transmit required forms to the district to continue the process.

[Statutory Authority: RCW 28A.47.830. 83-21-067 (Order 12-83), § 180-29-030, filed 10/17/83.]

WAC 180-29-035 Site—Acceptance requirements. (1) The district shall provide the superintendent of public instruction with evidence of compliance with applicable site conditions pursuant to chapter 180-26 WAC and certification from the district board of directors that the site will not create or aggravate racial imbalance.

(2) The superintendent of public instruction shall conduct an on-site review as required by chapter 180-26 WAC.

(3) Acceptance of the site by the superintendent of public instruction shall be a prerequisite to commencing with the design of a school facility project.

[Statutory Authority: RCW 28A.47.830. 83-21-067 (Order 12-83), § 180-29-035, filed 10/17/83.]

WAC 180-29-040 Educational specifications—Review and comment. Prior to the commencement of the design of the proposed school facility, the school district shall cause to be prepared the educational specifications pursuant to chapter 180-26 WAC. One copy of the completed educational specifications approved by the district board of directors shall be transmitted to the superintendent of public instruction for review and comment.

[Statutory Authority: RCW 28A.47.830. 83-21-067 (Order 12-83), § 180-29-040, filed 10/17/83.]

WAC 180-29-045 Notice to proceed with design. After completion of the educational specifications review process as set forth in WAC 180-29-040 and after approval of the site, the superintendent of public instruction shall transmit to the school district a notice to proceed with the design of the school facility.

[Statutory Authority: RCW 28A.47.830. 83-21-067 (Order 12-83), § 180-29-045, filed 10/17/83.]

WAC 180-29-050 Educational specifications contracts. Contracts between the school district and the educational specifications consultant, if any, shall stipulate the amount of fee and the consultant's duties, i.e., scope of work, to be performed as required in chapter 180-26 WAC set forth.

[Statutory Authority: RCW 28A.47.830. 83-21-067 (Order 12-83), § 180-29-050, filed 10/17/83.]

WAC 180-29-055 Architect-engineer contracts. Architects and engineers employed on approved school facility projects involving state school building moneys shall be licensed to practice in the state of Washington. Contract(s) between the school district and the architects and engineers shall stipulate the maximum amount of the fee and the duties, i.e., scope of work, to be performed as required in chapter 180-27 WAC.

[Statutory Authority: RCW 28A.47.830. 83-21-067 (Order 12-83), § 180-29-055, filed 10/17/83.]

WAC 180-29-060 Energy conservation report contracts. Contracts between the school district and the energy conservation consultant, if not included in the architect-engineer contract for professional services, shall stipulate the amount of fee and the consultant's duties, i.e., scope of work, to be performed as required by chapter 180-27 WAC set forth.

[Statutory Authority: RCW 28A.47.830. 83-21-067 (Order 12-83), § 180-29-060, filed 10/17/83.]

WAC 180-29-065 Value engineering contracts. Value engineering consultants employed on approved school facilities projects shall include a value engineering team coordinator/leader qualified by the Society of American

Value Engineers to manage and coordinate a value engineering study. Contracts between the school district and the value engineering consultant shall stipulate the amount of the fee and the consultant's duties, i.e., scope of work, to be performed as in chapter 180-27 WAC set forth.

[Statutory Authority: RCW 28A.47.830. 83-21-067 (Order 12-83), § 180-29-065, filed 10/17/83.]

WAC 180-29-075 Contracts—Filing. The school district shall submit to the superintendent of public instruction one copy of the following contracts for projects approved by the state board of education for state assistance:

- (1) Educational specifications (WAC 180-29-050)
- (2) Architect-engineer (WAC 180-29-055)
- (3) Energy conservation report (WAC 180-29-060)
- (4) Value engineering (WAC 180-29-065).

[Statutory Authority: RCW 28A.47.830. 83-21-067 (Order 12-83), § 180-29-075, filed 10/17/83.]

WAC 180-29-080 Construction documents—Bids and contract provisions. The construction documents shall include the following bid and contract provisions:

(1) Separate or combined bids. The school district shall determine if the bids for general, mechanical, or electrical are to be separate or combined.

(2) Combination projects. For those projects which include a combination of both new construction and modernization, bid documents shall provide for separate and distinct bids for each and shall, when combined, be the low bid for the project.

(3) Ineligible items. Items ineligible for state matching shall be bid separate or as an alternate.

(4) Bid law. All items included in the construction documents shall be bid in accordance with RCW 28A.335.190 and 43.19.1906.

(5) Fire insurance. Provision for fire insurance is mandatory for all school facilities under construction. The insurance shall cover at a minimum the amount of the work in place and materials to be used in the project which is in place and on the site. Evidence shall be submitted to the superintendent of public instruction that insurance is provided for by the contractor or the school district. Only costs for insurance provided for in the construction documents will be matched.

[Statutory Authority: 1990 c 33. 90-17-009, § 180-29-080, filed 8/6/90, effective 9/6/90. Statutory Authority: RCW 28A.47.830. 83-21-067 (Order 12-83), § 180-29-080, filed 10/17/83.]

WAC 180-29-085 Construction and other documents—Submittal. (1) For the purpose of determining that the provisions set forth in chapters 180-25 through 180-29 WAC have been complied with prior to the opening of bids of any project to be financed with state moneys, the school district shall submit to or have on file with the superintendent of public instruction the following:

- (a) One microfilm copy of the construction documents;
- (b) Cost estimate of construction on a form approved by the superintendent of public instruction, completed and signed by the architect-engineer;

(c) Signed copy or photocopy of letters of approval by other governmental agencies in accordance with WAC 180-29-090;

(d) Area analysis on a form approved by the superintendent of public instruction in accordance with chapter 180-27 WAC;

(e) Complete listing of construction special inspections and/or testing to be performed by independent sources that are included in the project pursuant to WAC 180-27-100;

(f) One copy of the value engineering report signed by the school district board of directors. The report shall include the following:

(i) A brief description of the original design;

(ii) A brief description of the value engineering methodology used;

(iii) The areas analyzed;

(iv) The design alternatives proposed;

(v) The cost changes proposed;

(vi) The alternates accepted; and

(vii) A brief statement by the school district board of directors explaining why each alternate not accepted was rejected;

(g) A completed standardized building inventory and condition evaluation as required by WAC 180-27-535 for every school facility in the district.

(2) If the above documents reflect an increase in square foot size from the application approved by the state board of education as per WAC 180-29-030 which will result in an increase in state support, a new application must be submitted to the state board of education.

[Statutory Authority: RCW 28A.525.020 and 1992 c 233 § 24(8). 92-16-058, § 180-29-085, filed 8/3/92, effective 9/3/92. Statutory Authority: RCW 28A.47.830. 83-21-067 (Order 12-83), § 180-29-085, filed 10/17/83.]

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

(a) Fire marshal or fire chief having jurisdiction;

(b) Department of labor and industries (electrical);

(c) Health agency having jurisdiction;

(d) Department of ecology 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 180-29-095 Construction documents—Compliance with public works statutory provisions. The construction documents shall provide for compliance by the contractor with pertinent statutory provisions relating to public works including the following:

(1) Chapter 39.08 RCW relating to contractor's bond;
 (2) Chapter 39.12 RCW relating to prevailing wages;
 (3) Chapter 39.25 RCW relating to offshore items;
 (4) Chapter 18.27 RCW relating to contractor registration;

(5) Chapter 49.28 RCW relating to hours of labor;
 (6) Chapter 49.60 RCW relating to discrimination; and
 (7) Chapter 70.92 RCW relating to the provisions for the aged and physically handicapped.

[Statutory Authority: RCW 28A.47.802. 84-21-003 (Order 11-84), § 180-29-095, filed 10/4/84. Statutory Authority: RCW 28A.47.830. 83-21-067 (Order 12-83), § 180-29-095, filed 10/17/83.]

WAC 180-29-100 Construction documents—Compliance with state building code. The architect/engineer shall certify to the superintendent of public instruction that to the best of his knowledge the construction documents are in compliance with the provisions of the state building code, chapter 19.27 RCW, and any and all other pertinent state and local statutes relating to school building construction.

[Statutory Authority: RCW 28A.47.830. 83-21-067 (Order 12-83), § 180-29-100, filed 10/17/83.]

WAC 180-29-105 Bids—Advertisement. In accordance with RCW 28A.335.190 and 43.19.1906, school districts shall advertise for bids once each week for two consecutive weeks in a trade journal of general circulation and a like number of times in a publication of general circulation throughout the area.

[Statutory Authority: 1990 c 33. 90-17-009, § 180-29-105, filed 8/6/90, effective 9/6/90. Statutory Authority: RCW 28A.47.830. 83-21-067 (Order 12-83), § 180-29-105, filed 10/17/83.]

WAC 180-29-107 Bid opening—Superintendent of public instruction approval. (1) A school district shall not open bids until receiving written approval of the superintendent of public instruction. Such approval shall not be granted if more than one year has passed since the project received preliminary funding status pursuant to WAC 180-26-050.

(2) The superintendent of public instruction shall grant approval if moneys are available for state assistance and the required documents pursuant to WAC 180-29-075, 180-29-080, 180-29-085, 180-29-090, 180-29-095, and 180-29-100 are complete.

(3) If the superintendent of public instruction determines that the required documents are incomplete, the superintendent of public instruction shall hold the project and notify the school district in writing as to the incomplete items.

(4) If moneys are not available for state assistance in construction, the school district shall notify the superintendent of public instruction that they are proceeding with their own moneys with the expectation that they will be reimbursed as per WAC 180-27-057.

[Statutory Authority: RCW 28A.525.020 and 28A.525.164. 91-12-055, § 180-29-107, filed 6/5/91, effective 7/6/91. Statutory Authority: RCW 28A.47.830. 85-24-047 (Order 24-85), § 180-29-107, filed 11/27/85; 83-21-067 (Order 12-83), § 180-29-107, filed 10/17/83.]

WAC 180-29-1075 State board of education commitment when district is authorized to open bids. Except as provided at WAC 180-29-1076 when a district is granted approval to open bids pursuant to WAC 180-29-107, the state board of education is committed as provided at WAC 180-29-107 as well as to all other state building assistance determinations including but not limited to, for example, additional state assistance, and professional fees, determined pursuant to state building assistance rules and regulations in effect at the time such approval to open bids is granted. This commitment is subject to the district's compliance with time limitation for requesting an authorization for contract award as set forth in WAC 180-29-108.

[Statutory Authority: RCW 28A.525.020 and 1991 c 14. 91-20-151, § 180-29-1075, filed 10/2/91, effective 11/2/91. Statutory Authority: RCW 28A.47.830. 86-04-065 (Order 1-86), § 180-29-1075, filed 2/4/86.]

WAC 180-29-1076 Suspension of state building assistance commitments pending adoption of new priority system for allocating state assistance. Notwithstanding the terms of WAC 180-29-1075, there is no commitment whatsoever by the state board of education or the state to any project which has been or is hereafter granted project approval pursuant to WAC 180-25-040 subsequent to January 26, 1991, or to any amount of state assistance therefor. Furthermore, no commitment whatsoever to any such project or the amount of state assistance therefor is or may be made until such time as the state board of education hereafter develops a new priority system for allocating state assistance for school construction and modernization projects and repeals this rule. The eligibility and the extent of eligibility for state assistance, if any, of any project which has been or is hereafter granted project approval pursuant to WAC 180-25-040 subsequent to January 26, 1991, shall be determined in accordance with amendments hereafter made to chapters 180-25 through 180-33 WAC which implement the new priority system for allocating state assistance, regardless of the negative and/or positive impact of such changes.

[Statutory Authority: RCW 28A.525.020 and 1991 c 14. 91-20-151, § 180-29-1076, filed 10/2/91, effective 11/2/91.]

WAC 180-29-108 Condition precedent to approval to bid. Any project for which the superintendent of public instruction authorizes a district to open bids pursuant to WAC 180-29-107 shall request an authorization for contract award pursuant to WAC 180-29-110 within ninety calendar days of receipt of approval pursuant to WAC 180-29-107: *Provided*, That the ninety-day period shall be automatically extended for an additional ninety calendar days if:

(1) The lowest legally acceptable base bid, exclusive of alternates, received by a district exceeds the cost estimate submitted to the superintendent of public instruction pursuant to WAC 180-29-085 by ten percent or more; and

(2) Prior to the expiration on or after June 15, 1989, of the initial ninety-day period the district has rejected, or hereafter rejects, all bids in order to solicit new bids.

A district which fails to request an authorization for contract award pursuant to WAC 180-29-110 within the time period allowed by this section shall have its authority to proceed withdrawn. Districts with such projects withdrawn

may reinitiate an application for state assistance by first reapplying for project approval pursuant to WAC 180-25-040.

[Statutory Authority: RCW 28A.47.830. 89-22-008, § 180-29-108, filed 10/20/89, effective 11/20/89; 85-24-047 (Order 24-85), § 180-29-108, filed 11/27/85.]

WAC 180-29-110 Bids—Data and document requirements. School districts shall demonstrate that they have complied with RCW 28A.335.190 and 43.19.1906 and shall not enter into contract(s) for construction until the following certified copies have been submitted and approved by the superintendent of public instruction:

- (1) Each advertisement for bid;
- (2) Tabulated statement of all bids received;
- (3) Recommendation of the board of directors for award of contract(s) on the basis of bids received, including all accepted alternates;
- (4) Alternate bids;
- (5) Names and addresses of all bidders;
- (6) Certified statement of costs for special inspections and testing;
- (7) Certified statement of amount of local and/or other disburseable funds available specifically for the project, exclusive of state funds, with the source of funds identified, including identity and amount of nonhigh school district funds when applicable.

If the recommended contractor is not the low bidder, the school district shall give reasons pursuant to statutory provisions set forth in RCW 43.19.1911.

[Statutory Authority: 1990 c 33. 90-17-009, § 180-29-110, filed 8/6/90, effective 9/6/90. Statutory Authority: RCW 28A.47.830. 83-21-067 (Order 12-83), § 180-29-110, filed 10/17/83.]

WAC 180-29-115 Authorization for contract award. (1) Upon receipt of the items as per WAC 180-29-110, the superintendent of public instruction shall:

- (a) Analyze the bids;
- (b) Determine the amount of state moneys allocable; and
- (c) Except as provided at WAC 180-29-116 make an allocation of state moneys for construction and other items as per chapter 180-27 WAC.

(2) Authorization for contract award and allocation of state moneys shall be contingent upon the following:

- (a) The contract price for the construction has been established by competitive bid(s); and
- (b) The school district has available sufficient local funds pursuant to chapter 180-25 WAC.

[Statutory Authority: RCW 28A.525.020 and 1991 c 14. 91-20-151, § 180-29-115, filed 10/2/91, effective 11/2/91. Statutory Authority: RCW 28A.47.830. 83-21-067 (Order 12-83), § 180-29-115, filed 10/17/83.]

WAC 180-29-116 Suspension of state building assistance commitments pending adoption of new priority system for allocating state assistance. Notwithstanding the terms of WAC 180-29-115, there is no commitment whatsoever by the state board of education or the state to any project which has been or is hereafter granted project approval pursuant to WAC 180-25-040 subsequent to January 26, 1991, or to any amount of state assistance therefor. Furthermore, no commitment whatsoever to any

such project or the amount of state assistance therefor is or may be made until such time as the state board of education hereafter develops a new priority system for allocating state assistance for school construction and modernization projects and repeals this rule. The eligibility and the extent of eligibility for state assistance, if any, of any project which has been or is hereafter granted project approval pursuant to WAC 180-25-040 subsequent to January 26, 1991, shall be determined in accordance with amendments hereafter made to chapters 180-25 through 180-33 WAC which implement the new priority system for allocating state assistance, regardless of the negative and/or positive impact of such changes.

[Statutory Authority: RCW 28A.525.020 and 1991 c 14. 91-20-151, § 180-29-116, filed 10/2/91, effective 11/2/91.]

WAC 180-29-120 School district authorized agent.

The school district shall provide the superintendent of public instruction with the certified signature(s) of district personnel authorized by board resolution for the purposes in this chapter requiring district authorization(s).

[Statutory Authority: RCW 28A.47.830. 83-21-067 (Order 12-83), § 180-29-120, filed 10/17/83.]

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

WAC 180-29-130 Disbursement of moneys—Sequence of payments. The order in which funds shall be disbursed for school facility construction shall be as follows:

(1) Prior to payment from state moneys, the school district shall make payments on all claims submitted until such time as the total amount of school district moneys obligated by the district have been expended.

(2) When local moneys have been expended as in subsection (1) of this section, payments from state moneys shall then be made: *Provided*, That for projects authorized for state funding pursuant to WAC 180-29-115(2) after June 30, 1993, payment shall be made after receipt of written certification by the school district board of directors that the school facility project authorized for state matching funds has been or will be completed according to the purposes for which the state matching funds are being provided.

[Statutory Authority: RCW 28A.525.020 and 1994 c 6 sp.s. 94-13-019, § 180-29-130, filed 6/3/94, effective 7/4/94. Statutory Authority: RCW 28A.47.830. 83-21-067 (Order 12-83), § 180-29-130, filed 10/17/83.]

WAC 180-29-135 Disbursement of moneys—General provisions applicable to payments. Disbursement of moneys shall be in accordance with the following provisions:

(1) Payments to contractor(s) by school district. Payments to contractors shall be on the basis of work completed. Contractors shall submit to the school district monthly estimates of work completed which shall be supported by the architect/engineer's certificate for payment. No payments shall be made without certification from the architect/engineer that such work has been completed.

(2) Payments to others. Payments to others as per chapter 180-27 WAC shall be made in accordance with the contract provisions for those services.

(3) Retainage. The provisions of chapter 60.28 RCW relating to public works contracts and of WAC 180-29-147 shall govern retainage on contract payments.

[Statutory Authority: RCW 28A.525.020 and 1992 c 233 § 24 (8)(e). 94-14-028, § 180-29-135, filed 6/28/94, effective 7/29/94. Statutory Authority: RCW 28A.47.830. 83-21-067 (Order 12-83), § 180-29-135, filed 10/17/83.]

WAC 180-29-140 Disbursements of moneys by school district(s)—Superintendent of public instruction filing. At such time as the total amount of school district moneys obligated have been expended, a signed statement by an authorized agent of the board of directors comprising a listing of all payments to contractors and others, including retainage, shall be submitted to the superintendent of public instruction.

[Statutory Authority: RCW 28A.47.830. 83-21-067 (Order 12-83), § 180-29-140, filed 10/17/83.]

WAC 180-29-145 Disbursement of moneys by superintendent of public instruction. All school district claims for payment from state moneys shall be submitted to the superintendent of public instruction on invoice vouchers provided by the superintendent of public instruction and shall be signed by the authorized agent of the school district. State warrants issued in payments, unless the school district agent designates a specific payee, shall be drawn payable to the school district. In all cases, warrants shall be transmitted to the school district for disposition.

[Statutory Authority: RCW 28A.47.830. 83-21-067 (Order 12-83), § 180-29-145, filed 10/17/83.]

WAC 180-29-147 Retained percentage law related requirements. (1) State school building assistance is conditioned upon a school district's compliance with the cash, or bond in lieu of cash, retained percentage requirements of chapter 60.28 RCW and this section. A school district may elect to administer compliance with all requirements of chapter 60.28 RCW or, in part, designate the state board of education acting through the superintendent of public instruction as agent of the school district for purposes of administering retained percentage moneys reserved under RCW 60.28.011.

(2) Under RCW 60.28.011, a school district either:

(a) Must provide for the reservation of five percent of all moneys earned by a contractor either by the district, deposited by the district in an interest-bearing account or placed in escrow as provided in RCW 60.28.011(4); or

(b) Must accept a bond submitted by the contractor from any portion of the retainage in a form acceptable to the superintendent of public instruction and the school district and from a bonding company which meets the standards established at subsection (4)(b) of this section and by the school district, unless the school district can demonstrate good cause for refusing to accept the bond.

As a general rule, the state board of education prefers and recommends the cash retainage option for reasons which include the security and ease of enforcement which the cash option affords.

(3) Cash retainage.

(a) If the school district reserves five percent of all moneys earned by the contractor in a retainage trust fund administered by the school district in accordance with RCW 60.28.011(1), moneys deposited in that trust fund (whether retained by the district, deposited by the district in an interest-bearing account, or placed in escrow), may be paid to the contractor without prior written consent by the superintendent of public instruction. The superintendent of public instruction shall make available to the school district model procedures and forms for setting up the trust fund selected by the contractor under RCW 60.28.011(4).

(b) At the request of the school district, the state board of education acting through the superintendent of public instruction may be designated as agent of the school district for cash retainage and will:

(i) Administer the retained percentage trust fund in accordance with RCW 60.28.011, inclusive of depositing, releasing and accounting for such moneys;

(ii) Establish and administer the retained percentage trust fund in accordance with the terms of chapter 60.28 RCW, and such terms as may be established by the superintendent of public instruction to ensure compliance with chapter 60.28 RCW, the security of trust fund moneys and efficient administration; and

(iii) Ensure that no moneys lawfully deposited in the retained percentage trust fund shall be paid to the contractor without the prior written consent of the superintendent of public instruction, except for the payment of interest earnings as may be required by law.

(4) If at the request of the contractor the bond in lieu of cash retained percentage option is implemented the following conditions apply:

(a) The bond shall be in terms and of a form approved and established by the superintendent of public instruction to ensure that the bond adequately addresses the purposes of chapter 60.28 RCW; and

(b) The bond shall be signed by a surety that is:

(i) Registered with the Washington state insurance commissioner; and

(ii) On the currently authorized insurance list published by the Washington state insurance commissioner.

(c) Whatever additional requirements for the bonding company as may be established by the school district.

(5) The release of retainage, whether cash or bond-in-lieu, shall be conditioned upon satisfactory compliance with the provisions of WAC 180-29-165.

[Statutory Authority: RCW 28A.525.020 and 1992 c 233 § 24 (8)(e). 94-14-028, § 180-29-147, filed 6/28/94, effective 7/29/94.]

WAC 180-29-150 Changes in contract cost. The final contract cost shall be determined after inclusion of the net change due to additive and/or deductive change orders. If the final contract cost results in an increase above the original bid amount, the school district shall finance the entire increase. If the final contract cost results in a decrease from the original bid amount, the school district and the state shall share the amount of the decrease based on the matching ratio in effect at the time of contract award. Copies of all change orders when executed and signed by the school district's authorized agent and the project architect/engineer shall be forwarded to the superintendent of public instruction.

[Statutory Authority: RCW 28A.47.830. 83-21-067 (Order 12-83), § 180-29-150, filed 10/17/83.]

WAC 180-29-155 Final acceptance of project by architect/engineer. Upon final completion of the project by contractor(s), the architect/engineer shall inspect the project to determine compliance with the construction documents. The architect/engineer, upon determining that the project has been completed satisfactorily, shall make such recommendation through the issuance of a certificate of completion to the school district board of directors. Separate certificates of completion shall be written for each contract awarded.

[Statutory Authority: RCW 28A.47.830. 83-21-067 (Order 12-83), § 180-29-155, filed 10/17/83.]

WAC 180-29-160 Acceptance of project by school district. Based upon an inspection of the project and the certificate(s) of completion signed by the architect/engineer, the school district board of directors shall accept the project as complete or reject the project as incomplete. Until the superintendent of public instruction receives a school district board resolution officially accepting the project as complete, no release of retainage shall be made in accordance with WAC 180-29-165.

[Statutory Authority: RCW 28A.525.020 and chapters 39.35 and 60.28 RCW. 92-24-027, § 180-29-160, filed 11/24/92, effective 12/25/92. Statutory Authority: RCW 28A.47.830. 83-21-067 (Order 12-83), § 180-29-160, filed 10/17/83.]

WAC 180-29-165 Documents required for release of retainage by school district. Release of retainage on contracts shall be subject to receipt by the superintendent of public instruction of the following documents:

(1) These documents shall be required no later than thirty days after official acceptance:

(a) Properly executed state invoice voucher as per the requirements of WAC 180-29-145;

(b) Architect/engineer certificate(s) of completion;

(c) School district board of directors' resolution of final acceptance signed by the authorized agent of the school district.

(2) These documents shall be required no later than sixty days after official acceptance:

(a) Certification by the authorized agent of the school district that the district has on file all affidavits of wages paid in compliance with RCW 39.12.040;

(b) After expiration of forty-five days following acceptance of the project by the school district, a signed statement

by the authorized agent of the school district that no lien(s) is on file with the school district or a certified list of each lien is on file with the school district. A copy of each lien shall be forwarded to the superintendent of public instruction;

(c) Either a permanent or temporary occupancy permit by building official of the jurisdiction. Also required are release documents as defined in chapter 60.28 RCW, RCW 50.24.130, and 51.12.050.

[Statutory Authority: RCW 28A.525.020 and chapters 39.35 and 60.28 RCW. 92-24-027, § 180-29-165, filed 11/24/92, effective 12/25/92. Statutory Authority: RCW 28A.47.830. 83-21-067 (Order 12-83), § 180-29-165, filed 10/17/83.]

WAC 180-29-170 Liens. In the event that liens are filed with the school district, the provisions of RCW 60.28.010 through 60.28.060 shall apply. If the district holds a cash retainage under WAC 180-29-147 (2)(a), the amount of each lien plus three thousand dollars or twenty-five percent of the claim, whichever is greater, for potential attorney fees, plus ten percent of the lien claim for court costs, shall be withheld from the retainage until any lien has been removed.

[Statutory Authority: RCW 28A.525.020 and 1992 c 233 § 24 (8)(e). 94-14-028, § 180-29-170, filed 6/28/94, effective 7/29/94. Statutory Authority: RCW 28A.47.830. 83-21-067 (Order 12-83), § 180-29-170, filed 10/17/83.]

WAC 180-29-200 Forms. In addition to forms prescribed in WAC 180-25-200 and 180-26-200, commencing January 1, 1986, forms applicable to the provisions of this chapter for school facility projects after such date shall be as follows:

(1) Applications for secured funding status pursuant to WAC 180-29-107 shall be designated as SPI Form D-7.

(2) Grants of secured funding status pursuant to WAC 180-29-107 shall be given to districts through SPI Form D-8.

(3) Grants of authority for school districts to proceed without secured funding status pursuant to WAC 180-29-107 shall be given to districts through SPI Form D-8-1.

(4) Applications for authority to enter into contracts pursuant to WAC 180-29-110 shall be designated as SPI Form D-9.

(5) Grants of authority to enter into contracts pursuant to WAC 180-29-115 shall be given to districts through SPI Form D-10.

(6) Applications for SPI to release retainage pursuant to WAC 180-29-165 shall be designated as SPI Form D-11.

(7) Grants of release of final retainage pursuant to WAC 180-29-165 shall be given through SPI Form D-12.

[Statutory Authority: RCW 28A.47.830. 85-24-047 (Order 24-85), § 180-29-200, filed 11/27/85.]

Chapter 180-30 WAC

STATE ASSISTANCE IN PROVIDING SCHOOL PLANT FACILITIES—PRE-NOVEMBER 1983 APPLICATIONS

WAC

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STATE ASSISTANCE IN PROVIDING SCHOOL PLANT FACILITIES

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| 180-30-610 | Application requirements and procedural regulations governing. | DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER | |
| 180-30-620 | Notice of intent by school district to submit application for state assistance and school housing study prerequisites to filing of application. | 180-30-070 | General regulations—Change in project scope. [Order 4-70, § 180-30-070, filed 3/10/70; Order 7-69, § 180-30-070, filed 10/31/69.] Repealed by Order 5-75, filed 5/27/75. |
| 180-30-625 | Acknowledgment of notice of intent to file application and instructions for preparation and filing of application and supporting data. | 180-30-300 | Modernization of school plant facilities. [Order 5-75, § 180-30-300, filed 5/27/75; Order 7-69, § 180-30-300, filed 10/31/69.] Repealed by 81-24-022 (Order 14-81), filed 11/24/81. Statutory Authority: RCW 28A.47.073. |
| 180-30-630 | Application for state assistance. | 180-30-305 | Modernization of school plant facilities—Basic policies. [Order 5-75, § 180-30-305, filed 5/27/75; Order 7-69, § 180-30-305, filed 10/31/69.] Repealed by 81-24-022 (Order 14-81), filed 11/24/81. Statutory Authority: RCW 28A.47.073. |
| 180-30-635 | Authorization to prepare final plan and specifications (construction documents). | 180-30-310 | Modernization of school plant facilities—Minimum projects—Ten percent of replacement cost. [Order 5-75, § 180-30-310, filed 5/27/75; Order 7-69, § 180-30-310, filed 10/31/69.] Repealed by 81-24-022 (Order 14-81), filed 11/24/81. Statutory Authority: RCW 28A.47.073. |
| 180-30-640 | Preparation of final plan and specifications (construction documents)—Bid and contract provisions. | 180-30-315 | Modernization of school plant facilities—Maximum costs eligible for state matching purposes—Sixty-five percent of replacement cost. [Order 2-73, § 180-30-315, filed 6/13/73; Order 7-69, § 180-30-315, filed 10/31/69.] Repealed by 81-24-022 (Order 14-81), filed 11/24/81. Statutory Authority: RCW 28A.47.073. |
| 180-30-645 | Final plan and specifications (construction documents) to be submitted for review and approval. | | |
| 180-30-650 | Preliminary allotment of state funds. | | |
| 180-30-655 | Bid data and document requirements following bid opening. | | |
| 180-30-660 | Final allotment of state funds. | | |
| 180-30-710 | Disbursement of funds for construction of school plant facilities—Administration of payments from state funds under direction of state superintendent. | | |
| 180-30-715 | Disbursement of funds for construction of school plant facilities—Sequence of payments by school district and state. | | |

- 180-30-320 Modernization of school plant facilities—Architectural and engineering services. [Order 6-72, § 180-30-320, filed 8/29/72; Order 7-69, § 180-30-320, filed 10/31/69.] Repealed by 81-24-022 (Order 14-81), filed 11/24/81. Statutory Authority: RCW 28A.47.073.
- 180-30-325 Modernization of school plant facilities—Survey of existing facilities a prerequisite. [Order 7-69, § 180-30-325, filed 10/31/69.] Repealed by 81-24-022 (Order 14-81), filed 11/24/81. Statutory Authority: RCW 28A.47.073.
- 180-30-330 Modernization of school plant facilities—Regulations governing. [Order 7-69, § 180-30-330, filed 10/31/69.] Repealed by 81-24-022 (Order 14-81), filed 11/24/81. Statutory Authority: RCW 28A.47.073.
- 180-30-335 Modernization of school plant facilities—Procedural requirements. [Order 7-69, § 180-30-335, filed 10/31/69.] Repealed by 81-24-022 (Order 14-81), filed 11/24/81. Statutory Authority: RCW 28A.47.073.
- 180-30-615 Official forms related to applications for and allocations of state funds—Defined. [Order 4-70, § 180-30-615, filed 3/10/70; Order 7-69, § 180-30-615, filed 10/31/69.] Repealed by Order 5-75, filed 5/27/75.
- 180-30-651 Preliminary provisional allotment of state funds. [Order 5-75, § 180-30-651, filed 5/27/75; Order 4-70, § 180-30-651, filed 3/10/70.] Repealed by 79-11-022 (Order 12-79), filed 10/10/79. Statutory Authority: Chapter 28A.47 RCW.
- 180-30-661 Final provisional allotment of state funds. [Order 5-75, § 180-30-661, filed 5/27/75; Order 4-70, § 180-30-661, filed 3/10/70.] Repealed by 79-11-022 (Order 12-79), filed 10/10/79. Statutory Authority: Chapter 28A.47 RCW.
- 180-30-835 Program for barrier free facilities—Bid data and document requirements following bid opening. [Statutory Authority: RCW 28A.47.802 and 28A.47.803. 80-02-145 (Order 1-80), § 180-30-835, filed 2/5/80.] Repealed by 80-07-001 (Order 10-80), filed 6/5/80. Statutory Authority: RCW 28A.47.060.
- 180-30-840 Program for barrier free facilities—Final allotment of state funds. [Statutory Authority: RCW 28A.47.802 and 28A.47.803. 80-02-145 (Order 1-80), § 180-30-840, filed 2/5/80.] Repealed by 80-07-001 (Order 10-80), filed 6/5/80. Statutory Authority: RCW 28A.47.060.

WAC 180-30-003 Applicability of chapter. The provisions of chapter 180-30 WAC shall apply to any school district which has filed an application for state assistance prior to November 1, 1983. Thereafter, the provisions of chapters 180-25, 180-26, 180-27, 180-29, 180-31, and 180-32 WAC shall apply.

[Statutory Authority: RCW 28A.47.830. 83-21-069 (Order 14-83), § 180-30-003, filed 10/17/83.]

STATE ASSISTANCE IN PROVIDING SCHOOL PLANT FACILITIES

WAC 180-30-005 Regulatory provisions. The policies, principles, rules and regulations hereinafter set forth, being all of chapter 180-30 WAC relating to state assistance in providing school plant facilities, shall govern the allocation and disbursement of funds appropriated or reappropriated to the state board of education in accordance with statutory provisions as now or hereafter amended.

[Order 5-75, § 180-30-005, filed 5/27/75; Order 2-73, § 180-30-005, filed 6/13/73; Order 7-71, § 180-30-005, filed 10/13/71; Order 7-69, § 180-30-005, filed 10/31/69.]

WAC 180-30-010 Policies and principles—Basic policy. The state board of education recognizes (a) the statutory responsibilities and authority of the board of

directors of a school district to determine the type of school building it desires to construct for the children of its district, and (b) the statutory responsibilities and authority of the state board of education to prescribe rules and regulations governing the administration, control, terms, conditions and disbursement of allotments to school districts to assist them in providing school plant facilities.

In prescribing the rules and regulations hereinafter in chapter 180-30 WAC set forth, it shall be the policy of the state board of education to equate insofar as possible the efforts by school districts to provide capital funds, to equalize insofar as possible the educational opportunities for the children of the state and to establish a level of state support consistent with funds available, recognizing that school districts may find it necessary to apply local funds in excess of matching funds to provide facilities commensurate with their respective educational specifications.

[Order 7-69, § 180-30-010, filed 10/31/69.]

WAC 180-30-015 Policies and principles—Policies and principles relating to nonhigh school districts contemplating establishment of high schools and to districts operating small high schools. (1) **Response to legislative mandate.** The policy of the state board of education with respect to state assistance in school building construction to nonhigh school districts contemplating establishment of high schools and to school districts operating small high schools is the state board's response to the legislative mandate that such assistance must be considered in light of "the need for improvement of school administrative units and school attendance areas among or within such districts."

(2) **Small high schools—Effectiveness and remoteness.** In administering the program of state assistance to school districts in providing school plant facilities consideration will be given to (a) the effectiveness of the small high school when considered from the point of view of curriculum offerings and per capita expenditures required for operations and for facilities, and (b) the advisability of providing high school services in areas so remote or isolated that students residing therein could not live at home and attend other high schools.

Except in rare instances, it is inadvisable for nonhigh school districts to establish high schools or for existing high schools with limited enrollment to be continued because they are unnecessary from the viewpoint of convenience and the educational opportunities of students—the primary factors to be considered in determining if a new high school is to be established or an existing high school is to be continued.

(3) **Purposes and objectives.** The program of state assistance in providing school plant facilities shall be administered in conformity with the policies and principles hereinbefore set forth and in accordance with the following purposes and objectives:

(a) To encourage the establishment of a single area high school through the unification of two or more existing high school districts wherever physical features, travel time for students and other conditions permit.

(b) To allot state funds to nonhigh school districts for construction of secondary school facilities only upon prior approval by the state board of education pursuant to provi-

sions of RCW 28A.305.130(5) for the establishment of a new secondary program or any new grade in grades nine through twelve.

(c) To allot state funds to high school districts for use in providing school plant facilities only when such allotments will not result in the continuation of small high schools in cases where (i) the students involved or affected can be served without undue inconvenience in a neighboring high school or schools of larger size or (ii) the operating district can be united with another district or districts for the purpose of establishing a high school of more acceptable size. In such cases an allotment may be made only for providing necessary additional elementary school facilities.

(d) To make high school operations possible in areas that are found to be remote or isolated, and likely to remain so, because of physical features, distance from population centers, lack of transportation and other factors related thereto. Eligibility for an allotment of state funds on the basis of remoteness must be determined in the light of (i) the situation, with respect to the items hereinbefore mentioned, which prevails at the time of the application; (ii) the best obtainable information about possible future changes in the situation aforesaid; and (iii) the number of high school students living in the area who cannot reside at home and attend another high school.

[Statutory Authority: 1990 c 33, 90-17-009, § 180-30-015, filed 8/6/90, effective 9/6/90; Order 5-75, § 180-30-015, filed 5/27/75; Order 7-69, § 180-30-015, filed 10/31/69.]

WAC 180-30-030 Eligibility for state assistance—Need for school facilities a basis for eligibility. Allotments of funds to school districts for state assistance in providing school building facilities shall be determined on the basis of the extent to which one, or a combination of more than one, of the following conditions prevail in a school district:

(1) Facilities (a) have been destroyed by fire, flood, earthquake or other calamity; or (b) are definitely known to be hazardous to the safety and health of school children as evidenced by reports of structural engineers licensed to practice in the state of Washington and by representatives of the health agency with jurisdiction and the state fire marshal: *Provided*, That the pupils affected cannot be housed elsewhere without undue inconvenience, overcrowding or the use of unsanitary improvised facilities.

(2) Existing facilities are seriously overcrowded.

(3) Certain facilities necessary for the education, health and well-being of pupils are lacking or extremely inadequate, including but not limited to multipurpose rooms, kitchens, health units, shops and physical education facilities.

(4) There exists a foreseeable excessive future increase in school population which will create or accentuate the conditions described in subsection (2) above.

[Order 7-69, § 180-30-030, filed 10/31/69.]

WAC 180-30-035 Eligibility for state assistance—School district effort to provide capital funds a basis for eligibility. (1) In order to qualify pursuant to statutory requirements that no part of state-appropriated funds shall be allotted to a school district until such district has provided funds for school building construction in an amount equivalent to two and one-half percent of the value of its taxable

property, or such lesser amount as may be required by the state board of education, a district must meet one of the following fiscal requirements conformable to the aforesaid two and one-half percent equivalence:

(a) Have bonds authorized for school building construction purposes equivalent to two and one-half percent of the value of its taxable property; OR

(b) Have currently collectible and/or authorized excess tax levies for the building fund equivalent to one and three-fourths percent or more of the value of its taxable property plus such additional excess levies for the building and/or the bond redemption fund as may be required to equal a minimum total of two and one-half percent of the value of its taxable property, said additional excess levies to include currently collectible and/or authorized levies and levies for the four-year period immediately preceding the current year; OR

(c) Have a combination of bonds authorized and currently collectible and/or authorized excess levies for the building fund equivalent to one and three-fourths percent or more of the value of its taxable property plus such additional excess levies for the building and/or the bond redemption fund as may be required to equal a minimum total of two and one-half percent of the value of its taxable property, said additional excess levies to include currently collectible and/or authorized levies and levies for the four-year period immediately preceding the current year.

(2) Allotment of state funds shall be subject to the availability of local funds for financing of the school district's share of the project cost and only such local funds as are derived from excess tax levies, bond issues to be serviced by excess tax levies and investment funds from bonds and levies shall be eligible for state matching purposes. For the purpose of this subsection, availability of local funds shall mean (a) authorized bond issues or excess tax levies as a prerequisite for a provisional reservation and/or preliminary allotment of funds, and (b) certification that the required amount of local funds derived from bond issues is on deposit with the county treasurer as a prerequisite for a final allotment of funds.

[Order 7-71, § 180-30-035, filed 10/13/71; Order 14-70, § 180-30-035, filed 12/10/70; Order 7-69, § 180-30-035, filed 10/31/69.]

WAC 180-30-040 Eligibility for state assistance—Evidence that new construction will not create or aggravate racial imbalance a basis for eligibility. (1) **Definition.** For the purpose of this section racial imbalance shall be deemed to exist when a school has an enrollment of any one minority racial group in excess of forty percent of the total enrollment in that school. A minority racial group is defined as a racial group constituting a lesser part or smaller number identified in relation to the total enrollment of children in the public schools of the state.

(2) **Prerequisite for allotment.** A prerequisite for an allotment of funds to a school district for state assistance in providing school building facilities shall be satisfactory evidence by the superintendent of public instruction that the proposed construction will not create or aggravate racial imbalance within the boundaries of the applicant school district: *Provided*, That this regulation shall not apply to schools serving American Indian communities.

(3) **Study required.** In order to determine the effect of proposed construction upon racial imbalance the superintendent of public instruction shall require study for that purpose as provided in WAC 180-30-620 and 180-30-630.

[Order 7-69, § 180-30-040, filed 10/31/69.]

WAC 180-30-050 General regulations—Licensed architects. Architects employed on school building projects involving state school building funds must be licensed to practice in the state of Washington.

[Order 7-69, § 180-30-050, filed 10/31/69.]

WAC 180-30-055 General regulations—Sites—Approval, sizes and fee simple title. (1) **Site approval requirement.** Evidence of compliance with applicable statutory requirements relating to sites for public buildings and approval of the site by the state board of education shall be prerequisites for state assistance in financing a school building project.

(2) **Site sizes.** Minimum site sizes (a) for elementary schools shall be five acres plus an additional acre for each one hundred pupils of projected maximum enrollment; and (b) for middle schools, junior high schools, senior high schools and four-year high schools shall be ten acres plus an additional acre for each one hundred pupils of projected maximum enrollment: *Provided*, That any deviations below such minimums shall be subject to state board of education approval.

(3) **Fee simple title.** Unless this regulation be waived in a particular case by the state board of education, a school district applying for state assistance in financing school building construction shall file with the state board of education an opinion of the prosecuting attorney having jurisdiction or other legal counsel (a) that fee simple title to the real property is vested in the school district making application, free and clear of all encumbrances including but not limited to all mineral reservations in such property that would in any way interfere with the construction or operation of the proposed school plant facilities; and (b) containing the legal description of such property. The receipt of said opinion shall be a prerequisite to approval of a project for state assistance: *Provided*, That this regulation shall not apply to land secured on lease from the state of Washington.

[Order 7-69, § 180-30-055, filed 10/31/69.]

WAC 180-30-060 General regulations—Replacement of substandard facilities. Applications for state assistance in financing replacement of substandard facilities must be supported by reports concerning the condition of the existing structure and adverse reports relating to the health, safety and welfare of children by (a) a structural engineer licensed to practice in the state of Washington, (b) the health agency having jurisdiction and (c) the state fire marshal.

[Order 7-69, § 180-30-060, filed 10/31/69.]

WAC 180-30-065 General regulations—Time limit for advancement of projects. The board of directors of a school district authorized by the state board of education to prepare final plan and specifications for a school building

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project and for which the state board has made a provisional reservation of state funds for architectural and engineering services must advertise for bids for construction of the project within twelve months after the issuance date of the authorization document. In the event of failure by the board of directors of a school district to advertise for bids within the time limit herein specified, the authorization herein described shall be declared null and void and the funds reserved thereunder shall revert to the state fund from which the reservation was made and become available for reservation or allotment toward the financing of some other project or projects as the state board shall determine: *Provided*, That an extension of time may be granted when failure to act within the specified time is due to conditions judged by the state board to be beyond the control of the school district board of directors: *Provided further*, That in the event final plan and specifications for the project have been completed and advancement of the project is precluded by conditions beyond the control of the school district board of directors, said board of directors may request consideration of state assistance in costs of architectural and engineering services incurred through preparation of final plan and specifications as set forth in WAC 180-30-635.

[Order 5-75, § 180-30-065, filed 5/27/75; Order 4-70, § 180-30-065, filed 3/10/70; Order 7-69, § 180-30-065, filed 10/31/69.]

WAC 180-30-071 General regulation—Change in project scope. A project for which the state board of education has granted approval of preliminary plans shall not be increased in excess of the total floor area eligible for state matching purposes except upon approval by the state board.

[Statutory Authority: RCW 28A.47.060. 80-07-001 (Order 10-80), § 180-30-071, filed 6/5/80.]

WAC 180-30-075 General regulations—Change orders. (1) **Cost increases.** Project cost increases resulting from change orders on contracts for the construction of school building facilities approved by the state board of education for state assistance shall be financed entirely by school district local funds.

(2) **Cost decreases.** Project cost decreases resulting from change orders on contracts for the construction of school building facilities approved by the state board of education for state assistance shall be credited to school district and state funds, the amounts respectively to be computed on the same basis as for final allocation of state funds.

(3) **Copies to state board.** Copies of all change orders, whether related to cost increases or decreases, shall be furnished to the state board of education.

(4) **Reservation of funds for change orders.** Since changes often are unavoidable, it is recommended that the school district provide for such contingencies by reserving funds for this purpose.

[Order 5-75, § 180-30-075, filed 5/27/75; Order 7-69, § 180-30-075, filed 10/31/69.]

WAC 180-30-100 Basic state support level—Related factors. The amount of state assistance to a school district in providing school plant facilities shall be determined on the basis of component factors, as hereinafter in WAC 180-30-

110 through 180-30-135 set forth, relating to (a) the number of unhoused students, (b) space allocations, (c) square foot cost allowance which may fluctuate according to the construction cost index and state resources available, (d) allowance for equipment purchases, (e) the amount of insurance, federal or other nontax source local funds applied to a project and (f) certain specified costs which must be financed entirely by the school district. The limitations specified in the aforementioned factors represent the level of state support within funds available and are not to be interpreted as maximum criteria to meet the educational requirements of all school districts, the determination of such criteria being the prerogative of the respective school districts.

[Statutory Authority: RCW 28A.47.060, 80-07-001 (Order 10-80), § 180-30-100, filed 6/5/80; Order 7-69, § 180-30-100, filed 10/31/69.]

WAC 180-30-105 Basic state support level—State matching percentage. (1) The percentage of state assistance to a school district, if otherwise qualified under prevailing statutory provisions and rules and regulations of the state board of education, shall be determined in accordance with the state matching formula as in RCW 28A.525.166 set forth: *Provided*, That in the event the percentage of state assistance to any school district computed as herein provided is less than twenty per cent and such school district otherwise is eligible for state assistance under statutory provisions and state board regulations, the percentage for such district shall be twenty percent of the matchable cost of the project.

(2) Pursuant to provisions of RCW 28A.525.168, the value of the taxable property of the school district and the percentage of state assistance prevailing at the time the voters of the school district authorize the issuance of bonds and/or the levying of excess taxes to meet the statutory and state board of education fiscal requirements for state assistance in providing school facilities shall be the value and the percentage used for the purpose of determining the eligibility of the district for an allotment of state funds and the amount or amounts of such allotments, respectively, for all projects for which the voters authorized the capital funds as aforesaid: *Provided*, That in the event a higher percentage of state assistance prevails on the date that preliminary plan approval or final plan approval for assistance in financing a project is granted by the state board of education, then that higher percentage of state assistance shall govern the project.

[Statutory Authority: 1990 c 33, 90-17-009, § 180-30-105, filed 8/6/90, effective 9/6/90; Order 3-75, § 180-30-105, filed 2/4/75; Order 7-71, § 180-30-105, filed 10/13/71; Order 4-70, § 180-30-105, filed 3/10/70; Order 7-69, § 180-30-105, filed 10/31/69.]

WAC 180-30-110 Basic state support level—Space allocations. (1) **Space allowance for state matching purposes.** State assistance in the construction of school plant facilities for grades kindergarten through twelve, vocational-technical institute facilities and facilities for the handicapped based on space allowance for full-time equivalent students for state matching purposes shall be computed in accordance with the following table:

| Grade or Facility | Maximum Matchable Area Per Full-time Equivalent Student |
|---------------------------------|---|
| Grades kindergarten through six | 80 square feet |
| Grades seven and eight | 110 square feet |
| Grades nine through twelve | 120 square feet |
| Vocational-technical institutes | 140 square feet |
| Facilities for the handicapped | 140 square feet |

Senior or four-year high schools with fewer than 400 students may be given consideration for approval of additional footage, the total area not to exceed 48,000 square feet.

Full-time equivalent student shall mean the same as now or hereafter defined in Title 392 WAC for purposes of determining basic education fund allocations as of the latest October for which enrollment data are available.

(2) **Enrollment projection provisions.** In planning for construction of all facilities for grades kindergarten through twelve, vocational-technical institute facilities and facilities for the handicapped, a school district may estimate capacity needs on the basis of (a) a two or five-year cohort survival or adjusted cohort survival enrollment projection for elementary schools, whichever is the lesser, and (b) a three or five-year cohort survival or adjusted cohort survival enrollment projection for secondary schools and vocational-technical institutes, whichever is the lesser: *Provided*, That such limitations may be waived as shall be determined by the state board of education in its discretion.

(3) **Determination of existing capacity.** In order to determine the net total square foot area eligible for state matching purposes, the capacity of existing facilities shall be computed in accordance with the table set forth in subsection (1) above: *Provided*, That in facilities judged by the state board of education to contain an inordinate footage unusable for instruction purposes, the computation may be adjusted to reflect a reasonable estimate of existing capacity: *Provided further*, That those districts having authorized bond issues and/or excess tax levies for their building funds for specific school construction projects as identified in ballot propositions on or before April 3, 1979, may, when requesting state board of education consideration of state assistance for such projects, determine capacities of existing school plant facilities based on space allowance in accordance with the following table:

| Grade or Facility | Maximum Area Per Full-time Equivalent Student |
|---------------------------------|---|
| Grades kindergarten through six | 90 square feet |
| Grades seven through twelve | 130 square feet |
| Vocational-technical institutes | 150 square feet |
| Facilities for the handicapped | 150 square feet |

Additional footage may be allowed for senior or four-year high schools with fewer than 400 students, the total area not to exceed 52,000 square feet.

(4) In the event the amount of state assistance applied for and which may reasonably be anticipated to be applied for pursuant to this chapter exceeds the amount appropriated and made available by the legislature, the state board of education shall adopt one or more schedules which rank(s)

school building projects on the basis of urgency of need and determine(s) the order in which applications for state assistance will be considered for the purpose of allocating funds within biennial limitations.

[Statutory Authority: RCW 28A.47.801 through 28A.47.811. 79-06-109 (Order 3-79), § 180-30-110, filed 6/6/79; Order 5-75, § 180-30-110, filed 5/27/75; Order 2-73, § 180-30-110, filed 6/13/73; Order 5-71, § 180-30-110, filed 8/31/71; Order 7-69, § 180-30-110, filed 10/31/69.]

WAC 180-30-115 Basic state support level—Square foot cost level of state support. (1) The square foot cost level of state support shall apply to the costs of construction including sales tax and shall be determined on the basis of (a) average construction costs within the state as measured bimonthly by the Boeckh Building Cost Index of comparable construction, and (b) funds available for state assistance in construction of school facilities.

Except as otherwise provided, the amount of the final allocation of state funds to a school district in the construction of an approved project shall be derived by applying the percentage of state assistance determined in accordance with provisions of WAC 180-30-105 to the total cost of construction and sales tax eligible for state matching funds up to the square foot cost level prevailing on the date of bid opening for said project, plus the cost of architectural and engineering services eligible for state matching purposes as set forth in WAC 180-30-120; any cost in excess thereof shall be financed entirely by the school district: *Provided*, That when the need therefor has been substantiated to the satisfaction of the state board of education, consideration may be given to extraordinary costs of school building construction caused by geographic isolation, peculiar site conditions or other extraordinary conditions.

(2) The square foot cost level shall be adjusted downward to correspond with decreases in construction costs as measured bimonthly by the Boeckh Building Cost Index, such adjusted square foot cost level to be effective at the beginning of the succeeding bimonthly period.

Any increase in the square foot cost level as measured bimonthly by the Boeckh Building Cost Index shall be subject to prior approval by the state board of education: *Provided*, That the state board may at its discretion authorize the superintendent of public instruction to act under its direction.

[Order 5-75, § 180-30-115, filed 5/27/75; Order 2-73, § 180-30-115, filed 6/13/73; Order 7-69, § 180-30-115, filed 10/31/69.]

WAC 180-30-116 Basic state support level—Equipment allowance. (1) An allowance for furniture and equipment purchases shall be added to the total construction cost of a project determined eligible for state matching funds. The equipment allowance for state matching purposes shall be developed by multiplying the eligible square foot area of a project by the prevailing square foot cost level of state support times two percent for elementary, three percent for middle or junior high, four percent for high schools and five percent for vocational-technical facilities.

(2) The school district shall submit to the superintendent of public instruction certification of equipment purchase in the form and in the manner prescribed within one hundred

and eighty days following the final acceptance of the building by the school district board of directors.

(3) Any allotment of funds not required to provide state matching funds for equipment purchases certified for a specific project as set forth above shall revert to the fund from which the allotment was made.

[Statutory Authority: RCW 28A.47.060. 80-07-001 (Order 10-80), § 180-30-116, filed 6/5/80.]

WAC 180-30-117 Basic state support level—Sales tax. The amounts of sales and/or use taxes levied generally throughout the state of Washington by local governmental agencies and state-imposed sales and/or use taxes applicable to the matchable portion of the cost of a construction project shall be eligible for state participation in financing.

[Order 2-73, § 180-30-117, filed 6/13/73; Order 9-70, § 180-30-117, filed 6/9/70.]

WAC 180-30-120 Basic state support level—Architectural and engineering services. In the allocation of state funds for a school building project, the architectural and engineering services eligible for state matching purposes shall not exceed the percentage or percentages in relation to the construction cost or costs as set forth in the following table:

| Construction Value | Total Fee % of Construction Cost |
|--------------------|----------------------------------|
| Under \$ 100,000 | 10.0 |
| 100,000 | 9.0 |
| 200,000 | 8.5 |
| 300,000 | 8.25 |
| 400,000 | 8.0 |
| 500,000 | 8.0 |
| 600,000 | 7.75 |
| 700,000 | 7.75 |
| 800,000 | 7.5 |
| 900,000 | 7.5 |
| 1,000,000 | 7.5 |
| 1,500,000 | 7.25 |
| 2,000,000 | 7.0 |
| 3,000,000 | 6.7 |
| 4,000,000 | 6.3 |
| 5,000,000 | 6.0 |
| Above \$ 5,000,000 | 6.0 |

NOTE: Fees for projects with construction costs between values shown may be established on an interpolation basis as indicated in the example below.

Example

| | | |
|----------|---------------|----------------|
| 8.25% of | \$ 300,000.00 | = \$ 24,750.00 |
| 8.00% of | 50,000.00 | = 4,000.00 |
| | <hr/> | <hr/> |
| | \$ 350,000.00 | \$ 28,750.00 |

[Order 6-72, § 180-30-120, filed 8/29/72; Order 7-69, § 180-30-120, filed 10/31/69.]

WAC 180-30-125 Basic state support level—Insurance funds. Funds received by a school district from insurance on a building or buildings destroyed by fire or any other hazard shall not be considered local effort funds in the

determination of the amount of state assistance in the construction of new school plant facilities, and, further, such insurance funds identified as payments for building loss shall be applied toward new construction in instances where the project is financed in part with state funds.

[Order 7-69, § 180-30-125, filed 10/31/69.]

WAC 180-30-130 Basic state support level—Federal funds. A school district determined to be eligible for federal funds made available by acts of congress for school building construction, including but not limited to P.L. 815 funds, shall be required (1) to make application for such funds, which requirement shall be a prerequisite for a preliminary or provisional allocation of state funds, and (2) furnish evidence of the availability of such federal funds, which requirement shall be a prerequisite for a final allocation of state funds: *Provided*, That nothing in this regulation shall restrict a school district from receipt of federal monies otherwise provided for specific purposes in accordance with the conditions imposed by the federal government incumbent upon the recipient school district.

[Order 4-70, § 180-30-130, filed 3/10/70; Order 7-69, § 180-30-130, filed 10/31/69.]

WAC 180-30-135 Basic state support level—Costs to be financed entirely with school district local funds. The cost of the following areas, facilities and items shall be paid from school district local funds in excess of local funds applied toward construction costs in accordance with the matching formula specified by law:

(1) **Area.** The cost of area in excess of the space allocations as in WAC 180-30-110 set forth which shall be computed on the basis of such additional square footage multiplied by the square foot cost of the building eligible for state matching.

(2) **Site.** Acquisition cost of site.

(3) **Site development.**

(a) Sodding, seeding and/or planting of athletic fields.

(b) Shrubs, trees, sprinkler systems and landscaping.

(4) **Alterations, repair and demolition.** (Except alterations necessary to connect new construction to an existing building.)

(5) **Facilities.**

(a) Administration buildings.

(b) Auditoria.

(c) Bus garages.

(d) Stadia, grandstands, bleachers, etc.

(6) **Fireplaces.**

(7) **Other costs.**

(a) Costs incidental to advertising for bids, site surveys and costs other than those connected directly with the construction of the building.

(b) Project sign.

(c) Sales and/or use taxes levied by local governmental agencies other than those sales and/or use taxes levied generally throughout the state of Washington.

(d) All costs in excess of state support level factors established by the state board of education for state participation in financing as in WAC 180-30-100 through 180-30-135 set forth.

[Order 5-75, § 180-30-135, filed 5/27/75; Order 2-73, § 180-30-135, filed 6/13/73; Order 9-70, § 180-30-135, filed 6/9/70; Order 7-69, § 180-30-135, filed 10/31/69.]

WAC 180-30-200 Additional state assistance—General provisions. State assistance in addition to the amount determined allocable under basic state support level provisions as in WAC 180-30-100 through 180-30-135 set forth may be allowed for the purposes and in accordance with the requirements hereinafter in WAC 180-30-200 through 180-30-230 set forth: *Provided*, That the state board of education finds that such additional assistance is necessary to meet the prescribed emergency condition, or conditions, or need, and the school district otherwise is determined eligible for state assistance under prevailing statutory provisions and state board of education rules and regulations.

[Order 5-75, § 180-30-200, filed 5/27/75; Order 7-71, § 180-30-200, filed 10/13/71; Order 7-69, § 180-30-200, filed 10/31/69.]

WAC 180-30-205 Additional state assistance—Handicapped children and vocational-technical institute students. A school district which has a special school housing burden imposed by virtue of the admission of handicapped children and/or vocational-technical institute students shall be eligible for additional state assistance in construction of facilities for such educational programs in accordance with the provisions hereinafter set forth.

(1) A school district which furnishes substantial evidence of need for housing for handicapped children and/or vocational-technical institute students may be considered for an allotment of state funds in excess of the amount allocable under the statutory formula, the total amount to equal ninety percent of the total project cost determined eligible for state matching purposes.

[Order 11-76, § 180-30-205, filed 12/9/76; Order 5-75, § 180-30-205, filed 5/27/75; Order 7-69, § 180-30-205, filed 10/31/69.]

WAC 180-30-210 Additional state assistance—Loss of building by fire. A school district which has lost a school plant facility by fire shall be eligible for additional state assistance consideration if the district first applies toward the replacement project (1) all insurance payments for the loss of structure, and (2) school district local funds provided for school construction purposes through the authorization of bonds and/or excess tax levies for the building fund equivalent to three and one-fourth percent of the value of its taxable property, such funds to include its remaining bonding capacity to two and one-half percent of the value of its taxable property. If the state board of education determines that the balance of funds necessary in excess of state matching funds on the basis of the statutory formula would result in an excessive additional local effort, additional state assistance may be allowed to the extent necessary to provide a functional school plant.

[Order 7-71, § 180-30-210, filed 10/13/71; Order 7-69, § 180-30-210, filed 10/31/69.]

WAC 180-30-215 Additional state assistance—Condemnation of a building. A school district required to replace a school plant facility determined to be hazardous to the safety and health of school children as evidenced by

reports of structural engineers licensed to practice in the state of Washington, the health agency having jurisdiction and the state fire marshal shall be eligible for additional state assistance consideration if the district first applies toward the replacement project school district local funds provided for school construction purposes through the authorization of bonds and/or excess tax levies for the building fund equivalent to three and one-half percent of the value of its taxable property, such funds to include its remaining bonding capacity to two and one-half percent of the value of its taxable property. If the state board of education determines that the balance of funds necessary in excess of state matching funds on the basis of the statutory formula would result in an excessive additional local effort, additional state assistance may be allowed to the extent necessary to provide a functional school plant.

[Order 7-71, § 180-30-215, filed 10/13/71; Order 7-69, § 180-30-215, filed 10/31/69.]

WAC 180-30-220 Additional state assistance—Improved school district organization. Additional state assistance in school building construction to provide for improvement in school district organization may be allowed when it is found by the state board of education that through the formation of larger units of administration and areas of attendance there is need for such additional state assistance to achieve improvement and equalization of educational opportunities of pupils, economies in the administration and operation of schools and equalization among school districts of the tax burden for general fund and capital purposes through a reduction in disparities in per-pupil valuation.

Eligibility for and the amount of such additional state assistance shall be determined in accordance with the provisions hereinafter set forth.

(1) **Acceptable administrative unit a prerequisite for additional state assistance consideration.** Determination by the state board of education that a plan for the formation of a new school district constitutes an acceptable administrative unit shall be a prerequisite for additional state assistance consideration. For the purpose of this section, an acceptable administrative unit shall be defined as a single school district comprising grades kindergarten through twelve offering an educational program recognized by the division of curriculum and instruction of the office of superintendent of public instruction as a comprehensive program.

(2) **Resolution of intent to form a new school district and evidence of need for additional state assistance to provide facilities.** When the boards of directors of two or more school districts, at least one of which shall be a high school district, contemplate the formation of a new school district in accordance with the provisions of chapter 28A.315 RCW and subsequent to such formation to make application for additional state assistance under the provisions of this section, the respective boards of directors shall file with the state board of education a joint resolution of intent which shall set forth the proposed organizational pattern and evidence of the need for additional state assistance, including but not limited to the following:

(a) Map of the proposed new school district.

(b) Current and projected enrollment for a five-year period.

(c) Number of secondary school students, grades seven through twelve, in each component district of the proposed new district.

(d) Reasons why existing buildings cannot satisfactorily house the projected enrollment of the proposed new district.

(e) Financial status of the proposed new district.

(f) Number of school buses currently in operation by the component districts and number required subsequent to formation of the new district.

(g) Analysis of the improvement in educational opportunities through the formation of the proposed new district.

(h) Statement of impetus new facilities would provide in effecting the formation of the proposed new district.

(i) Complete description of the site for proposed new facility or modernization, including but not limited to its location with respect to pupils to be served, size and adequacy.

(j) Such additional data as the boards of directors deem pertinent to a thorough analysis of the proposal.

(3) **Approval of proposed administrative unit and need for additional state assistance.** When in the judgment of the state board of education a proposal for the formation of a new school district will provide an acceptable administrative unit as defined in subsection (1) above and the state board has determined that additional state assistance is necessary to achieve the objectives in this section set forth, the state board shall notify the boards of directors of the component districts (a) of its approval of the proposed school district organizational pattern, and (b) that upon approval by the voters of the proposal for formation of the new school district, an application by the board of directors of the newly formed school district for state assistance in construction or modernization of school facilities and additional state assistance for improvement in school district organization will receive favorable consideration, the amount of such state assistance to be determined in accordance with provisions of subsections (4) through (7) hereinafter set forth.

(4) **Regulations governing.** In addition to the regulations herein prescribed, the regulations governing the basic state assistance program shall be applied to an application for additional state assistance for improvement of school district organization except as hereinafter in subsections (5) and (6) provided.

(5) **Eligibility on basis of number of unhoused pupils.** For the purpose of this section, the pertinent requirements of WAC 180-30-030 and 180-30-110(3) relating to eligibility on the basis of number of unhoused pupils, as determined by the state board of education, shall not be applied: *Provided*, That the component school districts furnish evidence of utilization and/or disposition of facilities to be vacated as the result of construction or modernization of facilities satisfactory to the state board of education.

(6) **School district effort to provide capital funds.** For the purpose of this section, the bonded and/or excess tax levy requirements as set forth in WAC 180-30-035 may be reduced or waived as determined by the state board of education to constitute a reasonable local effort to achieve improvement in school district organization: *Provided*, That the newly formed school district shall be required to apply local funds toward the financing of the total project cost eligible for state matching purposes an amount currently

collectible of not less than one-fourth of one percent of the value of its taxable property and, in addition thereto, provide the total cost of site acquisition, site improvement and equipment.

(7) **Determination of amount of additional state assistance.** When in the judgment of the state board of education an improvement in school district organization will be achieved and additional state assistance in financing school construction or modernization is necessary to provide for such improvement, additional state assistance may be allowed in an amount to be determined by the state board: *Provided*, That the total amount allotted shall not exceed ninety percent of the total project cost determined eligible for state matching purposes.

[Statutory Authority: 1990 c 33, 90-17-009, § 180-30-220, filed 8/6/90, effective 9/6/90; Order 7-71, § 180-30-220, filed 10/13/71; Order 7-69, § 180-30-220, filed 10/31/69.]

WAC 180-30-225 Additional state assistance—Improved racial balance. A school district which furnishes substantiating evidence of need for additional state assistance to provide for improvement in racial balance within a school or within the boundaries of the school district shall be eligible for such additional state assistance consideration in accordance with the following provisions:

(1) **Definition of racial imbalance.** For the purpose of this section, racial imbalance shall be defined as in WAC 180-30-040 set forth.

(2) **Evidence that proposed project will improve racial balance.** Data submitted in compliance with the racial balance study required of all school districts in support of applications for state assistance in construction of school facilities as in WAC 180-30-630 set forth must substantiate that the proposed construction or modernization will improve racial balance in one or more schools.

(3) **School district to determine means to achieve improvement in racial balance.** Consistent with state board of education policy that it is the responsibility and authority of the board of directors of a school district to determine the type of school building it desires to construct for the children of its district and recognizing that the varying degrees of minority race imbalance throughout the state may require varying procedures to alleviate such imbalance, it shall be the responsibility of school district boards of directors respectively to determine means to achieve improvement in racial balance.

(4) **Program description required.** Insofar as is practicable, the school district shall submit a description of its program for achieving racial balance, including but not limited to the following:

- (a) Statement of the philosophy of the school district as it relates to racial imbalance.
- (b) Objectives of the program.
- (c) Program improvements to be employed.
- (d) Limitations of existing facility or facilities which preclude implementation of the contemplated program.
- (e) Proposed use of any vacated space which may result if enrollment in a building is to be reduced.
- (f) Estimate of time period for full implementation of program.

(5) **When two or more schools involved.** When an improvement in the racial balance within a school district involves construction or modernization of two or more schools, all such units must be included in the program improvement application.

(6) **Regulations governing.** In addition to the regulations herein prescribed, the regulations governing the basic state assistance program shall be applied to an application for additional state assistance for improving racial balance insofar as practicable and commensurate with the availability of funds: *Provided*, That the waiver of any such requirements or regulations shall be subject to approval by the state board of education.

(7) **Determination of amount of additional state assistance.** When in the judgment of the state board of education an improvement in racial balance will be achieved and additional state assistance in financing school construction or modernization is necessary to provide for such improvement, additional state assistance may be allowed in an amount to be determined by the state board: *Provided*, That the total amount allotted shall not exceed ninety percent of the total project cost determined eligible for state matching purposes.

[Order 7-69, § 180-30-225, filed 10/31/69.]

WAC 180-30-230 Additional state assistance—Other conditions creating an emergency. A school district which furnishes evidence of conditions similar to one or more of those defined in WAC 180-30-205 through 180-30-225 creating a like emergency or need shall be eligible for additional state assistance consideration: *Provided*, That it is found by the state board of education that an emergency or need exists and that additional state assistance is necessary to meet said emergency or need. In such cases, the state board of education shall determine the extent to which the school district shall provide local funds in excess of the amount required in accordance with the statutory formula: *Provided*, That the local fund requirement shall be not less than the amount prescribed for eligibility for additional state assistance under conditions determined to be a like emergency or need.

[Order 7-69, § 180-30-230, filed 10/31/69.]

WAC 180-30-250 Additional allotment to meet school housing emergency. (1) **General provisions.** A school district which is eligible for an allotment of funds for school building construction under prevailing statutory provisions and rules and regulations of the state board of education and is found by the state board to have a school housing emergency requiring an allotment of state funds in excess of the amount allocable under the statutory formula may be considered for an additional allotment of funds: *Provided*, That the total amount allotted shall not exceed ninety percent of the total project cost determined eligible for state matching purposes: *Provided further*, That such additional allotment of funds shall be subject to the following provision:

At any time thereafter when the state board of education finds that the financial position of such school district has improved through an increase in its taxable valuation (value of its taxable property) or through retirement of bonded

indebtedness or through a reduction in school housing requirement, or for any combination of these reasons, the amount of such additional allotment, or any part of such amount as the state board of education determines, shall be deducted, under terms and conditions prescribed by the board, from any state school building construction funds which might otherwise be provided to such district.

(2) **Definition of school housing emergency.** For the purpose of this section, a school housing emergency shall be deemed to exist when a school district eligible for state assistance cannot provide the necessary school housing for the children of its district after first applying to the cost of the needed construction the funds from sources as follows:

State funds and local funds computed in accordance with the statutory formula plus any other funds required in addition to the basic state support level.

(3) **Regulations governing.** In addition to the regulations herein prescribed, the regulations governing the basic state assistance program shall be applied to an application for additional state assistance to meet a school housing emergency.

(a) A school district must have authorized indebtedness, exclusive of bond redemption levies, equivalent to three and one-half percent or more of the value of its taxable property, and must provide a sum equivalent to two and one-half percent of its assessed valuation to matchable program costs plus any uncommitted moneys in its building fund; or

(b) A school district must have authorized indebtedness to the statutory limit of five percent and place all uncommitted moneys in its building fund toward matchable costs of the proposed emergency program; and

(c) A school district must have experienced an enrollment growth of at least twenty percent during a consecutive three-year period which shall include the latest October 1 for which enrollment data are available.

(4) **Application for additional allotment of funds.**

Applications for additional allotments of funds to meet school housing emergencies shall be judged on the basis of (a) past and projected enrollment increases, (b) capacity of existing facilities and (c) past and current effort by the school district to provide capital funds and the disposition thereof.

(5) **Determination of amount of additional allotment.**

The amount of an additional allotment of funds to a school district judged by the state board of education to have a school housing emergency shall be determined by the state board on the basis of the need for school housing, the financial resources available to the school district through the authorization of bonds and/or excess tax levies and the total funds available to the state board of education for the biennial period to meet state-wide needs for state assistance in providing school facilities.

[Statutory Authority: RCW 28A.47.801 through 28A.47.811. 79-06-109 (Order 3-79), § 180-30-250, filed 6/6/79; Order 5-75, § 180-30-250, filed 5/27/75; Order 7-71, § 180-30-250, filed 10/13/71; Order 7-69, § 180-30-250, filed 10/31/69.]

WAC 180-30-350 Relocatable buildings. The state board of education hereby establishes policies, rules and regulations governing state assistance in providing relocatable school buildings.

[Order 5-75, § 180-30-350, filed 5/27/75; Order 7-69, § 180-30-350, filed 10/31/69.]

WAC 180-30-355 Relocatable buildings—Definition.

For the purpose of providing state assistance in the cost of relocatable buildings, the following definitions shall apply.

(1) **Relocatable buildings.** A relocatable building shall mean one or more classroom units of permanent-type construction other than a mobile home which:

(a) May reflect modular construction techniques,

(b) May incorporate core facilities,

(c) Shall be demountable and relocatable to different locations as needs arise,

(d) May be readily trailerable or self-propelled.

[Order 5-75, § 180-30-355, filed 5/27/75; Order 7-69, § 180-30-355, filed 10/31/69.]

WAC 180-30-360 Relocatable buildings—Basic policy.

State participation in financing relocatable buildings shall be limited to projects justified in terms of specific needs of the school district and deemed by the state board of education to be the best solution to the housing needs of the school district.

[Order 7-69, § 180-30-360, filed 10/31/69.]

WAC 180-30-365 Relocatable buildings—Construction regulations. (1) **Building code requirements.** The construction of relocatable buildings shall be in conformity with the provisions of RCW 43.22.450 through 43.22.490 (factory built housing).

(2) **Provisions for the aged and physically handicapped.** The construction of relocatable buildings shall be in compliance with the requirements for aged and physically handicapped persons in accordance with provisions of chapter 70.92 RCW.

[Order 5-75, § 180-30-365, filed 5/27/75; Order 7-71, § 180-30-365, filed 10/13/71; Order 7-69, § 180-30-365, filed 10/31/69.]

WAC 180-30-370 Relocatable buildings—Regulations governing.

In addition to the regulations hereinbefore in WAC 180-30-355 through 180-30-365 prescribed, all regulations governing the basic state assistance program prescribed in chapter 180-30 WAC shall govern administration of state participation in financing relocatable buildings: *Provided*, That compliance with those regulations not pertinent to relocatable construction as determined by the superintendent of public instruction shall not be required.

[Order 7-69, § 180-30-370, filed 10/31/69.]

WAC 180-30-380 Relocatable buildings—Procedural requirements.

The superintendent of public instruction shall determine procedures and forms for the administration of state participation in financing relocatable buildings, such procedures and forms to be in addition to or in lieu of procedural requirements prescribed in chapter 180-30 WAC.

[Order 7-69, § 180-30-380, filed 10/31/69.]

WAC 180-30-400 Pilot or exemplary projects.

Whenever in the judgment of the state board of education a pilot or exemplary project may develop evidence that economies in school building construction may be effected without impairing the usefulness and adequacy of school buildings and it is determined that one or more of the rules and regulations prescribed in chapter 180-30 WAC create a procedural deterrent to state participation in financing such pilot or exemplary project, the deterrent rules and regulations may be waived for the specific pilot or exemplary project: *Provided*, That the following conditions are satisfied prior to proceeding with action not consistent with existing rules and regulations:

(1) The objectives of and the plan for carrying forward the project are defined clearly and in the judgment of the state board consistent with the intent of this section.

(2) The rules for which waiver is requested are identified adequately and waiver approved by the state board.

(3) Requirements in lieu of rules waived and in addition thereto as the state board may deem necessary to assure the successful completion of the project are defined and approved by the state board.

[Order 7-69, § 180-30-400, filed 10/31/69.]

ENERGY CONSERVATION PROGRAM

WAC 180-30-405 Energy conservation program. In recognition of the need for a continuing energy management and conservation program, the state board of education hereby establishes policies, rules and regulations with respect to implementation of an energy conservation program for proposed school building projects.

[Order 9-75, § 180-30-405, filed 9/9/75.]

WAC 180-30-406 Energy conservation program—Life cycle cost analysis. (1) The school district shall cause to be prepared a life cycle cost analysis for new buildings, and for additions to and modernization of existing buildings to be planned and constructed, said life cycle cost analysis to be in compliance with provisions of chapter 39.35 RCW, and such other requirements and guidelines as may now or hereafter be adopted.

(2) Notwithstanding the provisions of WAC 180-30-110 and 180-30-320, consideration may be granted for state assistance in costs incurred through preparation of the aforementioned life cycle cost analysis as provided in guidelines for energy conservation program.

[Order 1-76, § 180-30-406, filed 2/3/76; Order 9-75, § 180-30-406, filed 9/9/75.]

WAC 180-30-407 Energy conservation program—Energy conservation considerations in existing facilities. Pursuant to guidelines relating to the energy conservation program, state assistance in addition to the amount allocable under the basic state support level provisions in WAC 180-30-300 through 180-30-320 set forth may be allowed for costs incurred through energy conservation considerations in a modernization project.

[Order 9-75, § 180-30-407, filed 9/9/75.]

WAC 180-30-408 Energy conservation program—Procedural requirements. The superintendent of public instruction shall

(1) Establish guidelines to assure that energy conservation practices shall be employed in design of all school building projects to effect an optimum reduction of energy usage in school plant facilities; and (2) determine procedures and forms for state participation in the energy conservation program.

[Order 9-75, § 180-30-408, filed 9/9/75.]

PRELIMINARY PLANNING GRANTS TO SCHOOL DISTRICTS

WAC 180-30-410 Preliminary planning grants to school districts. The state board of education hereby establishes policies, rules and regulations governing state assistance in providing preliminary planning grants to school districts.

[Order 5-75, § 180-30-410, filed 5/27/75; Order 6-73, § 180-30-410, filed 10/3/73.]

WAC 180-30-415 Preliminary planning grants to school districts—Basic policies. State participation in financing costs of preliminary planning shall be limited to (1) school districts which evince a need for preliminary planning grants for the purpose of improving the usefulness or adequacy of their school plant facilities to meet the educational needs of their communities, and (2) the availability of state funds appropriated specifically for such purpose.

[Order 6-73, § 180-30-415, filed 10/3/73.]

WAC 180-30-420 Preliminary planning grants to school districts—Application provisions. The applicant school district shall submit a written application which shall include the proposed budget for carrying out its planning process.

[Order 6-73, § 180-30-420, filed 10/3/73.]

WAC 180-30-425 Preliminary planning grants to school districts—Procedural requirements. The superintendent of public instruction shall determine procedures and forms for the administration of state participation in financing the costs incurred in preliminary planning, such procedures and forms to be in addition to or in lieu of procedural requirements prescribed in chapter 180-30 WAC.

[Order 6-73, § 180-30-425, filed 10/3/73.]

WAC 180-30-430 Grants to school districts for purchase of works of art. The state board of education hereby establishes policies, rules and regulations governing grants of state funds for purchase of works of art.

[Order 5-75, § 180-30-430, filed 5/27/75.]

WAC 180-30-435 Grants to school districts for purchase of works of art—Basic policies. The state board of education shall allocate one-half of one percent of any moneys allotted for state assistance to school districts for original construction of any school facility for the acquisition

of works of art which may be (1) an integral part of the structure, (2) attached to the structure, (3) detached within or outside of the structure, or (4) can be exhibited in other public facilities by the school district. In the event the grant shall not be required in toto or in part for any project, such unrequired amounts may be accumulated and expended for art in other projects of the school district.

[Order 5-75, § 180-30-435, filed 5/27/75.]

WAC 180-30-440 Grants to school districts for purchase of works of art—Procedural requirements. The superintendent of public instruction shall determine procedures and forms for the administration of state participation in financing the costs of works of art, such procedures and forms to be in addition to or in lieu of procedural requirements prescribed in chapter 180-30 WAC.

[Order 5-75, § 180-30-440, filed 5/27/75.]

NONHIGH SCHOOL DISTRICT PARTICIPATION IN FINANCING COST OF SECONDARY SCHOOL FACILITIES

WAC 180-30-450 Nonhigh school district participation in financing cost of secondary school facilities—Basic policy. The state board of education construes the intent and purpose of chapter 28A.540 RCW to be that nonhigh school districts which choose to retain their identity as school administrative units shall be placed in the same position with respect to responsibility for providing secondary facilities as are former nonhigh school districts that elected to become a part of a high school district. It shall be the policy of the state board of education therefore to approve a proposed plan for participative financing prepared in accordance with provisions of chapter 28A.540 RCW when it provides for equitable contributions by the nonhigh school districts and by the high school district.

[Statutory Authority: 1990 c 33, 90-17-009, § 180-30-450, filed 8/6/90, effective 9/6/90; Order 5-75, § 180-30-450, filed 5/27/75; Order 7-69, § 180-30-450, filed 10/31/69.]

WAC 180-30-455 Nonhigh school district participation in financing cost of secondary school facilities—Implementation of policy. Practice which implements the foregoing policy shall be followed on every occasion when additional secondary school facilities are required to serve an area comprising a high school district and its tributary nonhigh school districts, regardless of the number of different projects involved or the lapse of time between the financing of different projects.

[Order 7-69, § 180-30-455, filed 10/31/69.]

INTERDISTRICT COOPERATION IN FINANCING SCHOOL CONSTRUCTION

WAC 180-30-460 Interdistrict cooperation in financing construction of school plant facilities—Statutory authority. Pursuant to authority under RCW 28A.335.160, approval of a cooperative financing plan for the construction or modernization of school plant facilities by two or more school districts shall be subject to compli-

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ance with the rules and regulations hereinafter in WAC 180-30-465 through 180-30-495 set forth.

[Statutory Authority: 1990 c 33, 90-17-009, § 180-30-460, filed 8/6/90, effective 9/6/90; Order 7-71, § 180-30-460, filed 10/13/71; Order 7-69, § 180-30-460, filed 10/31/69.]

WAC 180-30-465 Interdistrict cooperation in financing construction of school plant facilities—Any cooperative plan subject to state board approval. Any interdistrict financial plan for construction or modernization of school facilities irrespective of whether state funds are involved in the financing of the proposed project must be approved by the state board of education prior to carrying into effect the provisions of such plan.

[Order 7-69, § 180-30-465, filed 10/31/69.]

WAC 180-30-470 Interdistrict cooperation in financing construction of school plant facilities—Applicant district defined. The board of directors of the school district in which the proposed new facility is to be located or in which the facility proposed for modernization is located shall be the applicant district and it shall be the responsibility of said board of directors to submit the application for financial plan approval.

[Order 7-69, § 180-30-470, filed 10/31/69.]

WAC 180-30-475 Interdistrict cooperation in financing school construction—Application provisions. The applicant school district shall submit a written application which shall include but not be limited to the following documents and data:

(1) Resolution. A joint resolution by the boards of directors of all participating school districts shall (a) confer contractual authority and subsequent ownership on the board of directors in whose jurisdiction the facility is to be located, or in event of modernization in whose jurisdiction the facility is located, and (b) designate such board of directors as the legal applicant. Evidence shall be submitted that the said resolution has been incorporated in the official record of the board of directors of each participating school district.

(2) Contract between applicant and participating districts. Copy of contract or contracts between applicant district and participating school districts prepared in accordance with provisions hereinafter in WAC 180-30-480 set forth.

(3) Educational program or services. Statement defining the educational program or services to be offered in the proposed new or modernized facility.

(4) Number of pupils to be housed. Number and grade level or levels by district of all pupils to be housed in the proposed new or modernized facility.

(5) Project description. Description of proposed project including size in terms of square feet and the estimated cost of construction including architect's services, sales tax, site and site development.

(6) Financial plan. Proposed financial plan to fund construction and joint operation of proposed new or modernized facility.

(7) Certification by county treasurers. Certification by the county treasurers for the participating school districts respectively as to (a) amount of funds in the building fund

of the district, (b) bonds authorized and (c) value of the taxable property of the district.

(8) Area map. An area map indicating location of schools within the participating school districts and the location of the proposed new or modernized facility.

(9) Educational service district superintendent evaluation. Statement of evaluation of the proposal by the superintendent of the educational service district in which the proposed new facility is to be located or in which the facility proposed for modernization is located.

[Order 11-75, § 180-30-475, filed 10/28/75; Order 7-71, § 180-30-475, filed 10/13/71; Order 4-70, § 180-30-475, filed 3/10/70; Order 7-69, § 180-30-475, filed 10/31/69.]

WAC 180-30-480 Interdistrict cooperation in financing construction of school plant facilities—Contract between applicant and participating districts. The boards of directors of participating school districts shall negotiate a contract with the board of directors of the applicant school district which shall contain and set forth description of the following elements:

(1) Financial terms by which each cooperating district will participate in the cost of construction or modernization and operation of the facility.

(2) Administration of the facility and of the program or services to be offered therein.

(3) Duration of the interdistrict cooperation agreement.

(4) Procedures for dissolution of cooperative operation of the facility including but not limited to the following:

(a) Ownership of all capital equipment and facilities.

(b) Distribution of assets or the payments to be made to the participating districts.

(c) Minimum period of operation prior to dissolution consideration and approval by the state board of education in accordance with provisions hereinafter in WAC 180-30-490 set forth.

[Order 7-69, § 180-30-480, filed 10/31/69.]

WAC 180-30-485 Interdistrict cooperation in financing construction of school plant facilities—Approval of program or services by superintendent of public instruction. Approval by the superintendent of public instruction of the educational program or services to be offered in the proposed new or modernized facility and the proposed administration of such program or services shall be a prerequisite for approval by the state board of education of an interdistrict cooperative financial plan for construction of new or modernization of school plant facilities.

[Order 7-69, § 180-30-485, filed 10/31/69.]

WAC 180-30-490 Interdistrict cooperation in financing construction of school plant facilities—Dissolution provisions. (1) Procedures for the dissolution of the operation of school plant facilities under an interdistrict cooperative plan shall not be instituted prior to the expiration of ten years after the date of state board of education approval of the financial plan for the construction of such facilities: *Provided*, That a request for dissolution prior to the expiration of ten years may be approved when

in the judgment of the state board of education there is substantiation of sufficient cause therefor.

(2) **State board approval of dissolution required.** Any plan for dissolution as in (1) above described shall be submitted to the state board of education for review and approval prior to proceeding with dissolution action.

[Order 7-69, § 180-30-490, filed 10/31/69.]

WAC 180-30-495 Interdistrict cooperation in financing school construction—Project construction approval required—Rules and regulations governing. A project to be constructed under interdistrict cooperative financing pursuant to provisions of RCW 28A.335.160 shall be subject to approval by the state board of education irrespective of whether state funds are involved in the financing thereof and shall be in conformity with the applicable rules and regulations hereinafter prescribed. The applicant school district shall be responsible for compliance with said rules and regulations.

(1) Projects financed entirely with school district local funds. All rules and regulations promulgated by the state board of education relating to school building construction as in chapter 180-30 WAC set forth shall govern the approval of a project financed entirely with interdistrict cooperative funds except those rules relating to determination of amount of state assistance and such other rules deemed by the superintendent of public instruction to be inapplicable to the said construction.

(2) Projects financed with state assistance.

(a) All rules and regulations promulgated by the state board of education relating to school building construction as in chapter 180-30 WAC set forth shall govern the approval of an application for state assistance in financing an interdistrict cooperative project except such rules deemed by the superintendent of public instruction to be inapplicable to the said construction: *Provided*, That in the interest of program improvement and/or improvement in equalization of educational opportunities, the pertinent requirements of WAC 180-30-030 and 180-30-110(3) relating to eligibility on the basis of number of unhoused children may be waived as shall be determined by the state board of education.

(b) In determination of the amount of state assistance the principle to be applied shall be that each participating district, otherwise eligible for state assistance, shall receive such assistance on the basis of the computed area ratio. The amount that each participating district shall provide may be the percentage proportion that the value of its taxable property bears to the total value of taxable property of all participating districts or such other amounts as set forth in the contract submitted as are accepted and approved by the state board of education.

(3) Application for additional state assistance. In the financing of interdistrict cooperative projects, applications for state assistance in addition to the amount determined allocable under basic state support level provisions shall be judged by the state board of education on the basis of the need for said facilities for the expressed purpose of (a) providing educational opportunities, including vocational skills programs, not otherwise provided, (b) avoiding unnecessary duplication of specialized or unusually expen-

sive educational programs or facilities, or (c) improving racial balance within and among participating districts.

(4) Determination of amount of additional state assistance. When in the judgment of the state board of education an expressed need exists for an interdistrict cooperative project to achieve one or more of the expressed purposes as set forth in subsection (3) above and additional state assistance in financing said joint construction is necessary to meet such need, additional state assistance may be allowed in an amount to be determined by the state board: *Provided*, That the total amount allotted shall not exceed ninety percent of the total project cost determined eligible for state matching purposes: *Provided further*, That the total funds available to the state board for the biennial period are sufficient to meet state-wide needs for state assistance in providing necessary school facilities to individual school districts as well as for this purpose.

[Statutory Authority: 1990 c 33, 90-17-009, § 180-30-495, filed 8/6/90, effective 9/6/90; Order 11-75, § 180-30-495, filed 10/28/75; Order 7-71, § 180-30-495, filed 10/13/71; Order 7-69, § 180-30-495, filed 10/31/69.]

WASHINGTON SCHOOL FACILITIES COST STABILIZATION PROGRAM

WAC 180-30-500 Statutory authority and program goals. Pursuant to authority under chapter 89, Laws of 1977 1st ex. sess., the Washington school facilities cost stabilization program is hereby established. The program goals are:

(1) To stabilize school construction, maintenance and operating costs.

(2) To reduce school design/construction time.

(3) To provide high quality schools capable of being readily and economically adapted to changing school and community needs.

[Permanent and Emergency Order 14-77, § 180-30-500, filed 12/6/77, effective 12/6/77.]

WAC 180-30-505 Definitions. For the purpose of this section:

(1) "Systems building" shall mean the application of a systematized approach to the programming, design and construction of a facility, with special emphasis on simplicity, repetitiveness, adaptability to future requirements and interrelatedness of building subsystems in the facility design.

(2) "Building subsystem" or "subsystem" shall mean a component of a facility defined for a specific function and comprising the necessary elements and materials to fulfill that function; examples of such subsystems are structural, ceiling-lighting, heating-ventilation-air conditioning, and interior space division subsystems.

[Permanent and Emergency Order 14-77, § 180-30-505, filed 12/6/77, effective 12/6/77.]

WAC 180-30-510 Procedural guidelines. (1) The superintendent of public instruction shall encourage the use of systems building in school construction and modernization by implementing the following procedures and others deemed appropriate:

(a) Develop procedural and technical guidelines to assist school officials and school designers in utilizing the systems

concept within the framework of state board of education regulations.

(b) Review and modify building subsystem specifications developed pursuant to RCW 28A.04.310, and develop and/or review specifications for additional subsystems as appropriate.

(c) Require utilization of systems building on those projects, except modernization projects, receiving state assistance in addition to the amount determined allocable under basic state support level provisions in WAC 180-30-105, when, in the judgment of the superintendent of public instruction, the projects lend themselves to systems building.

(d) Provide mandatory critiques of systems project designs on those projects where systems designs are required, and critiquing as requested for districts voluntarily utilizing systems design.

(2) The superintendent of public instruction shall also investigate and/or experiment with emerging design/construction and maintenance/operation practices, and assist districts in implementing those which hold promise of achieving one or more of the program goals identified in WAC 180-30-500.

[Permanent and Emergency Order 14-77, § 180-30-510, filed 12/6/77, effective 12/6/77.]

WAC 180-30-515 Exemptions. (1) Districts which are eligible to receive basic state support pursuant to WAC 180-30-105, and (a) additional state assistance pursuant to WAC 180-30-200 through and including 180-30-250, or (b) additional space allocations pursuant to WAC 180-30-110, and which propose to construct projects that do not conform to the definition as specified in WAC 180-30-505, must request an exemption by the superintendent of public instruction.

(2) The superintendent of public instruction shall determine whether or not a project lends itself to systems building and may grant an exemption to the requirement of utilization of systems building if he/she determines that the project does not lend itself to systems building. Projects which are suggested for exemption from the requirement of systems building include, but are not limited to, projects in which case:

(a) Schematic plans were completed and approved by the board of directors prior to September 21, 1977, the effective date of this act; or

(b) Utilization would result in a significant cost increase and/or delay of project completion; or

(c) Utilization would result in a facility which is incompatible with existing facilities and/or site; or

(d) The nature of the educational program dictates a facility design which does not lend itself to "systems building"; or

(e) The project is a relocatable building as defined in WAC 180-30-355.

(3) Each school district shall provide such data as is necessary to enable the superintendent of public instruction to substantiate the district's eligibility for an exemption. In the event any district fails to submit necessary data in the written request for exemption, the proposed project will not be presented to the state board of education for its consideration.

[Permanent and Emergency Order 14-77, § 180-30-515, filed 12/6/77, effective 12/6/77.]

WAC 180-30-520 School facilities cost stabilization program—Procedural requirements. (1) The superintendent of public instruction shall determine procedures and forms for the administration of state participation in the school facilities cost stabilization program; such procedures and forms to be in addition to or in lieu of procedural requirements prescribed in chapter 180-30 WAC.

(2) Whenever, in the judgment of the state board of education, implementation and/or operation of the school facilities cost stabilization program would be impaired by one or more of the rules and regulations prescribed in chapter 180-30 WAC, a waiver of such rules and regulations may be granted by the state board of education for a specific purpose, except when such waiver would be in conflict with statutory requirements.

[Permanent and Emergency Order 14-77, § 180-30-520, filed 12/6/77, effective 12/6/77.]

FEDERAL GRANTS TO SCHOOL DISTRICTS FOR SCHOOL CONSTRUCTION

WAC 180-30-575 Federal grants to school districts for school construction—Relating to certification by state agency. (1) It is the position of the state board of education that prerequisites for a recommendation by the state educational agency with respect to an application by a school district for a grant from federal funds made available by acts of congress for school building construction should include the following provisions: (a) The school building project shall be consistent with over-all state plans for the construction of school facilities, and (b) the applicant school district shall meet requirements established by the state board of education for eligibility for an allotment of state funds for assistance in construction of school facilities of any kind—grades kindergarten through twelve.

(2) The state board of education recommends to the superintendent of public instruction that action by the superintendent on school district applications for grants of federal funds be in conformity with the position of the state board as hereinbefore stated.

[Order 7-69, § 180-30-575, filed 10/31/69.]

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

WAC 180-30-610 Application requirements and procedural regulations governing. All applications for state assistance, allocations of state funds and disbursements of school district and state funds for projects approved for state assistance shall meet the requirements and shall be in conformity with the procedures hereinafter in WAC 180-30-620 through 180-30-740 set forth. The state board of education shall prescribe and furnish forms for the purposes as in this chapter set forth.

[Order 5-75, § 180-30-610, filed 5/27/75; Order 7-69, § 180-30-610, filed 10/31/69.]

WAC 180-30-620 Notice of intent by school district to submit application for state assistance and school housing study prerequisites to filing of application. (1) To qualify for eligibility and consideration of state assistance in a school building program, the school district shall submit to the state board of education a notice of intent to file an application for each proposed school building project prior to submission of a funding measure for voter approval.

(2) Study of school housing situation.

(a) At the time the notice of intent is filed for an initial school building project, or projects, the school district shall arrange for a cooperative study of its school housing situation by the district and the state board of education under the direction of the superintendent of public instruction. In accordance with statutory provisions, the aforementioned cooperative study shall provide information including but not limited to the following:

(i) Kind and extent of the school plant facilities required and the urgency of need for such facilities;

(ii) Ability of the district to provide capital funds by local effort and estimated amount of proposed funding measure;

(iii) Need for improvement of school administrative units and school attendance areas among or within districts;

(iv) Enrollment trends and racial balance data;

(v) Site;

(vi) Such other data as the state board of education may require to establish preliminary determination of school district housing need; and

(vii) The aforementioned study must be completed prior to school district submittal of any capital funding measure to its voters if it is the intent of the district to seek consideration of state assistance for its proposed school construction program by the state board of education.

(b) Project applications shall be subject to the submittal of additional and/or current data and such further study of the district's school housing situation as the state board of education may require for determination of compliance with pertinent statutory provisions and state board regulations.

[Statutory Authority: Chapter 28A.47 RCW. 79-11-022 (Order 12-79), § 180-30-620, filed 10/10/79; Order 5-75, § 180-30-620, filed 5/27/75; Order 7-69, § 180-30-620, filed 10/31/69.]

WAC 180-30-625 Acknowledgment of notice of intent to file application and instructions for preparation and filing of application and supporting data. Upon determination that the information furnished indicates the school district meets requirements for state assistance consideration, the state board of education will transmit application forms, requesting the school district to submit an application in accordance with provisions of WAC 180-30-630 and such preliminary documents and additional supporting data as may be required: *Provided*, That transmittal of application forms shall not constitute a commitment of state funds.

[Order 5-75, § 180-30-625, filed 5/27/75; Order 7-69, § 180-30-625, filed 10/31/69.]

WAC 180-30-630 Application for state assistance.

(1) **Component parts.** An application for state assistance in school building construction shall be comprised of completed

forms prescribed by the state board of education and shall include the supporting documents and data prescribed by said forms and the supporting documents and data set forth below.

(a) Complete set of preliminary (design development phase) drawings.

(b) Signed or certified copy of contract between school district and the architect. (A separate contract is required for each specific project.)

(c) Site documents as follows:

(i) Opinion by prosecuting attorney or other legal counsel relating to fee simple title including legal description of site required under WAC 180-30-055;

(ii) Statement of approval by the state department of health or local health agency having jurisdiction;

(iii) Statement of approval by such local planning commission or authority as may be established within the territory of the school district;

(iv) Statement of approval by state department of ecology when the site and/or building plan is located within a flood plane of a river or major stream (refer to chapter 86.16 RCW);

(v) Statement indicating compliance with the provisions of chapter 197-10 WAC and such other applicable rules of the council on environmental policy as may now or hereafter be adopted; and

(vi) Request for site approval by the state board of education.

(d) Certification of nonhigh school district participative finance funds authorized for construction of a proposed project, when applicable.

(e) Copy of resolution adopted by the school district board of directors certifying full compliance with the provisions of WAC 180-30-040 relating to racial balance and supported by the following data:

(i) An ethnic count for each school in the district as of October 1 immediately preceding the date of application, the extent of the change in ethnic count projected for a five-year period of all schools affected by the project for which state assistance is requested and an estimated five-year enrollment projection by ethnic groups for the district;

(ii) A map indicating present attendance areas and ethnic distribution at all levels and any proposed changes;

(iii) Transportation services proposed, noting any changes as the result of building the project for which state assistance is requested;

(iv) A statement delineating impact and relationship of proposed construction to any federal and state programs, i.e., freeways, urban renewal, model cities program, etc., and

(v) Such additional data as the school district deems pertinent in support of the resolution.

(f) Documentation of compliance with requirements of energy conservation program as in WAC 180-30-406(1) set forth.

(2) **Preparation and filing of application.** The school district shall (a) complete the application for state assistance in accordance with the findings of the cooperative study and consonant with the pertinent rules and regulations of the state board of education; (b) submit the original of each application form with the supporting documents and data as herein in subsection (1) set forth to the superintendent of public instruction and retain one copy of each for the school

district files; and (c) forward one copy each of the completed forms to the school district architect and the educational service district superintendent.

[Order 1-76, § 180-30-630, filed 2/3/76; Order 9-75, § 180-30-630, filed 9/9/75; Order 5-75, § 180-30-630, filed 5/27/75; Order 3-74, § 180-30-630, filed 7/23/74; Order 7-69, § 180-30-630, filed 10/31/69.]

WAC 180-30-635 Authorization to prepare final plan and specifications (construction documents). Upon determination that the applicant school district is eligible for state assistance and that the proposed project meets statutory and state board of education requirements, the state board will grant approval of preliminary plan, authorization to the school district to proceed with preparation of final plan and specifications and a provisional reservation of state funds for architectural and engineering services: *Provided*, That such provisional reservation of funds and authorization shall be subject to the following conditions:

(1) The provisional reservation of funds is a guarantee of state participation in the costs of architectural and engineering services incurred in the preparation of preliminary plan and final plan and specifications and any part of aforesaid provisional reservation not required for aforesaid purpose shall revert to the state fund from which the provisional reservation is made.

(2) Prerequisites for payment from the provisional reservation of funds shall be (a) completion of the final plan and specifications and (b) participation in the cost thereof by the school district in local funds eligible for state matching funds in an amount not less than the percentage computed in accordance with statutory provisions and such additional amount from school district local, federal and/or other sources as in the authorization document set forth.

(3) The preparation of final plan and specifications shall be in accordance with the regulations hereinafter in WAC 180-30-640 prescribed.

[Order 5-75, § 180-30-635, filed 5/27/75; Order 4-70, § 180-30-635, filed 3/10/70; Order 7-69, § 180-30-635, filed 10/31/69.]

WAC 180-30-640 Preparation of final plan and specifications (construction documents)—Bid and contract provisions. Upon receipt of authorization as in WAC 180-30-635 provided, the school district shall cause to be prepared final plan and specifications in accordance with the following regulations and such other requirements as may be prescribed by the state board of education:

(1) Separate or combined bids. Separate and/or combined bids may be received for general construction, mechanical work and electrical work. Separate contracts or a combined contract for the construction of the entire project may be awarded on the basis of whichever is most advantageous to the school district and to the state in accordance with bids received.

(2) Alternate bids or cost breakdown on items to be financed entirely from school district local funds. For the purpose of determining the exact cost thereof, provision must be made for alternate bids, or a cost breakdown by the contractor, on all items included in the plan and specifications which are to be financed entirely from school district local funds.

(3) Cash allowance. A cash allowance item shall not be a part of specifications nor included in any contract which involves state matching funds.

(4) Fire insurance coverage on structure under contract. The general conditions incorporated in the specifications shall provide that the school district and/or the contractor shall effect and maintain fire insurance coverage on the structure under contract equal to one hundred per cent of the insurable value thereof including materials in place or on the premises for use in the construction.

(5) Bidder's guarantee requirements. Each bidder on a project approved for state assistance must submit with his bid a certified check or a cashier's check equivalent to at least five per cent of the amount of the bid, or a bid bond. To facilitate the procuring of a certified check or a cashier's check prior to the determination of the amount of his bid, a contractor may submit a certified check or a cashier's check based on five per cent of the architect's estimated cost of the work on which said contractor proposes to submit a bid.

(6) Governmental agency approvals of final plan and specifications.

(a) The final plan and specifications for the construction of a new school building or any addition to or alteration of an existing building or for any of the utilities connected with the school building shall be subject to the approval of the state fire marshal or his designated representative, the state electrical inspector, the health agency having jurisdiction and, when applicable, the state department of ecology, with respect to compliance with pertinent rules and regulations established by said agencies.

(b) The life cycle cost analysis, when required, shall be subject to approval of the office of energy management and conservation, department of general administration.

(c) The school district shall receive written approval of final plan and specifications by the agencies set forth in (a) above prior to the call for bid. Any exceptions indicated by the aforementioned agencies shall be corrected and so noted on the final plan and specifications or shall be corrected by issuance of addenda to the specifications and/or revised drawings.

(7) Compliance with pertinent public works statutory provisions. Specifications for all projects involving state matching funds shall provide for compliance with statutory provisions relating to public works including but not limited to the following:

(a) Chapter 18.27 RCW relating to registration of contractors.

(b) Chapter 39.08 RCW relating to contractor's bond.

(c) Chapter 39.12 RCW relating to prevailing wages on public works.

(d) Chapter 39.16 RCW relating to resident employees on public works.

(e) Chapter 39.25 RCW relating to offshore items.

(f) Chapter 49.28 RCW relating to hours of labor.

(g) Chapter 49.60 RCW relating to law against discrimination.

(h) Chapter 70.92 RCW relating to provisions for the aged and physically handicapped.

The architect shall certify to the superintendent of public instruction that the final plan and specifications (construction documents) are in full compliance with the aforementioned statutes, provisions of chapter 19.27 RCW, and any and all

other pertinent statutes relating to construction of public buildings applicable to school building construction.

[Order 8-76, § 180-30-640, filed 7/19/76; Order 9-75, § 180-30-640, filed 9/9/75; Order 5-75, § 180-30-640, filed 5/27/75; Order 3-74, § 180-30-640, filed 7/23/74; Order 7-71, § 180-30-640, filed 10/13/71; Order 7-69, § 180-30-640, filed 10/31/69.]

WAC 180-30-645 Final plan and specifications (construction documents) to be submitted for review and approval. (1) The school district shall submit one copy of the final plan and specifications to the state board of education for review and approval together with one copy each of the supporting documents listed below:

(a) Form for certification of construction documents and final cost estimate of project, completed and signed by architect.

(b) Signed copy, or photocopy of letters of approval by governmental agencies in accordance with provisions of WAC 180-30-640(6).

(c) Signed statement by architect of analysis of square foot area.

(d) Life cycle cost analysis as in WAC 180-30-406(1) set forth.

(2) The school district shall obtain approval of final plan and specifications by the state board of education prior to the call for bids on any project to be financed with state assistance, as in WAC 180-30-650 provided.

[Order 9-75, § 180-30-645, filed 9/9/75; Order 5-75, § 180-30-645, filed 5/27/75; Order 7-69, § 180-30-645, filed 10/31/69.]

WAC 180-30-650 Preliminary allotment of state funds. When upon review of final plan and specifications, final cost estimates and such up-to-date enrollment and fiscal data as may be necessary for determination of current eligibility under statutory provisions and state board of education regulations, it is found by the state board that the project continues to be eligible for state assistance, that final plan and specifications meet state board requirements and that funds are available for state assistance in construction of the proposed project, the state board will grant approval of final plan and specifications, a preliminary allotment of state funds and authorization to call for bids: *Provided*, That in the event funds are not available for state assistance in construction of the proposed project or that upon re-evaluation the project is determined ineligible for state participation in financing construction, a preliminary allotment for the state's share of the cost of architectural and engineering services shall be made to the school district from the provisional reservation of state funds authorized pursuant to WAC 180-30-635: *Provided further*, That such allotments and authorizations shall be subject to the following conditions and regulations:

(1) **Preliminary allotment.** The preliminary allotment is a guarantee of state participation in financing (a) construction of school plant facilities and/or (b) architectural and engineering costs for the preparation of preliminary plan and final plan and specifications pursuant to WAC 180-30-635: *Provided*, That any part of a preliminary allotment not required for completion of an approved project in accordance with bids received thereon and/or not required for the

aforesaid architectural and engineering services shall revert to the state fund from which the allotment is made.

(2) **Bid specifications.** Bid specifications on a school building project approved by the state board of education for state participation in financing shall be in accordance with the approved final plan and specifications for such project on file in the office of the state board and shall be in conformity with provisions of WAC 180-30-640.

(3) **Advertisement for bids.** An advertisement for bids on any school building project approved by the state board of education for state participation in financing must be published once each week for two consecutive weeks in a journal of general circulation, such as *The Daily Journal of Commerce* or *Northwest Construction News*, and a like number of times in a publication circulated throughout the area.

[Order 5-75, § 180-30-650, filed 5/27/75; Order 4-70, § 180-30-650, filed 3/10/70; Order 7-69, § 180-30-650, filed 10/31/69.]

WAC 180-30-655 Bid data and document requirements following bid opening. (1) After bids have been opened, the board of directors of the school district shall by resolution designate the successful bidder or bidders and transmit to the state board of education one copy each of the documents listed below:

(a) Statement of project cost signed by the chairman of the board of directors and the superintendent of the school district.

(b) Certified copy of recommendation of the board of directors for award of contract or contracts on the basis of bids received, including all accepted alternates.

(c) Certified copy of each advertisement for bids.

(d) Certified tabulated statement of all bids received including bids on alternates, if any, with complete firm names and addresses of bidders. Each alternate listed must be designated by number and descriptive title conforming to the number and title set forth in the specifications. The certification must be made by the architect or authorized representative of the school district.

(e) Certification by school district of amount of local and/or other disburseable funds available specifically for the project, exclusive of state funds, with source of funds identified including identity and amount of nonhigh school district funds when applicable.

(f) Statement of analysis by architect of square foot area and square foot cost, said statement to bear the signature of the architect.

(g) Copies of all addenda to specifications.

(2) **Authorization required for contract award.**

(a) A contract, or contracts, for construction of a school building project approved by the state board of education for state participation in financing from available state funds may not be entered into by the school district until authorization therefor has been received from the state board as in WAC 180-30-660 provided.

(b) A contract, or contracts, for construction of a school building project provisionally approved by the state board of education for state participation in financing pursuant to WAC 180-30-651 and for which state funds have not been made available may not be entered into by the school district

until authorization therefor has been received from the state board as in WAC 180-30-661 provided.

[Order 5-75, § 180-30-655, filed 5/27/75; Order 4-70, § 180-30-655, filed 3/10/70; Order 7-69, § 180-30-655, filed 10/31/69.]

WAC 180-30-660 Final allotment of state funds.

Upon analysis of bids received, determination of the amount of state funds allowable under statutory provisions and state board of education regulations governing state participation in financing and determination that funds are available for state assistance in construction of the proposed project, the state board of education will make a final allotment of state funds for participation in costs of construction and architectural and engineering services and authorize the school district to award contracts: *Provided*, That such allotment and authorization shall be subject to the conditions and regulations herein in subsections (1), (2) and (3) set forth: *Provided further*, That in the event state funds are not available for state assistance in construction of the proposed project, the state board of education will make a final allotment of state funds for the state's share of the cost of architectural and engineering services pursuant to authorizations issued under WAC 180-30-635 and 180-30-650.

(1) **Negotiation of school building contracts.** The state board of education shall approve for participative financing only those school building contracts where the original contract price for the construction has been established by competitive bids.

(2) **Final allotment of state funds.**

(a) The final allotment of state funds for construction of a school building project shall be contingent upon financial participation by the applicant school district in accordance with the financial program as set forth in the authorization document.

(b) Any part of a final allotment of state funds not required for completion of a school building project in accordance with the financial program as set forth in said authorization document shall revert to the state fund from which the allotment was made.

(3) **Award of contract or contracts.**

(a) Upon receipt of authorization by the state board of education, the board of directors of the school district may proceed with award of contract or contracts for construction of the designated school building project, which contract or contracts shall be in conformity with the analysis of bids as set forth in the aforesaid authorization document and in accordance with the bids received on approved plan and specification for the aforesaid school building project.

(b) Immediately following the awarding of contract or contracts as herein in subsection (a) provided, the board of directors of the school district shall forward one signed or certified copy of each such construction contract to the state board of education.

[Order 5-75, § 180-30-660, filed 5/27/75; Order 4-70, § 180-30-660, filed 3/10/70; Order 7-69, § 180-30-660, filed 10/31/69.]

WAC 180-30-710 Disbursement of funds for construction of school plant facilities—Administration of payments from state funds under direction of state superintendent. (1) The superintendent of public instruction is hereby authorized and directed to administer the disburse-

ment of state funds allotted by the state board of education to school districts for school building construction, said disbursements to be in compliance with procedural regulations established by the state board, pertinent statutory requirements and such other requirements as the state superintendent may determine to be necessary.

(2) The superintendent of public instruction shall keep a complete and accurate record of each allotment of state assistance funds made to a school district by the state board of education and of all disbursements, unpaid balances and other matters connected therewith.

[Order 7-69, § 180-30-710, filed 10/31/69.]

WAC 180-30-715 Disbursement of funds for construction of school plant facilities—Sequence of payments by school district and state. The order in which funds shall be disbursed for school building construction financed with state assistance shall be as follows:

(1) **Initial payments from school district local funds.** Prior to payment of state funds, the school district shall make payments on all claims submitted by architects and contractors until such time as the total amount of school district local funds obligated by the district for its share of the cost of the building project have been expended.

(2) **Subsequent payments from state funds.** After school district local funds have been fully expended as herein in subsection (1) provided, payments from state funds allotted to the district for the state's share of the cost of the project shall be paid on subsequent claims submitted by architects and contractors.

[Order 7-69, § 180-30-715, filed 10/31/69.]

WAC 180-30-720 Disbursement of funds for construction of school plant facilities—General provisions applicable to payments by school district and/or state. Disbursement of school district local funds and/or state funds in payments to contractors and architects on projects financed with state assistance shall be in accordance with the following provisions:

(1) **Payments to contractors.** Payments to contractors shall be on the basis of work progress. Contractors shall submit monthly estimates of work completed which shall be supported by and paid in accordance with architect's certificate of amount due and payable to contractor for work completed during the period for which payment is claimed.

(2) **Payments to architects.** Payments to architects shall be made in accordance with payment schedule stipulated in agreement between architect and school district.

(3) **Retainage on contract payments.** The provisions of chapter 60.28 RCW as now or hereafter amended, relating to public works contracts, shall govern retainage on contract payments for school building construction.

[Order 4-70, § 180-30-720, filed 3/10/70; Order 7-69, § 180-30-720, filed 10/31/69.]

WAC 180-30-725 Disbursement of funds for construction of school plant facilities—Payments from school district local funds—Requirements and procedures. (1) General provisions. Disbursements of school district local funds shall be made in accordance with school

district procedures and regulations not inconsistent with applicable rules and regulations of the state board of education, pertinent statutory provisions and regulations of such county officials as have responsibilities in the matter of school district funds.

(2) Certification of total disbursements to be submitted to state superintendent. At such time as the total amount of school district local funds obligated by the district for its share of the cost of the building project has been fully expended, a certified statement of the said disbursements shall be submitted to the superintendent of public instruction, such statement to comprise a listing of all payments to architects, contractors, and when applicable escrow agents, including warrant numbers, dates of payments, names of payees and amounts of payments. The certification for first-class school districts shall be made by the appropriate school district official, and the certification for second- and third-class school districts shall be made by the county auditor: *Provided*, That the certification for second- and third-class school districts shall be made by the appropriate school district official in such districts drawing and issuing warrants pursuant to provisions of RCW 28A.330.230.

[Statutory Authority: 1990 c 33, 90-17-009, § 180-30-725, filed 8/6/90, effective 9/6/90; Order 5-75, § 180-30-725, filed 5/27/75; Order 2-73, § 180-30-725, filed 6/13/73; Order 7-71, § 180-30-725, filed 10/13/71; Order 7-69, § 180-30-725, filed 10/31/69.]

WAC 180-30-730 Disbursement of funds for construction of school plant facilities—Payments from state funds—General provisions. All claims for payment from state funds allotted by the state board of education to a school district for school building construction shall be submitted to the superintendent of public instruction on state invoice vouchers provided by the state superintendent and in accordance with regulations and procedures set forth below and such other procedures as may be prescribed by the state superintendent.

(1) **School district responsibility to submit vouchers.** It shall be the responsibility of the school district to submit state invoice vouchers for payments from state funds allotted to the school district for school building construction.

(2) **State warrants—Payable to and delivery.**

(a) State warrants issued in payment of monthly progress estimates shall be drawn payable to the claimant named in the contract and shall be transmitted to the school district for disposition or delivery to such claimant.

(b) Final payment state warrants shall be drawn payable to the claimant named in the contract provided no taxes are due and no claims from materialmen or laborers have been filed. In the event taxes have not been discharged or the claims, expenses and fees have not been paid, the public body (superintendent of public instruction) shall retain in its fund, or in an interest-bearing account, or retain in escrow, at the option of the contractor, an amount equal to such unpaid taxes and unpaid claims together with a sum sufficient to defray the costs and attorney fees incurred in foreclosing the lien of such claims, and shall pay, or release from escrow, the remainder to the contractor.

[Permanent and Emergency Order 14-77, § 180-30-730, filed 12/6/77, effective 12/6/77; Order 7-69, § 180-30-730, filed 10/31/69.]

WAC 180-30-735 Disbursement of funds for construction of school plant facilities—Progress payments from state funds. Progress payments from state funds allotted to a school district for construction of an approved project shall be made in accordance with provisions of WAC 180-30-720 and upon the presentation of properly executed state invoice vouchers approved by the superintendent of public instruction on the basis of architect's certification of work completed and certification of approval by authorized representatives of the school district.

[Order 7-69, § 180-30-735, filed 10/31/69.]

WAC 180-30-740 Disbursement of funds for construction of school plant facilities—Final payments on contracts. In accordance with provisions of chapter 60.28 RCW as now or hereafter amended, relating to public works contracts, final payment on a contract from retained percentage funds shall not be made until thirty days have elapsed following final acceptance by the school district board of directors of the work as completed.

After the expiration of the aforementioned statutory 30-day period, final payment shall be made contingent upon receipt of properly executed state invoice voucher and supporting documents in accordance with the regulations and procedures as herein in subsections (1) through (3) set forth and such other procedures as may be prescribed by the superintendent of public instruction in compliance with statutory and state board of education regulations.

(1) Acceptance of building, improvement or work as completed.

(a) Upon completion of work by a contractor, or contractors, the architect and the school district officials shall inspect the building, improvement or work to determine compliance with plan and specifications.

(b) The architect, upon determining that the building, improvement or work has been completed satisfactorily, shall recommend through the issuance of a letter of inspection addressed to the school district board of directors acceptance as completed satisfactorily. Separate letters shall be written concerning the work of each contractor.

(c) The school district board of directors, upon determining that the building, improvement or work has been completed satisfactorily, shall through board resolution officially accept such building, improvement or work as completed satisfactorily. A separate resolution shall be made concerning the work of each prime contractor.

(2) Documents required for final payment. Final payments on contracts shall be subject to receipt by the superintendent of public instruction of the documents listed below and such other evidence of final completion of contracts as the state superintendent in compliance with pertinent statutory provisions and/or rules and regulations of the state board of education may determine to be necessary.

(a) Documents to be submitted immediately following official final acceptance of building, improvement or work. The original and one copy of each of the following documents shall be submitted immediately following official final acceptance by the school district board of directors of the building, improvement or work:

- (i) Properly executed state invoice voucher;
- (ii) Architect's letter of inspection;

(iii) School district board of directors' resolution of final acceptance signed by board members or bearing the certification of authorized representatives of the school district;

(iv) Architect's certificate of final amount due and payable to contractor.

(b) Documents to be submitted at anytime during the thirty-day period following official final acceptance by the school district board of directors of the building, improvement or work;

(i) Contractor's final affidavit of wages paid bearing certification of the state department of labor and industries.

(c) Documents to be submitted immediately after the expiration of the 30-day period following final acceptance of building, improvement or work. One copy of each of the following documents shall be submitted immediately after the expiration of the 30-day period following final acceptance by the board of directors of the building, improvement or work:

(i) Certification by the school district officials that no liens have been filed, or a certified list of all valid liens in event liens have been filed; and

(3) Certification by state department of revenue, state department of employment security and state department of labor and industries of payment of taxes.

(a) In compliance with statutory provisions, final payment on a contract for public works shall not be made by the disbursing officer until he has received from the state department of revenue, state department of employment security and the state department of labor and industries certification that all taxes due or to become due from the contractor with respect to such contract have been paid in full.

(b) Final payments on construction contracts from state funds allotted to a school district for school building construction shall be contingent upon receipt of aforementioned certification in accordance with the following procedure:

(i) Upon receipt of all documents required immediately following official acceptance of building, improvement or work as in subsection (2) above provided, the superintendent of public instruction (the disbursing officer) shall notify the state department of revenue, state department of employment security and the state department of labor and industries that the construction contract has been completed; and

(ii) As provided by statute, the state department of revenue, state department of employment security and the state department of labor and industries, upon determination that all state taxes due or to become due on the contract have been paid in full, will so certify to the superintendent of public instruction (the disbursing officer) and transmit a copy of such certification to the school district concerned.

[Permanent and Emergency Order 14-77, § 180-30-740, filed 12/6/77, effective 12/6/77; Order 7-71, § 180-30-740, filed 10/13/71; Order 4-70, § 180-30-740, filed 3/10/70; Order 7-69, § 180-30-740, filed 10/31/69.]

WAC 180-30-750 Advancement of project pending availability of appropriated funds and priority rank. If the amount of state assistance applied for, and which may reasonably be expected to be applied for, exceeds the amount appropriated and made available by the legislature and the state board has found it necessary to adopt schedules ranking school building projects on the basis of urgency of need, a

district may request consideration by the state board of education for advancement of certain projects at local financial risk pending availability of appropriated funds and priority placement of project.

[Statutory Authority: Chapter 28A.47 RCW. 79-11-022 (Order 12-79), § 180-30-750, filed 10/10/79.]

WAC 180-30-755 Authorization for district to proceed at its own financial risk with advancement of project. Upon determination that the applicant school district has certified that sufficient local funds are available to finance the entire cost of the project and has complied with WAC 180-30-620 and 180-30-630 and that the proposed project meets statutory and state board of education requirements, the state board of education will grant approval of preliminary plan and authorization to the school district to proceed with preparation of final plan and specifications. Such approvals shall be subject to the following conditions: (1) The approvals shall not constitute a commitment of state funds; and (2) the preparation of final plan and specifications shall be in accordance with WAC 180-30-640.

[Statutory Authority: Chapter 28A.47 RCW. 79-11-022 (Order 12-79), § 180-30-755, filed 10/10/79.]

WAC 180-30-760 Approval of final plan and specifications. When upon review of final plan and specifications, final cost estimates and such up-to-date enrollment and fiscal data as may be necessary for determination of current eligibility under statutory provisions and state board of education regulations, it is found by the state board that the project would be eligible for state assistance if state funds were available, the state board of education may (1) grant approval of final plan and specifications and (2) authorize the school district to call for bids. The aforementioned shall make no commitment of state funds and shall be subject to the following prescribed conditions:

(1) Compliance with rules. The school district shall comply with all rules and regulations of the state board of education applicable to a project approved for financing with available state funds.

(2) School district certification. Prior to the award of contracts, the board of directors of the school district shall certify to the state board of education by resolution in the manner prescribed by the superintendent of public instruction that (a) sufficient local funds are available to finance the entire cost of the project and (b) the school district will assume full financial responsibility for completion of the project.

(3) Approval of final plan and specifications not commitment of state funds. The authorization documents shall contain (a) approval of final plan and specifications, (b) notification of square foot area determined eligible for state support, (c) authorization to call for bids, and (d) shall direct attention to the fact that the approvals and authorizations therein do not constitute a commitment of state funds.

[Statutory Authority: Chapter 28A.47 RCW. 79-11-022 (Order 12-79), § 180-30-760, filed 10/10/79.]

WAC 180-30-765 Bid data and document requirements following bid opening. (1) After bids have been opened, the board of directors of the school district shall by

resolution designate the successful bidder or bidders and transmit to the state board of education one copy each of the documents listed below:

(a) Statement of project cost signed by the chairman of the board of directors and the superintendent of the school district.

(b) Certified copy of recommendation of the board of directors for award of contract or contracts on the basis of bids received, including all accepted alternates.

(c) Certified copy of each advertisement for bids.

(d) Certified tabulated statement of all bids received including bids on alternates, if any, with complete firm names and addresses of bidders. Each alternate listed must be designated by number and descriptive title conforming to the number and title set forth in the specifications. The certification must be made by the architect or authorized representative of the school district.

(e) Certification by school district of amount of local and/or other disburseable funds available specifically for the project, with source of funds identified including identity and amount of nonhigh school district funds when applicable. The certification of disburseable funds shall be sufficient to cover the entire cost of the project including equipment allowance.

(f) Statement of analysis by architect of square foot area and square foot cost, said statement to bear the signature of the architect.

(g) Copies of all addenda to specifications.

(2) Authorization required for contract award. A contract, or contracts, for construction of a school building project approved by the state board of education pursuant to WAC 180-30-760 and for which state funds have not been made available may not be entered into by the school district until authorization therefor has been received from the state board as provided in WAC 180-30-770.

[Statutory Authority: Chapter 28A.47 RCW. 79-11-022 (Order 12-79), § 180-30-765, filed 10/10/79.]

WAC 180-30-770 Authorization to award contract. Upon analysis of bids received, determination of project eligibility under statutory provisions and state board of education regulations, the state board of education will authorize the school district to award contracts, subject to the following conditions:

(1) Receipt of certification from the board of directors of the school district as in WAC 180-30-765 (1)(e) shall be a prerequisite for said authorization for contract award.

(2) Compliance with rules. The school district shall comply with the provisions of WAC 180-30-660 relating to negotiation of school building contracts and award of contract or contracts, make payments to contractors and architects in accordance with rules and regulations of the state board governing all projects financed with state assistance and shall comply with such procedural requirements as the superintendent of public instruction may determine necessary.

(3) Authorization to award contracts not a commitment of state funds.

(a) The authorization documents and transmittal letter shall state explicitly that the authorization to award contracts described therein does not constitute a commitment of state

funds. The district shall be notified of the square foot area, square foot cost level of state support and state matching ratio in effect for the project at date of bid opening.

(b) Upon receipt of authorization by the state board of education, the board of directors of the school district may proceed with award of contract or contracts for construction of the designated school building project, which contract or contracts shall be in conformity with the analysis of bids as set forth in the aforesaid authorization document and in accordance with the bids received on approved plan and specifications for the aforesaid school building project.

(c) Immediately following the awarding of contract or contracts as provided in (b) of this subsection, the board of directors of the school district shall forward one signed or certified copy of each such construction contract to the state board of education.

(4) Deferred state participation contingency. State participation in an approved project shall be contingent upon (a) placement or qualification of subject project on the currently approved priority list, (b) availability of funds under the statutory authority or appropriation designation cited in the appropriate authorization documents or the availability of funds appropriated in lieu thereof, and (c) consideration by the state board of education of the proposed financial plan.

(5) Approval of financial participation and payment of state funds. Upon completion of an approved project in accordance with the guidelines in WAC 180-30-775, the school district may request payment of the amount determined allocable as set forth in WAC 180-30-770(4).

[Statutory Authority: Chapter 28A.47 RCW. 79-11-022 (Order 12-79), § 180-30-770, filed 10/10/79.]

WAC 180-30-775 Disbursement of funds for construction of school plant facilities—Final payments on contracts. In accordance with provisions of chapter 60.28 RCW as now existing or hereafter amended, relating to public works contracts, final payment on a contract from retained percentage funds shall not be made until thirty days have elapsed following final acceptance by the school district board of directors of the work as completed.

After the expiration of the aforementioned statutory thirty-day period, final payment shall be made contingent upon receipt of properly executed invoice voucher and supporting documents in accordance with the regulations and procedures as set forth in subsections (1) and (2) of this section and such other procedures as may be prescribed by the superintendent of public instruction in compliance with statutory and state board of education regulations.

(1) Acceptance of building, improvement, or work as completed.

(a) Upon completion of work by a contractor, or contractors, the architect and the school district officials shall inspect the building, improvement, or work to determine compliance with plan and specifications.

(b) The architect, upon determining that the building, improvement, or work has been completed satisfactorily, shall recommend through the issuance of a letter of inspection addressed to the school district board of directors acceptance as completed satisfactorily. Separate letters shall be written concerning the work of each contractor.

(c) The school district board of directors, upon determining that the building, improvement, or work has been completed satisfactorily, shall through board resolution officially accept such building, improvement, or work as completed satisfactorily. A separate resolution shall be made concerning the work of each prime contractor.

(2) Documents required for final payment. Final payments on contracts shall be subject to receipt of the documents listed below and such other evidence of final completion of contracts as the state superintendent in compliance with pertinent statutory provisions and/or rules and regulations of the state board of education may determine to be necessary.

(a) Documents to be required immediately following official final acceptance of building, improvement, or work. The original and one copy of each of the following documents shall be submitted following official final acceptance by the school district board of directors of the building improvement or work:

(i) Properly executed invoice voucher;

(ii) Architect's letter of inspection;

(iii) School district board of directors' resolution of final acceptance signed by board members or bearing the certification of authorized representatives of the school district;

(iv) Architect's certificate of final amount due and payable to contractor;

(v) Contractor's final affidavit of wages paid bearing certification of the state department of labor and industries;

(vi) Certification by the school district officials that no liens have been filed, or a certified list of all valid liens in event liens have been filed; and

(vii) Certification by state department of revenue, state department of employment security, and state department of labor and industries of payment of taxes. In compliance with statutory provisions, final payment on a contract for public works shall not be made by the disbursing officer until he has received from the state department of revenue, state department of employment security and the state department of labor and industries certification that all taxes due or to become due from the contractor with respect to such contract have been paid in full.

(b) Final payments on construction contracts by a school district for school building construction shall be contingent upon receipt of aforementioned certification in accordance with the following procedure:

(i) Upon receipt of all documents required immediately following official acceptance of the building, improvement, or work as provided in subsection (2) of this section, the authorized representative of the school district shall notify the state department of revenue, state department of employment security and the state department of labor and industries that the construction contract has been completed; and

(ii) As provided by statute, the state department of revenue, state department of employment security, and the state department of labor and industries, upon determination that all state taxes due or to become due on the contract have been paid in full, will so certify to the school district concerned.

[Statutory Authority: Chapter 28A.47 RCW. 79-11-022 (Order 12-79), § 180-30-775, filed 10/10/79.]

WAC 180-30-780 Deferred payment of state funds.

Upon completion of final payment of local funds for a project and submittal of certified copies of final payment documents as set forth in WAC 180-30-775, reimbursement of state funds may be made for the project approved under provisions of WAC 180-30-770.

[Statutory Authority: Chapter 28A.47 RCW. 79-11-022 (Order 12-79), § 180-30-780, filed 10/10/79.]

**PROGRAM FOR BARRIER-FREE FACILITIES
PURSUANT TO PROVISIONS OF SECTION 504,
PUBLIC LAW 93-112, REHABILITATION ACT OF
1973, AS AMENDED**

WAC 180-30-800 Program for barrier-free facilities. The state board of education hereby establishes policies, rules and regulations governing state assistance in alteration or modification of school facilities pursuant to requirements of section 504, Public Law 93-112, Rehabilitation Act of 1973, as amended, hereinafter referred to in this chapter as section 504.

[Statutory Authority: RCW 28A.47.802 and 28A.47.803. 80-02-145 (Order 1-80), § 180-30-800, filed 2/5/80.]

WAC 180-30-805 Program for barrier-free facilities—Basic policies. The state board of education hereby establishes policies, rules, and regulations governing state assistance in alteration or modification of school facilities pursuant to requirements of section 504, Public Law 93-112, Rehabilitation Act of 1973, as amended, hereinafter referred to in this chapter as section 504.

(1) State participation in financing costs necessary for compliance with minimal requirements for accessibility of facilities by the handicapped as specified by section 504 shall be limited to those projects for which modification of existing facilities has been determined necessary for compliance with section 504 and the availability of state funds reserved specifically for such purpose.

(2) A school district having authorized work required by section 504 subsequent to June 30, 1979, but prior to adoption of rules and regulations contained herein may, if otherwise qualified, be considered for a state grant.

(3) Any school district requesting consideration of state funding must submit its transition plan as required by section 504 to the office of the superintendent of public instruction.

(4) Consideration of an allotment of state funds pursuant to provisions of WAC 180-30-800 through 180-30-845 is not conditional upon compliance with provisions of WAC 180-30-035.

[Statutory Authority: RCW 28A.47.060. 80-07-001 (Order 10-80), § 180-30-805, filed 6/5/80. Statutory Authority: RCW 28A.47.802 and 28A.47.803. 80-02-145 (Order 1-80), § 180-30-805, filed 2/5/80.]

WAC 180-30-807 Program for barrier-free facilities—Basic state support level. (1) In order to be considered eligible for a state grant any modification project must be included in the district's transition plan. The grant amount shall be determined by formula established by the superintendent of public instruction. Should the actual total cost of the approved modification project be less than the state grant, the grant shall be reduced accordingly and/or the

district shall refund the difference between the amount of the state grant and the actual total cost of the approved modification project.

(2) All costs in excess of the state grant established by the state board of education shall be paid from school district local funds.

[Statutory Authority: RCW 28A.47.060. 80-07-001 (Order 10-80), § 180-30-807, filed 6/5/80. Statutory Authority: RCW 28A.47.802 and 28A.47.803. 80-02-145 (Order 1-80), § 180-30-807, filed 2/5/80.]

WAC 180-30-810 Program for barrier-free facilities—Application requirements and procedural regulations. All applications for a state grant, allocations of state funds and disbursement of school district and state funds for approved projects in providing barrier-free facilities pursuant to provisions of section 504 shall meet the requirements and shall be in conformity with the procedures set forth in this chapter. The superintendent of public instruction shall prescribe and furnish forms for the purposes as in WAC 180-30-805 through 180-30-845 set forth.

[Statutory Authority: RCW 28A.47.060. 80-07-001 (Order 10-80), § 180-30-810, filed 6/5/80. Statutory Authority: RCW 28A.47.802 and 28A.47.803. 80-02-145 (Order 1-80), § 180-30-810, filed 2/5/80.]

WAC 180-30-815 Program for barrier-free facilities—Notice of intent to file application for state assistance. A notice of intent to file an application for state assistance in providing barrier free facilities shall be comprised of completed forms prescribed by the superintendent of public instruction and shall include the supporting documents and data set forth below.

(1) A copy of the district's plan to achieve accessibility for all programs and activities except in those instances which require modification of existing facilities.

(2) A copy of the district's transition plan as outlined by Title 45, Rules and Regulations, Subpart C—Program Accessibility, Section 84.22.

[Statutory Authority: RCW 28A.47.802 and 28A.47.803. 80-02-145 (Order 1-80), § 180-30-815, filed 2/5/80.]

WAC 180-30-820 Program for barrier-free facilities—Acknowledgment of notice of intent to file application and instructions for preparation and filing of application and supporting data. Upon determination that the information furnished indicates initial requirements for state assistance consideration are met by the school district, as in WAC 180-30-805(1), the state board of education will transmit application forms requesting the district to submit an application in accordance with provisions of WAC 180-30-825 and such preliminary documents and supporting data as may be required: *Provided*, That transmittal of application forms shall not constitute a commitment of state funds.

In the event the proposed plan does not appear to meet criteria for state funding, the applicant district will be so notified within forty-five days of receipt of said plan. Notice of rejection shall state reason(s) for rejection and terms on which a plan may be resubmitted. A revised plan may be submitted provided it is received by superintendent of public instruction not more than forty-five days after such rejection notice is deposited in the United States mail by superintendent of public instruction.

[Statutory Authority: RCW 28A.47.802 and 28A.47.803. 80-02-145 (Order 1-80), § 180-30-820, filed 2/5/80.]

WAC 180-30-825 Program for barrier-free facilities—Application for state assistance. (1) Upon receipt of notification as in WAC 180-30-820 provided, that the proposed plan appears to qualify for a state grant the district shall cause to be prepared final plans and specifications in accordance with the following regulations, the state bid law, chapter 43.19 RCW, if applicable, and such other requirements as may be prescribed by the state board of education.

(a) Governmental agency approvals of final plan and specifications. The final plan and specifications for modification of facilities to meet provisions of section 504 relating to handicapped accessibility shall be subject to the approval of the fire and health officials having jurisdiction and the state electrical inspector when applicable with respect to compliance with pertinent rules and regulations established by such agencies.

(b) The school district shall submit to the superintendent of public instruction a signed copy of the approvals of final plan and specifications by the agencies set forth above.

Any exceptions indicated by the aforementioned agencies shall be corrected and so noted on the final plan and specifications or shall be corrected by issuance of addenda to the specifications and/or revised drawings.

Final plan and specifications shall be in full compliance with pertinent public works statutory provisions, chapter 19.27 RCW, and any and all other pertinent statutes relating to construction of public buildings applicable to school building construction.

[Statutory Authority: RCW 28A.47.060. 80-07-001 (Order 10-80), § 180-30-825, filed 6/5/80. Statutory Authority: RCW 28A.47.802 and 28A.47.803. 80-02-145 (Order 1-80), § 180-30-825, filed 2/5/80.]

WAC 180-30-830 Program for barrier-free facilities—Approval of final plan. When upon review of final plan, final cost estimates and such other data as may be necessary for determination of eligibility, it is found by the state board that the project is eligible for a state grant, that the modification plan meets state board requirements and that state funds are available, the state board will grant approval of the project.

[Statutory Authority: RCW 28A.47.060. 80-07-001 (Order 10-80), § 180-30-830, filed 6/5/80. Statutory Authority: RCW 28A.47.802 and 28A.47.803. 80-02-145 (Order 1-80), § 180-30-830, filed 2/5/80.]

WAC 180-30-845 Program for barrier-free facilities—Disbursement of funds for modification of facilities for handicapped accessibility. (1) The superintendent of public instruction is hereby authorized and directed to administer the disbursement of state funds allotted by the state board of education to school districts for modification of facilities for handicapped accessibility pursuant to provisions of section 504, Public Law 93-112, as amended, said disbursements to be in compliance with procedural regulations established by the state board, pertinent statutory requirements and such other requirements as the state superintendent may determine to be necessary.

(2) The superintendent of public instruction shall keep a complete and accurate record of each allotment of state funds made to a school district by the state board of educa-

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tion and of all disbursements, unpaid balances and other matters connected therewith.

(3) Disbursement of funds shall be in accordance with applicable requirements as set forth in WAC 180-30-740.

[Statutory Authority: RCW 28A.47.060. 80-07-001 (Order 10-80), § 180-30-845, filed 6/5/80. Statutory Authority: RCW 28A.47.802 and 28A.47.803. 80-02-145 (Order 1-80), § 180-30-845, filed 2/5/80.]

Chapter 180-31 WAC

STATE ASSISTANCE IN PROVIDING SCHOOL PLANT FACILITIES—INTERDISTRICT COOPERATION IN FINANCING SCHOOL PLANT CONSTRUCTION

WAC

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| 180-31-010 | Purpose. |
| 180-31-015 | Applicant district defined. |
| 180-31-020 | Any cooperative plan subject to state board approval. |
| 180-31-025 | Application provisions. |
| 180-31-030 | Interdistrict cooperative agreements. |
| 180-31-035 | Approval of program or services by superintendent of public instruction. |
| 180-31-040 | Dissolution provisions. |

WAC 180-31-005 Authority. This chapter is adopted pursuant to RCW 28A.525.200 relating to authority of the state board of education to prescribe rules and regulations governing the administration, control, terms, conditions and disbursements of allotments to school facilities. In accordance with RCW 28A.525.200, the only provisions of chapter 28A.525 RCW currently applicable to state assistance for school plant facilities are RCW 28A.525.030, 28A.525.040, 28A.525.050, and 28A.525.162 through 28A.525.178.

[Statutory Authority: 1990 c 33. 90-17-009, § 180-31-005, filed 8/6/90, effective 9/6/90. Statutory Authority: RCW 28A.47.830. 83-21-068 (Order 13-83), § 180-31-005, filed 10/17/83.]

WAC 180-31-010 Purpose. The purpose of this chapter is to set forth provisions applicable to approval of a cooperative financing plan for the construction or modernization of school facilities by two or more school districts.

[Statutory Authority: RCW 28A.47.830. 83-21-068 (Order 13-83), § 180-31-010, filed 10/17/83.]

WAC 180-31-015 Applicant district defined. The board of directors of the school district in which the proposed new school facility is to be located or in which the school facility proposed for modernization is located shall be the applicant district and it shall be the responsibility of said board of directors to submit the application for financial plan approval.

[Statutory Authority: RCW 28A.47.830. 83-21-068 (Order 13-83), § 180-31-015, filed 10/17/83.]

WAC 180-31-020 Any cooperative plan subject to state board approval. Any interdistrict financial plan for construction or modernization of school facilities, irrespective of whether state moneys are involved in the financing of the proposed project, shall be approved by the state board of

education prior to carrying into effect the provisions of such plan.

[Statutory Authority: RCW 28A.47.830. 83-21-068 (Order 13-83), § 180-31-020, filed 10/17/83.]

WAC 180-31-025 Application provisions. Prior to applicant district submitting an application to request state board of education consideration of a proposed project and requesting a study and survey of the districts pursuant to chapter 180-25 WAC, the application as submitted to the superintendent of public instruction shall include but not be limited to the following documents and data:

(1) A joint resolution by the board of directors of all participating school districts which shall:

(a) Confer contractual authority and subsequent ownership on the board of directors in which jurisdiction the school facility is to be located or, in the event of modernization, the board of directors in which jurisdiction the facility is located;

(b) Designate such board of directors as the legal applicant. Evidence shall be submitted that the said resolution has been incorporated in the official record of the board of directors of each participating school district; and

(c) Certify that the facility shall be used for the purpose for which it was constructed unless an exception is granted by the state board of education.

(2) Copy of contract(s) between applicant district and participating school districts prepared in accordance with provisions in WAC 180-31-030.

(3) A statement defining the education program or services to be offered and the number and grade level(s) by district of all students to be housed in the proposed new or modernized facility.

(4) A description of the proposed project including size in terms of square feet and the estimated cost of construction including professional services, sales tax, site acquisition and site development.

(5) An area map indicating location of schools within the participating school districts and the location of the proposed new or modernized school facility.

[Statutory Authority: RCW 28A.47.830. 83-21-068 (Order 13-83), § 180-31-025, filed 10/17/83.]

WAC 180-31-030 Interdistrict cooperative agreements. Interdistrict agreements between applicant and participating districts shall contain and set forth a description of the following elements:

(1) Financial terms by which each cooperating district will participate in the cost of construction or modernization and operation of the school facility;

(2) Administration of the school facility and of the program or services to be offered therein and specific services to be utilized by each participating school district;

(3) Duration of the interdistrict cooperation agreement; and

(4) Procedures for dissolution of cooperative operation of the school facility including but not limited to the following:

(a) Ownership of all capital equipment and school facilities;

(b) Distribution of assets or the payments to be made to the participating districts; and

(c) Minimum period of operation prior to dissolution consideration and approval by the state board of education in accordance with provisions hereinafter in WAC 180-31-040.

[Statutory Authority: RCW 28A.47.830. 83-21-068 (Order 13-83), § 180-31-030, filed 10/17/83.]

WAC 180-31-035 Approval of program or services by superintendent of public instruction. Approval by the superintendent of public instruction of the educational program or services to be offered in the proposed new or modernized facility and the proposed administration of such program or services shall be a prerequisite for approval by the state board of education of an interdistrict cooperative financial plan for construction of new or modernization of facilities.

[Statutory Authority: RCW 28A.47.830. 83-21-068 (Order 13-83), § 180-31-035, filed 10/17/83.]

WAC 180-31-040 Dissolution provisions. (1) Procedures for the dissolution of the operation of school facilities pursuant to an interdistrict cooperative agreement shall not be instituted prior to the expiration of ten years after the date of state board of education approval of the financial plan for the construction of such school facilities: *Provided*, That a request for dissolution prior to such ten-year period may be approved when, in the judgment of the state board of education, there is substantiation of sufficient cause therefor.

(2) Any plan for dissolution as described in subsection (1) of this section shall be submitted to the state board of education for review and approval prior to proceeding with dissolution action.

[Statutory Authority: RCW 28A.47.830. 83-21-068 (Order 13-83), § 180-31-040, filed 10/17/83.]

Chapter 180-32 WAC

STATE ASSISTANCE IN PROVIDING SCHOOL PLANT FACILITIES—INTERDISTRICT TRANSPORTATION COOPERATIVES

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| WAC | |
| 180-32-005 | Authority. |
| 180-32-010 | Purpose. |
| 180-32-015 | Interdistrict transportation cooperative members— Definition. |
| 180-32-020 | Interdistrict transportation cooperative—Cooperative plan subject to state board of education approval. |
| 180-32-025 | Application provisions. |
| 180-32-030 | Interdistrict agreements. |
| 180-32-035 | Approval—State board of education. |
| 180-32-040 | Dissolution provisions. |
| 180-32-045 | Interdistrict transportation cooperative—Types. |
| 180-32-050 | Site conditions—Acceptance criteria. |
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| 180-32-060 | Design team—Architect/engineering services. |
| 180-32-065 | Support level—Furniture and equipment allowances. |
| 180-32-070 | Interdistrict transportation cooperatives—State assistance. |

WAC 180-32-005 Authority. This chapter is adopted pursuant to RCW 28A.525.200 which authorizes the state board of education to prescribe rules and regulations governing the administration, control, terms, conditions, and disbursements of moneys to school districts to assist them in providing school facilities. In accordance with RCW 28A.525.200, the only provisions of chapter 28A.525 RCW currently applicable to state assistance for school facilities are RCW 28A.525.030, 28A.525.040, 28A.525.050, and 28A.525.162 through 28A.525.178.

[Statutory Authority: 1990 c 33, 90-17-009, § 180-32-005, filed 8/6/90, effective 9/6/90. Statutory Authority: RCW 28A.47.830, 83-21-070 (Order 15-83), § 180-32-005, filed 10/17/83.]

WAC 180-32-010 Purpose. The purpose of this chapter is to set forth provisions applicable prior to a district's application for state assistance in the construction of interdistrict transportation cooperative facilities. Except as otherwise noted in this chapter, the rules and regulations which apply to state assistance in financing school facilities set forth below shall apply to the construction of interdistrict transportation cooperatives:

(1) Basic state support: WAC 180-27-040, 180-27-060, and 180-27-070 through 180-27-125.

(2) Procedural regulations: WAC 180-29-055 through 180-29-170.

[Statutory Authority: RCW 28A.47.830, 83-21-070 (Order 15-83), § 180-32-010, filed 10/17/83.]

WAC 180-32-015 Interdistrict transportation cooperative members—Definition. As used in this chapter:

(1) "Participating member" means a district in a cooperative which anticipates making full use of all the services offered by the cooperative and provides its agreed share of matching funds required by the state board of education. A participating member must be a member of the cooperative for at least ten years.

(2) "Contract member" means a district which contracts to use the services of the cooperative as outlined in the initial agreement for at least three years. At a minimum, contracts for service shall include lubrication, oil and filter changes on a regular basis.

(3) "Applicant district" means the school district in which the proposed interdistrict transportation cooperative facility is to be located or in which the facility proposed for modernization is located. It shall be the responsibility of said applicant district to submit the application for financial plan approval.

[Statutory Authority: RCW 28A.47.830, 83-21-070 (Order 15-83), § 180-32-015, filed 10/17/83.]

WAC 180-32-020 Interdistrict transportation cooperative—Cooperative plan subject to state board of education approval. Any financial plan for construction of an interdistrict transportation cooperative, whether or not state funds are involved in the financing of the proposed project, shall be approved by the state board of education prior to implementing the provisions of such plan.

[Statutory Authority: RCW 28A.47.830, 83-21-070 (Order 15-83), § 180-32-020, filed 10/17/83.]

WAC 180-32-025 Application provisions. The school district shall submit a written application to the superintendent of public instruction which shall include but not be limited to the following documents and data:

(1) A joint resolution by the board of directors of all participating school districts which shall:

(a) Confer contractual authority and subsequent ownership on the board of directors in which jurisdiction the facility is to be located or, in the event of modernization, in which jurisdiction the facility is located;

(b) Designate such board of directors as the legal applicant; and

(c) A copy of the official record of the board of directors of each participating school district indicating that the resolution has been formally adopted.

(2) Copy of contract(s) between districts prepared in accordance with chapter 180-31 WAC.

(3) A written description of services to be offered in the proposed interdistrict transportation cooperative, including number of districts involved and whether or not cooperating members are participating districts or contract districts; the number of buses from each participating and contract district to be serviced, and number of bus miles traveled per year for each participating and contract district.

(4) A description of the proposed project including square footage and the estimated cost of construction including professional services, sales tax, site costs, and site development.

(5) An area map indicating location of the facility in relationship to the participating and contract school districts.

[Statutory Authority: RCW 28A.47.830, 83-21-070 (Order 15-83), § 180-32-025, filed 10/17/83.]

WAC 180-32-030 Interdistrict agreements. Interdistrict agreements between participating and contract districts shall contain and set forth descriptions of the following elements:

(1) Financial terms by each cooperating district shall participate in the cost of construction or modernization and operation of the facility.

(2) The district administering the facility and the program or services to be offered therein and specific services to be utilized by each participating school district.

(3) Duration of the interdistrict cooperation agreement.

(4) Procedures for dissolution of cooperative operation of the facility including but not limited to the following:

(a) Ownership of all capital equipment and facilities;

(b) Distribution of assets or the payments to be made to the participating districts; and

(c) Minimum period of operation prior to dissolution consideration and approval by the state board of education in accordance with chapter 180-31 WAC.

[Statutory Authority: RCW 28A.47.830, 83-21-070 (Order 15-83), § 180-32-030, filed 10/17/83.]

WAC 180-32-035 Approval—State board of education. Approval by the superintendent of public instruction of services to be offered in the proposed interdistrict transportation cooperative and the proposed district administration of such program or services shall be a prerequisite for approval by the state board of education of an interdistrict

cooperative financial plan for construction of new facilities or modernization of existing facilities.

[Statutory Authority: RCW 28A.47.830. 83-21-070 (Order 15-83), § 180-32-035, filed 10/17/83.]

WAC 180-32-040 Dissolution provisions. (1) Procedures for the dissolution of the operation of interdistrict cooperatives under an interdistrict cooperative agreement shall not be instituted prior to the expiration of ten years after the date of state board of education approval of the financial plan for the construction of such school facilities: *Provided*, That a request for dissolution prior to the expiration of ten years may be approved when in the judgment of the state board of education there is substantiation of sufficient cause therefor.

(2) Any plan for dissolution as described in subsection (1) of this section shall be submitted to the state board of education for review and written approval prior to proceeding with dissolution action.

[Statutory Authority: RCW 28A.47.830. 83-21-070 (Order 15-83), § 180-32-040, filed 10/17/83.]

WAC 180-32-045 Interdistrict transportation cooperative—Types. Except as otherwise noted, the amount of the final allocation of state funds in the construction of an approved interdistrict transportation cooperative facility shall be based on the number of buses in actual service and the number of buses for which the cooperative has contracted from other districts at the time of application and in accordance with the following cooperative types and square footage allowances:

| Type | Number of Buses | Square Footage | |
|-------|-----------------|----------------|------------|
| | | Minimum | Maximum |
| One | 96 or more | 21,000 | Negotiable |
| Two | 46-95 | 15,000 | 20,999 |
| Three | 0-45 | 10,000 | 14,999 |

[Statutory Authority: RCW 28A.47.830. 83-21-070 (Order 15-83), § 180-32-045, filed 10/17/83.]

WAC 180-32-050 Site conditions—Acceptance criteria. The superintendent of public instruction shall conduct an on-site review and evaluation of a proposed site and shall accept a site that meets the following conditions:

(1) The property upon which the facility is or will be located is free and clear of all encumbrances that would detrimentally interfere with the construction and operation or useful life of the interdistrict transportation cooperative.

(2) The minimum acreage of type one shall be seven acres; type two, five acres, and type three, three acres.

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

(4) The on-site review by the superintendent of public instruction has determined that:

(a) The site accessibility is convenient and efficient for participating and contract school districts with the least amount of disturbance to the area in which it is located; and

(b) The site topography is conducive to desired site development.

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

(a) The health agency having jurisdiction;

(b) The local planning commission or authority; and

(c) The state department of ecology.

[Statutory Authority: RCW 28A.47.830. 83-21-070 (Order 15-83), § 180-32-050, filed 10/17/83.]

WAC 180-32-055 Site nonacceptance by superintendent of public instruction—Appeal to state board of education. For any site not accepted, the superintendent of public instruction shall state the reasons in writing to the board of directors affected. Such board may appeal the decision of the superintendent of public instruction to the state board of education but the acceptance criteria specified in WAC 180-32-050 shall not be waived.

[Statutory Authority: RCW 28A.47.830. 83-21-070 (Order 15-83), § 180-32-055, filed 10/17/83.]

WAC 180-32-060 Design team—Architect/engineering services. Architect/engineering service fees for matching purposes shall be determined pursuant to WAC 180-27-070.

[Statutory Authority: RCW 28A.47.830. 83-21-070 (Order 15-83), § 180-32-060, filed 10/17/83.]

WAC 180-32-065 Support level—Furniture and equipment allowances. An allowance for furniture and equipment purchases shall be added to the total construction costs of a project determined eligible for state matching assistance. The equipment allowance shall be determined by multiplying the approved square foot area of the project by the prevailing area cost allowance of state support at time of bid and that product multiplied by seven percent.

[Statutory Authority: RCW 28A.47.830. 83-21-070 (Order 15-83), § 180-32-065, filed 10/17/83.]

WAC 180-32-070 Interdistrict transportation cooperatives—State assistance. In the financing of an approved interdistrict transportation cooperative, the state board of education shall provide ninety percent of the total approved project cost determined eligible for state matching purposes.

[Statutory Authority: RCW 28A.47.830. 83-21-070 (Order 15-83), § 180-32-070, filed 10/17/83.]

Chapter 180-33 WAC

STATE ASSISTANCE IN PROVIDING SCHOOL PLANT FACILITIES—MODERNIZATION

WAC

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- 180-33-013 Annually determined building replacement value.
- 180-33-015 Eligibility for state financial assistance.
- 180-33-020 Formula for determining the amount of state assistance.
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| 180-33-025 | Space eligible for state financial assistance in modernization. |
| 180-33-030 | Certification of continued use. |
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| 180-33-042 | Replacement option. |
| 180-33-043 | Exceptions to prospective application of WAC 180-33-040. |
| 180-33-045 | Architect and engineering services. |
| 180-33-050 | Study and survey of school district as prerequisite. |
| 180-33-055 | Regulations governing. |
| 180-33-060 | Procedural requirements. |

WAC 180-33-005 Authority. This chapter is adopted pursuant to RCW 28A.525.200 which authorizes the state board of education to prescribe rules and regulations governing the administration, control, terms, conditions, and disbursements of moneys to school districts to assist them in providing school facilities. In accordance with RCW 28A.525.200, the only provisions of chapter 28A.525 RCW currently applicable to state assistance for school facilities are RCW 28A.525.030, 28A.525.040, and 28A.525.162 through 28A.525.178.

[Statutory Authority: 1990 c 33, 90-17-009, § 180-33-005, filed 8/6/90, effective 9/6/90. Statutory Authority: RCW 28A.47.830, 83-21-071 (Order 16-83), § 180-33-005, filed 10/17/83. Statutory Authority: RCW 28A.47.073, 81-24-049 (Order 13-81), § 180-33-005, filed 12/1/81.]

WAC 180-33-007 Purpose. The purpose of this chapter is to set forth provisions applicable to basic state support and assistance in the modernization of existing school facilities.

[Statutory Authority: RCW 28A.47.830, 83-21-071 (Order 16-83), § 180-33-007, filed 10/17/83.]

WAC 180-33-010 Definitions. As used in this chapter: "Modernization" shall mean the making of major structural changes in such facilities and may include as incidental thereto the replacement of fixtures, fittings, furnishings, and service systems of a school facility in order to bring it up to a contemporary state consistent with the needs of changing educational programs and applicable codes.

"Major structural change" shall mean major components of a school facility contributing to the basic structure and shall not include those components such as portable partitions, free-standing panels and screens, portable equipment, and furnishings that do not contribute to the basic structure.

[Statutory Authority: RCW 28A.47.830, 83-21-071 (Order 16-83), § 180-33-010, filed 10/17/83. Statutory Authority: RCW 28A.47.073, 81-24-049 (Order 13-81), § 180-33-010, filed 12/1/81.]

WAC 180-33-013 Annually determined building replacement value. The annually determined building replacement value for any building in any year is the state determined maximum area cost allowance for July of that year times the gross square footage determined under WAC 180-27-040.

[Statutory Authority: [RCW 28A.525.020.] 91-12-058, § 180-33-013, filed 6/5/91, effective 7/6/91.]

WAC 180-33-015 Eligibility for state financial assistance. (1) In order to be eligible for state financial assistance, a modernization project shall have as its principal purpose one or more of the following:

(a) Bringing a facility into compliance with current building and health codes when so required by state or local health or safety officials;

(b) Changing the grade span grouping by facility by the addition, deletion, or combination thereof of two or more grades within the affected facility; or

(c) The reduction of the number of operating school facilities in a district by combining the remaining school facilities through modernization and new capital construction so as to achieve more cost effective and efficient operation in the combined school facility or facilities. In order to be eligible for state financial assistance, such a project shall result in additional space for at least 100 additional pupils and the following enrollment in any combined facility:

(i) Elementary school facility—500 pupils;

(ii) Middle or junior high school facility—700 pupils;

(iii) Senior high school facility—850 pupils;

Provided, That modernization projects in school districts with a high school enrollment of less than 850 pupils need not comply with the enrollment figures set forth above: *Provided further*, That unless the district meets an exception provided in WAC 180-33-043 or demonstrates the existence of unhoused students, state financial assistance for the new construction component of a combined modernization and new construction project shall be limited to the provision of WAC 180-33-040.

(2) School districts shall certify that a proposed modernization project will extend the life of the modernized school facility by at least twenty years.

(3) School districts shall be ineligible for state assistance for modernization of any school facility accepted by the school district board of directors prior to January 1, 1993, where the principal purpose of that modernization project is to:

(a) Restore building systems and subsystems that have deteriorated due to deferred maintenance;

(b) Perform piecemeal work on one section or system of a school facility;

(c) Modernize a facility or any section thereof which has been constructed within the previous twenty years;

(d) Modernize a facility or any section thereof which has received state assistance under the authority of this chapter within the previous twenty years;

(e) To modernize a senior high school facility in a district with a senior high school where there is existing space available to serve the students involved or affected in a neighboring senior high school without, in the judgment of the state board of education, an undue increase in the cost of transporting the students to and from school, decrease in educational opportunity, or proportional increase in the cost of instruction pursuant to chapter 180-25 WAC.

(4) School facilities accepted by the school district board of directors after January 1, 1993, shall be ineligible for state assistance for modernization of the facility or any section thereof where:

(a) The facility was constructed and occupied within the previous thirty years;

(b) The facility received state assistance under the authority of this chapter within the previous thirty years.

[Statutory Authority: [RCW 28A.525.020.] 91-12-058, § 180-33-015, filed 6/5/91, effective 7/6/91. Statutory Authority: RCW 28A.47.830. 85-24-049 (Order 26-85), § 180-33-015, filed 11/27/85; 85-09-060 (Order 8-85), § 180-33-015, filed 4/17/85; 83-21-071 (Order 16-83), § 180-33-015, filed 10/17/83. Statutory Authority: RCW 28A.47.073. 81-24-049 (Order 13-81), § 180-33-015, filed 12/1/81.]

WAC 180-33-020 Formula for determining the amount of state assistance. State assistance in an approved modernization project shall be derived by applying the percentage of state assistance determined pursuant to provisions of RCW 28A.525.166 and WAC 180-27-025 to the eligible cost which shall be calculated by multiplying the approved square foot area of the modernization project by the area cost allowance for state support, less any deductions as set forth in WAC 180-33-023 if applicable, by the factor in WAC 180-33-040 set forth, any cost in excess thereof shall be financed entirely by the school district.

[Statutory Authority: [RCW 28A.525.020.] 91-12-058, § 180-33-020, filed 6/5/91, effective 7/6/91. Statutory Authority: 1990 c 33. 90-17-009, § 180-33-020, filed 8/6/90, effective 9/6/90. Statutory Authority: RCW 28A.47.830. 83-21-071 (Order 16-83), § 180-33-020, filed 10/17/83. Statutory Authority: RCW 28A.47.073. 81-24-049 (Order 13-81), § 180-33-020, filed 12/1/81.]

WAC 180-33-023 State assistance in post 1992 facilities. State assistance for modernization of school facilities accepted by the school district board of directors after January 1, 1993, shall be limited according to the following conditions:

(1) A school facility shall be ineligible for state assistance if the total expenditures for maintenance of plant and equipment during the fifteen-year period immediately preceding the project application was below one-half of one percent of the total of the annually determined building replacement values during the same period;

(2) The allowable cost per square foot used to determine the amount of state assistance in any modernization project where the total expenditures for maintenance of plant and equipment during the fifteen-year period immediately preceding the project application was at least one-half but less than two percent of the total of the annually determined building replacement values during the same period shall be reduced as follows:

(a) The allowable cost per square foot shall be reduced by twenty-two and one-half percent where the above expenditure is at least one-half but less than one percent;

(b) The allowable cost per square foot shall be reduced by fifteen percent where the above expenditure is at least one but less than one and one-half percent;

(c) The allowable cost per square foot shall be reduced by seven and one-half percent where the above expenditure is at least one and one-half but less than two percent;

(3) No reduction in the allowable cost per square foot shall be applied to any modernization project where the total expenditures for maintenance of plant and equipment during the fifteen-year period immediately preceding the project application was two percent, or greater, of the total of the annually determined building replacement values during the same period;

(4) A district shall not be allowed to replace a school facility through new construction in lieu of modernization under WAC 180-33-042 where the total expenditures for maintenance of plant and equipment during the fifteen-year period immediately preceding the project application was below two percent of the total of the annually determined building replacement values during the same period.

[Statutory Authority: [RCW 28A.525.020.] 91-12-058, § 180-33-023, filed 6/5/91, effective 7/6/91.]

WAC 180-33-025 Space eligible for state financial assistance in modernization. Space allowance and enrollment projection provision for state matching purposes.

(1) In planning for modernization in any school facility, under the provisions of WAC 180-33-015 (1)(a) and (b), a school district shall estimate capacity needs on the basis of a cohort survival enrollment as per WAC 180-27-045. Any space above and beyond a school district's estimated capacity needs as calculated on the basis of a five-year cohort survival or adjusted cohort survival enrollment shall not be eligible for state financial assistance in modernization with the exception as stated in subsection (2) below.

(2) In computing the amount of eligible space for modernization, the state will match the entire facility if 3/4 of the overall square footage of the facility is eligible for state financial assistance. If less than 3/4 of the overall square footage of the facility is eligible for state financial assistance, the district shall pay the entire cost of modernizing any additional space: *Provided*, That this subsection shall not be applicable to new construction in lieu of modernization facility projects authorized by this chapter.

(3) In determining the eligible space for modernizing vocational-technical institutes, enrollment data furnished by the school district will be reviewed by the superintendent of public instruction or his or her designee.

(4) In planning for modernization in any combined facility as per WAC 180-33-015 (3)(c) a school district shall estimate enrollment in the district on the basis of a cohort survival enrollment as per WAC 180-27-045.

[Statutory Authority: RCW 28A.525.020 and 1992 c 233 § 28 (8)(e). 94-13-020, § 180-33-025, filed 6/3/94, effective 7/4/94. Statutory Authority: RCW 28A.47.830. 85-24-049 (Order 26-85), § 180-33-025, filed 11/27/85; 83-21-071 (Order 16-83), § 180-33-025, filed 10/17/83. Statutory Authority: RCW 28A.47.073. 81-24-049 (Order 13-81), § 180-33-025, filed 12/1/81.]

WAC 180-33-030 Certification of continued use. Any school facilities modernized under WAC 180-33-015 must be used for at least five years beyond the completion of modernization. School directors will pass a resolution and submit it to the state board of education that the modernized facility will be used for instructional purposes for five years after the completion of the project. If the school facility is not used for instructional purposes during this five-year period, the amount of state money allocated and spent for the modernization project must be returned to the state school building construction fund. The five-year use requirement and the five year prohibition against additional modernization funding shall be waived in the event that a facility is rendered permanently unusable before the end of the five-year period by an unforeseen natural event. The

definition of "unforeseen natural event" shall be as set forth in RCW 28A.150.290.

[Statutory Authority: 1990 c 33, 90-17-009, § 180-33-030, filed 8/6/90, effective 9/6/90. Statutory Authority: RCW 28A.47.830, 85-24-049 (Order 26-85), § 180-33-030, filed 11/27/85; 83-21-071 (Order 16-83), § 180-33-030, filed 10/17/83. Statutory Authority: RCW 28A.47.073, 81-24-049 (Order 13-81), § 180-33-030, filed 12/1/81.]

WAC 180-33-035 Minimum project—Forty percent of replacement costs. State assistance in modernization of school facilities shall be limited to projects which may include an entire facility or one or more complete buildings within a facility for which the estimated cost of major structural change is not less than forty percent of the estimated cost of replacement. The estimated cost of major structural change shall not include the estimated capital costs associated with restoring building systems or subsystems due to deterioration as determined in the study and survey to be caused by deferred maintenance. The estimated cost of replacement shall be derived from multiplication of the total square foot area of the facility or facilities proposed for modernization by the area cost allowance of state support at projected time of bid as in WAC 180-27-045 set forth.

[Statutory Authority: [RCW 28A.525.020.] 91-12-058, § 180-33-035, filed 6/5/91, effective 7/6/91. Statutory Authority: RCW 28A.47.830, 85-24-049 (Order 26-85), § 180-33-035, filed 11/27/85; 83-21-071 (Order 16-83), § 180-33-035, filed 10/17/83. Statutory Authority: RCW 28A.47.073, 81-24-049 (Order 13-81), § 180-33-035, filed 12/1/81.]

WAC 180-33-040 Maximum costs eligible for state matching purposes—Eighty percent of replacement cost. The cost of an approved modernization project in excess of eighty percent of the estimated cost of replacement with a comparable school facility computed on the basis of the prevailing square foot cost level of state support as in chapter 180-27 WAC set forth shall be paid from school district local funds in excess of such local funds applied toward the modernization cost in accordance with the statutory formula and state board of education regulations governing basic support level as in chapter 180-27 WAC set forth.

[Statutory Authority: RCW 28A.47.830, 83-21-071 (Order 16-83), § 180-33-040, filed 10/17/83. Statutory Authority: RCW 28A.47.073, 81-24-049 (Order 13-81), § 180-33-040, filed 12/1/81.]

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

tive 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.]

WAC 180-33-043 Exceptions to prospective application of WAC 180-33-040. Any district with a proposed project involving the replacement option of WAC 180-33-042 or the new construction component of WAC 180-33-015 (1)(c) which was approved by the state board of education pursuant to WAC 180-29-025 (i.e., Form C-2) prior to April 13, 1985, and which has obtained local capital funding pursuant to WAC 180-25-050(3) for projects identified within the Form C-2 by such date shall receive state assistance for such projects in accordance with the provisions otherwise applicable to new construction and, therefore, shall not be limited by the provision of WAC 180-33-040.

[Statutory Authority: RCW 28A.47.830, 85-09-060 (Order 8-85), § 180-33-043, filed 4/17/85.]

WAC 180-33-045 Architect and engineering services. In the allocation of state funds for an approved modernization project, architectural and engineering services eligible for state matching purposes shall not exceed one and one-half times the architectural and engineering services as in chapter 180-27 WAC set forth.

[Statutory Authority: RCW 28A.47.830, 83-21-071 (Order 16-83), § 180-33-045, filed 10/17/83. Statutory Authority: RCW 28A.47.073, 81-24-049 (Order 13-81), § 180-33-045, filed 12/1/81.]

WAC 180-33-050 Study and survey of school district as prerequisite. A survey of facilities proposed for modernization conducted under the direction of the superintendent of public instruction as per chapter 180-25 WAC shall be a prerequisite for consideration of an application for state participation in financing of a modernization project.

[Statutory Authority: RCW 28A.47.830, 83-21-071 (Order 16-83), § 180-33-050, filed 10/17/83. Statutory Authority: RCW 28A.47.073, 81-24-049 (Order 13-81), § 180-33-050, filed 12/1/81.]

WAC 180-33-055 Regulations governing. In addition to the regulations hereinbefore in chapter 180-33 WAC prescribed; all regulations governing the basic assistance program prescribed in chapters 180-25, 180-26, 180-27, and 180-29 WAC shall govern administration of state

participation in financing modernization of school facilities: *Provided*, That compliance with those regulations not pertinent to modernization projects as determined by the superintendent of public instruction shall not be required.

[Statutory Authority: RCW 28A.47.830. 83-21-071 (Order 16-83), § 180-33-055, filed 10/17/83. Statutory Authority: RCW 28A.47.073. 81-24-049 (Order 13-81), § 180-33-055, filed 12/1/81.]

WAC 180-33-060 Procedural requirements. The superintendent of public instruction shall determine procedures and forms for the administration of state participation in financing modernization of school facilities, such procedures and forms to be in addition to or in lieu of procedural requirements prescribed in chapter 180-29 WAC.

[Statutory Authority: RCW 28A.47.830. 83-21-071 (Order 16-83), § 180-33-060, filed 10/17/83. Statutory Authority: RCW 28A.47.073. 81-24-049 (Order 13-81), § 180-33-060, filed 12/1/81.]

Chapter 180-34 WAC

REAL PROPERTY SALES CONTRACTS

WAC

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|------------|---|
| 180-34-005 | Authority and purpose. |
| 180-34-010 | General conditions. |
| 180-34-015 | Payments—Interest—Duration. |
| 180-34-020 | Down payment. |
| 180-34-025 | Title to property—Transfer upon satisfaction of contract. |

WAC 180-34-005 Authority and purpose. The purpose of this chapter is to establish the terms and conditions governing sales of school district surplus real property pursuant to real estate sales contracts as authorized by RCW 28A.335.120.

[Statutory Authority: 1990 c 33. 90-17-009, § 180-34-005, filed 8/6/90, effective 9/6/90; Order 3-76, § 180-34-005, filed 3/23/76.]

WAC 180-34-010 General conditions. When in the judgment of the board of directors of a school district a greater amount may be received for surplus real property and the sale facilitated by selling pursuant to a real estate sales contract, the board of directors may do so consistent with the provisions of this chapter. Any school district that sells real property pursuant to a real estate sales contract shall have the proposed contract approved in advance by the county prosecuting attorney or a private attorney as to legal propriety and compliance with (1) the laws of the state of Washington including, but not limited to, RCW 28A.335.120 and (2) the provisions of this chapter.

[Statutory Authority: 1990 c 33. 90-17-009, § 180-34-010, filed 8/6/90, effective 9/6/90; Order 3-76, § 180-34-010, filed 3/23/76.]

WAC 180-34-015 Payments—Interest—Duration. Each real estate sales contract shall provide for equal periodic payments. The time between each periodic payment shall be no longer than six months. Such payments shall include interest at not less than the prevailing market rate. Such contracts shall not exceed fifteen years in length.

[Order 3-76, § 180-34-015, filed 3/23/76.]

WAC 180-34-020 Down payment. Each real estate sales contract shall provide for a cash down payment by the purchaser upon execution of the contract which payment shall be no less than fifteen percent of the total purchase price exclusive of interest.

[Order 3-76, § 180-34-020, filed 3/23/76.]

WAC 180-34-025 Title to property—Transfer upon satisfaction of contract. Title to all property sold pursuant to a real estate sales contract shall be retained by the seller school district until the terms of the contract, including the payment of principal and interest, have been performed in full by the purchaser.

[Order 3-76, § 180-34-025, filed 3/23/76.]

Chapter 180-36 WAC CENTRAL PURCHASING

WAC

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| 180-36-005 | Authority and purpose. |
| 180-36-010 | Definitions. |
| 180-36-015 | Conditions to purchases of property and conveyances of a purchase money security interest therein. |

WAC 180-36-005 Authority and purpose. The purposes of this chapter are to implement RCW 28A.335.100 and establish the conditions pursuant to which certain associations established by school districts may purchase real and personal property and create a purchase money security interest therein.

[Statutory Authority: 1990 c 33. 90-17-009, § 180-36-005, filed 8/6/90, effective 9/6/90. Statutory Authority: RCW 28A.03.030. 83-13-001 (Order 2-83), § 180-36-005, filed 6/2/83; Order 5-76, § 180-36-005, filed 6/1/76.]

WAC 180-36-010 Definitions. As used in this chapter:

(1) "Association" shall mean and be limited to a legal entity established by two or more public school districts pursuant to the Inter-local Cooperation Act (chapter 39.34 RCW) for the sole purpose of jointly and cooperatively purchasing school supplies, materials and equipment.

(2) Purchase money security interest: A purchase money security interest is defined as (a) an interest taken by the seller of real or personal property of every kind, character or description or any interest in such real or personal property to secure all or part of its price, or (b) an interest taken by a person who by making advances or incurring an obligation gives value to enable the association to acquire rights in or the use of real or personal property of every kind, character or description or any interest in such real or personal property, to secure all or part of the obligation owed such person: *Provided*, That for real property or any interest in real property, the term "purchase money security interest" shall include, but is not limited to, a mortgage and a deed of trust: *Provided further*, That for real property or any interest in real property, a purchase money security interest shall not include a conditional sales contract.

[Order 5-76, § 180-36-010, filed 6/1/76.]

WAC 180-36-015 Conditions to purchases of property and conveyances of a purchase money security interest therein. An association may purchase real and personal property and may convey a purchase money security interest on the following conditions:

(1) The real or personal property shall be purchased for actual use by the association consistent with its lawful and established purposes, and not be for purposes of investment.

(2) The real or personal property shall be necessary for the efficient maintenance and operation of the lawful activities of the association.

(3) Every purchase money security interest shall be in writing and shall set forth substantially the following in bold face type: (a) That the creditor of the association does not by virtue of its purchase money security interest acquire any rights or interests whatsoever against any property, properties or assets of any kind or nature of the school districts which establish and/or participate in the association; and (b) that the creditor shall be entitled to and agrees to look solely to the assets and properties of the association for payment of any obligation incurred by the association.

(4) An authorized representative of the association shall certify in writing to the secretary of the state board of education that: (a) Each proposed purchase of real or personal property and conveyance of a purchase money security interest therein shall be in compliance with this chapter; and (b) the association possesses sufficient income and a reasonable assurance of a continuation of such income to meet previously incurred debt obligations, current and foreseeable maintenance and operation expenses and the debt about to be incurred.

[Order 5-76, § 180-36-015, filed 6/1/76.]

Chapter 180-38 WAC

PUPILS—IMMUNIZATION REQUIREMENT

WAC

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| 180-38-005 | Authority. |
| 180-38-010 | Purpose. |
| 180-38-020 | Definition—Student. |
| 180-38-025 | Definition—Chief administrator. |
| 180-38-030 | Definition—Full immunization. |
| 180-38-035 | Definition—Schedule of immunization. |
| 180-38-040 | Definition—Certificate of exemption. |
| 180-38-045 | Attendance condition upon compliance. |
| 180-38-050 | Notice prior to exclusions from school. |
| 180-38-055 | Public schools—Content of written notice. |
| 180-38-060 | Private schools—Content of written notice. |
| 180-38-065 | Exclusion of students for failure to comply. |
| 180-38-070 | Supplementing rules of SPI. |

WAC 180-38-005 Authority. The authority for this chapter is RCW 28A.210.160 which authorizes the state board of education to adopt rules which establish the procedural and substantive due process requirements governing the exclusion of students from public and private schools for failure to comply with the immunization requirement of the state of Washington.

[Statutory Authority: 1990 c 33. 90-17-009, § 180-38-005, filed 8/6/90, effective 9/6/90. Statutory Authority: RCW 28A.31.118. 85-20-040 (Order 20-85), § 180-38-005, filed 9/25/85.]

WAC 180-38-010 Purpose. The purpose of this chapter is to establish the procedural and substantive due process requirements governing the exclusion of students from public and private schools for failure to comply with the immunization requirement of the state of Washington.

[Statutory Authority: RCW 28A.31.118. 85-20-040 (Order 20-85), § 180-38-010, filed 9/25/85.]

WAC 180-38-020 Definition—Student. As used in this chapter, the term "student" shall mean the same as defined for "child" in WAC 248-100-163 (1)(f) by the state board of health.

[Statutory Authority: RCW 28A.31.118. 85-20-040 (Order 20-85), § 180-38-020, filed 9/25/85.]

WAC 180-38-025 Definition—Chief administrator. As used in this chapter, the term "chief administrator" shall mean the same as defined in RCW 28A.210.070(1), to wit: "'Chief administrator' shall mean the person with the authority and responsibility for the immediate supervision of the operation of a school . . . or, in the alternative, such other person as may hereafter be designated in writing for the purposes of . . . [this chapter] by the statutory or corporate board of directors of the school district, school . . . or, if none, such other persons or person with the authority and responsibility for the general supervision of the operation of the school district, [or] school" This definition of chief administrator is unique to this chapter and in application may or may not include the principal or headmaster of a school depending on the degree of authority delegated to such principal or headmaster and whether the responsibility has been delegated to another school official.

[Statutory Authority: 1990 c 33. 90-17-009, § 180-38-025, filed 8/6/90, effective 9/6/90. Statutory Authority: RCW 28A.31.118. 85-20-040 (Order 20-85), § 180-38-025, filed 9/25/85.]

Reviser's note: The brackets and enclosed material in the text of the above section occurred in the copy filed by the agency and appear herein pursuant to the requirements of RCW 34.08.040.

WAC 180-38-030 Definition—Full immunization. As used in this chapter, the term "full immunization" shall mean the same as defined in RCW 28A.210.070(2), to wit: "'Full immunization' shall mean immunization against certain vaccine-preventable diseases in accordance with schedules and with immunizing agents approved by the state board of health." This definition of full immunization is unique to this chapter and includes immunization only against diseases as required by rules of the state board of health.

[Statutory Authority: 1990 c 33. 90-17-009, § 180-38-030, filed 8/6/90, effective 9/6/90. Statutory Authority: RCW 28A.31.118. 85-20-040 (Order 20-85), § 180-38-030, filed 9/25/85.]

WAC 180-38-035 Definition—Schedule of immunization. For the purpose of this chapter, the term "schedule of immunization" shall mean the beginning or continuing of a course of immunization prescribed by the state board of health.

[Statutory Authority: RCW 28A.31.118. 85-20-040 (Order 20-85), § 180-38-035, filed 9/25/85.]

WAC 180-38-040 Definition—Certificate of exemption. As used in this chapter, the term "certificate of exemption" shall mean the filing with the chief administrator of the school, on a form prescribed by the department of social and health services, which complies with RCW 28A.210.090, to wit:

"(1) A written certification signed by any physician licensed to practice medicine pursuant to chapter 18.71 or 18.57 RCW that a particular vaccine required by rule of the state board of health is, in his or her judgment, not advisable for the . . . [student]: *Provided*, That when it is determined that this particular vaccine is no longer contraindicated, the . . . [student] will be required to have the vaccine; or

(2) A written certification signed by any parent or legal guardian of the . . . [student] or any adult in loco parentis to the . . . [student] that the religious beliefs of the signator are contrary to the required immunization measures; or

(3) A written certification signed by any parent or legal guardian of the . . . [student] or any adult in loco parentis to the . . . [student] that the signator has either a philosophical or personal objection to the immunization of the . . . [student]."

[Statutory Authority: 1990 c 33. 90-17-009, § 180-38-040, filed 8/6/90, effective 9/6/90. Statutory Authority: RCW 28A.31.118. 85-20-040 (Order 20-85), § 180-38-040, filed 9/25/85.]

Reviser's note: The brackets and enclosed material in the text of the above section occurred in the copy filed by the agency and appear herein pursuant to the requirements of RCW 34.08.040.

WAC 180-38-045 Attendance condition upon compliance. It is the public policy of this state, as codified in RCW 28A.210.080, that "[t]he attendance of every . . . [student] in the state . . . shall be conditioned upon the presentation before or on each . . . [student's] first day of attendance at a particular school . . ., of proof of . . .[:] (1) full immunization, (2) the initiation of and compliance with a schedule of immunization, as required by rules of the state board of health, or (3) a certificate of exemption as provided for in RCW 28A.210.090. [See WAC 180-38-040]"

The statutory scheme requires exclusion from school prior to a termination hearing on the implied basis that such students are an immediate and continuing danger to themselves or others—i.e., the constitutional basis for an emergency expulsion from public schools and the exemption from providing a pretermination due process hearing.

[Statutory Authority: 1990 c 33. 90-17-009, § 180-38-045, filed 8/6/90, effective 9/6/90. Statutory Authority: RCW 28A.31.118. 85-20-040 (Order 20-85), § 180-38-045, filed 9/25/85.]

Reviser's note: The brackets and enclosed material in the text of the above section occurred in the copy filed by the agency and appear herein pursuant to the requirements of RCW 34.08.040.

WAC 180-38-050 Notice prior to exclusions from school. It is the public policy of this state, as codified in RCW 28A.210.120, that "each school . . . shall provide written notice to the parent(s) or legal guardian(s) of each . . . [student] or to the adult(s) in loco parentis to each . . . [student] who is not in compliance with . . . [the public policy stated in WAC 180-38-045]," prior to the exclusion of such student.

[Statutory Authority: 1990 c 33. 90-17-009, § 180-38-050, filed 8/6/90, effective 9/6/90. Statutory Authority: RCW 28A.31.118. 85-20-040 (Order 20-85), § 180-38-050, filed 9/25/85.]

Reviser's note: The brackets and enclosed material in the text of the above section occurred in the copy filed by the agency and appear herein pursuant to the requirements of RCW 34.08.040.

WAC 180-38-055 Public schools—Content of written notice. The written notice for public school students shall:

(1) Comply with the emergency expulsion notice requirements of WAC 180-40-300 except that the notice must be received prior to the emergency expulsion of the student.

(2) Advise the appropriate party of the applicable law and provide copies of such laws and implementing rules, including procedural due process rules prescribed by the state board of education for emergency expulsion.

(3) Advise regarding immunization services that are available from or through the local health department and other public agencies.

(4) Order an emergency expulsion of the student from school and state that such order is effective immediately upon receipt of the notice.

[Statutory Authority: RCW 28A.31.118. 85-20-040 (Order 20-85), § 180-38-055, filed 9/25/85.]

WAC 180-38-060 Private schools—Content of written notice. The written notice for private school students shall:

(1) Advise the appropriate party of the applicable law and provide copies of such law and implementing rules.

(2) Advise regarding immunization services that are available from or through the local health department or other public agencies.

(3) Order the exclusion of the student from school and state that such order is effective upon receipt of the notice.

[Statutory Authority: RCW 28A.31.118. 85-20-040 (Order 20-85), § 180-38-060, filed 9/25/85.]

WAC 180-38-065 Exclusion of students for failure to comply. The chief administrator of each public or private school shall exclude from such school all students who fail to comply with the public policy stated within WAC 180-38-045: *Provided*, That if the chief administrator did not provide written notice as required in WAC 180-38-050 prior to the student's first day of attendance at such school, the emergency expulsion or exclusion shall be stayed until the notice is received.

[Statutory Authority: RCW 28A.31.118. 85-20-040 (Order 20-85), § 180-38-065, filed 9/25/85.]

WAC 180-38-070 Supplementing rules of SPI. Chapter 392-183 WAC contains rules of the superintendent of public instruction which supplement this chapter.

[Statutory Authority: RCW 28A.31.118. 85-20-040 (Order 20-85), § 180-38-070, filed 9/25/85.]

Chapter 180-39 WAC

PUPILS—UNIFORM ENTRY QUALIFICATIONS

WAC

| | |
|------------|---|
| 180-39-005 | Authority and purpose. |
| 180-39-010 | Uniform entry age for kindergarten. |
| 180-39-015 | Uniform entry age for first grade. |
| 180-39-020 | Kindergarten experience qualification for first grade. |
| 180-39-025 | Local option exceptions to uniform entry qualification. |
| 180-39-027 | Fees. |
| 180-39-028 | Fee waivers. |
| 180-39-030 | Early entry nondiscrimination. |
| 180-39-035 | Appeal process. |

WAC 180-39-005 Authority and purpose. This chapter is adopted pursuant to authority vested in the state board of education by RCW 28A.225.160 which authorizes the state board of education to establish uniform entry qualifications.

[Statutory Authority: 1990 c 33, 90-17-009, § 180-39-005, filed 8/6/90, effective 9/6/90. Statutory Authority: RCW 28A.58.190, 83-13-004 (Order 5-83), § 180-39-005, filed 6/2/83.]

WAC 180-39-010 Uniform entry age for kindergarten. Except as provided in WAC 180-39-025, a child must be five years of age as of midnight August 31 of the year of entry to be entitled to enter kindergarten.

[Statutory Authority: RCW 28A.58.190, 83-13-004 (Order 5-83), § 180-39-010, filed 6/2/83.]

WAC 180-39-015 Uniform entry age for first grade. Except as provided in WAC 180-39-020 and 180-39-025, a child must be six years of age as of midnight August 31 of the year of entry to be entitled to enter first grade.

[Statutory Authority: RCW 28A.58.190, 83-13-004 (Order 5-83), § 180-39-015, filed 6/2/83.]

WAC 180-39-020 Kindergarten experience qualification for first grade. Any child not otherwise eligible for entry to first grade who successfully has completed a kindergarten program in a public or private school shall be permitted entry to the school program: *Provided*, That the kindergarten program standards substantially equaled or exceeded the applicable basic education program requirements of RCW 28A.150.220 and WAC 180-16-200 through 180-16-220, each as now or hereafter amended: *Provided further*, That if the district of entry has reason to believe that an individual child so qualified may not succeed in the district's first grade program, the district shall have the option of placing the child in either kindergarten or the first grade for evaluation in the areas specified in WAC 180-39-025 and a final determination of the child's appropriate grade level placement no later than the thirtieth calendar day following the child's first day of attendance.

[Statutory Authority: 1990 c 33, 90-17-009, § 180-39-020, filed 8/6/90, effective 9/6/90. Statutory Authority: RCW 28A.58.190, 83-13-004 (Order 5-83), § 180-39-020, filed 6/2/83.]

WAC 180-39-025 Local option exceptions to uniform entry qualification. School districts may adopt regulations that provide for individual exceptions to the uniform entry qualifications established by this chapter.

(1995 Ed.)

Such regulations shall provide for a screening process and/or instrument(s) which measure the ability or the need, or both, of an individual student to succeed in earlier entry. Such process and/or instrument(s) shall include, but not be limited to, the following areas:

- (1) Mental ability;
- (2) Gross motor skills;
- (3) Fine motor skills;
- (4) Visual discrimination;
- (5) Auditory discrimination; and
- (6) Emotional/social development.

[Statutory Authority: RCW 28A.58.190, 83-13-004 (Order 5-83), § 180-39-025, filed 6/2/83.]

WAC 180-39-027 Fees. A school district, that conducts a screening process to identify individual exceptions to the uniform entry qualifications, may collect fees not to exceed seventy-five dollars per preadmission student to cover expenses incurred in the administration of such a screening process: *Provided*, That such fees shall not be charged for children who are being assessed or reassessed for entry to the first grade in accordance with the provision of WAC 392-171-384.

[Statutory Authority: RCW 28A.58.190, 87-01-017 (Order 16-86), § 180-39-027, filed 12/10/86.]

WAC 180-39-028 Fee waivers. Any school district that collects fees for screening processes, pursuant to WAC 180-39-027, shall adopt regulations for waiving and reducing such fees in the cases of those persons whose families, by reason of their low income, would have difficulty in paying the entire amount of such fees.

[Statutory Authority: RCW 28A.58.190, 87-01-017 (Order 16-86), § 180-39-028, filed 12/10/86.]

WAC 180-39-030 Early entry nondiscrimination. Any school district that adopts regulations pursuant to WAC 180-39-025, 180-39-027, and 180-39-028, providing for individual exceptions to the uniform entry qualifications, the charging of screening fees, and the waiver of screening fees, is governed by the nondiscrimination provisions of WAC 180-40-215(1).

[Statutory Authority: RCW 28A.58.190, 87-01-017 (Order 16-86), § 180-39-030, filed 12/10/86; 83-13-004 (Order 5-83), § 180-39-030, filed 6/2/83.]

WAC 180-39-035 Appeal process. Any school district that adopts regulations pursuant to WAC 180-39-025, 180-39-027, and 180-39-028, providing for individual exceptions to the uniform entry qualifications, the charging of screening fees, and the waiver of screening fees, shall provide, by regulation, for an internal district appeal process for parents or guardians to seek review of the decision made by the administrator responsible for the screening process, and the charging of screening fees, and waiving of screening fees, authorized by WAC 180-39-025, 180-39-027, and 180-39-028.

[Statutory Authority: RCW 28A.58.190, 87-01-017 (Order 16-86), § 180-39-035, filed 12/10/86; 83-13-004 (Order 5-83), § 180-39-035, filed 6/2/83.]

| Chapter 180-40 WAC | | | |
|--|--|------------|--|
| PUPILS | | | |
| WAC | | 180-40-040 | Use of motor vehicles. [SBE 40-4-23, filed 3/29/65, effective 4/29/65.] Repealed by Order 6-77, filed 6/2/77, effective 8/1/77. |
| 180-40-200 | Purpose and application. | 180-40-050 | Detaining of pupils. [SBE 40-4-24, filed 3/29/65, effective 4/29/65.] Repealed by Order 6-77, filed 6/2/77, effective 8/1/77. |
| 180-40-205 | Definitions. | 180-40-060 | Rights and responsibilities of pupils and due process guarantees—Basic policies. [Order 1-72, § 180-40-060, filed 1/28/72.] Repealed by Order 6-77, filed 6/2/77, effective 8/1/77. |
| 180-40-210 | Student responsibilities and duties. | 180-40-065 | Rights and responsibilities of pupils and due process guarantees—School district board of directors to adopt written rules. [Order 1-72, § 180-40-065, filed 1/28/72.] Repealed by Order 6-77, filed 6/2/77, effective 8/1/77. |
| 180-40-215 | Student rights. | 180-40-070 | Rights and responsibilities of pupils and due process guarantees—Terms defined—Limitations prescribed. [Order 2-74, § 180-40-070, filed 5/23/74; Order 1-72, § 180-40-070, filed 1/28/72.] Repealed by Order 6-77, filed 6/2/77, effective 8/1/77. |
| 180-40-220 | Student disciplinary boards—Establishment at option of school district—Functions. | 180-40-075 | Rights and responsibilities of pupils and due process guarantees—Attendance right and responsibility. [Order 1-72, § 180-40-075, filed 1/28/72.] Repealed by Order 6-77, filed 6/2/77, effective 8/1/77. |
| 180-40-225 | School district rules defining misconduct—Distribution of rules. | 180-40-080 | Rights and responsibilities of pupils and due process guarantees—Pupils to comply with written rules and submit to disciplinary action—Refusal cause for discipline and suspension. [Order 1-72, § 180-40-080, filed 1/28/72.] Repealed by Order 6-77, filed 6/2/77, effective 8/1/77. |
| 180-40-227 | School district rules defining students religious rights. | 180-40-085 | Rights and responsibilities of pupils and due process guarantees—Refusal to comply with written rules cause for expulsion under certain conditions—Conditions prescribed. [Order 1-72, § 180-40-085, filed 1/28/72.] Repealed by Order 6-77, filed 6/2/77, effective 8/1/77. |
| 180-40-230 | Persons authorized to impose discipline, suspension, expulsion, or emergency removal upon students. | 180-40-090 | Rights and responsibilities of pupils and due process guarantees—Disorderly conduct cause for disciplinary action—Conditions prescribed. [Order 1-72, § 180-40-090, filed 1/28/72.] Repealed by Order 6-77, filed 6/2/77, effective 8/1/77. |
| | DISCIPLINE | 180-40-095 | Rights and responsibilities of pupils and due process guarantees—Substantive rights enumerated. [Order 1-72, § 180-40-095, filed 1/28/72.] Repealed by Order 6-77, filed 6/2/77, effective 8/1/77. |
| 180-40-235 | Discipline—Conditions and limitations. | 180-40-100 | Rights and responsibilities of pupils and due process guarantees—Enumerated rights applicable to all pupils—School district to make related rules. [Order 1-72, § 180-40-100, filed 1/28/72.] Repealed by Order 6-77, filed 6/2/77, effective 8/1/77. |
| 180-40-240 | Discipline—Grievance procedure. | 180-40-105 | Rights and responsibilities of pupils and due process guarantees—Constitutional and citizenry rights recognized. [Order 1-72, § 180-40-105, filed 1/28/72.] Repealed by Order 6-77, filed 6/2/77, effective 8/1/77. |
| | SHORT-TERM SUSPENSION | 180-40-110 | Rights and responsibilities of pupils and due process guarantees—Expulsion, suspension and discipline restricted to school-related matters. [Order 1-72, § 180-40-110, filed 1/28/72.] Repealed by Order 6-77, filed 6/2/77, effective 8/1/77. |
| 180-40-245 | Short-term suspension—Conditions and limitations. | 180-40-115 | Rights and responsibilities of pupils and due process guarantees—Readmission provisions. [Order 1-72, § 180-40-115, filed 1/28/72.] Repealed by Order 6-77, filed 6/2/77, effective 8/1/77. |
| 180-40-250 | Short-term suspension—Prior conference required—Notice to parent. | 180-40-120 | Rights and responsibilities of pupils and due process guarantees—Pupil disciplinary boards—Establishment option of school districts—Functions prescribed. [Order 1-72, § 180-40-120, filed 1/28/72.] Repealed by Order 6-77, filed 6/2/77, effective 8/1/77. |
| 180-40-255 | Short-term suspension—Grievance procedure. | 180-40-123 | Discipline involving a denial of attendance—Informal due process conference required. [Emergency and Permanent Order 10-76, § 180-40-123, filed 8/30/76.] Repealed by Order 6-77, filed 6/2/77, effective 8/1/77. |
| | LONG-TERM SUSPENSION | 180-40-125 | Rights and responsibilities of pupils and due process guarantees—Rights of person aggrieved by disciplinary action to informal conference and formal protest—Procedure prescribed. [Order 1-72, § 180-40-125, filed 1/28/72.] Repealed by Order 6-77, filed 6/2/77, effective 8/1/77. |
| 180-40-260 | Long-term suspension—Conditions and limitations. | | |
| 180-40-265 | Long-term suspension—Notice of hearing—Waiver of hearing. | | |
| 180-40-270 | Long-term suspension—Prehearing and hearing process. | | |
| | EXPULSION | | |
| 180-40-275 | Expulsion—Conditions and limitations. | | |
| 180-40-280 | Expulsion—Notice of hearing—Waiver of hearing. | | |
| 180-40-285 | Expulsion—Prehearing and hearing process. | | |
| | EMERGENCY ACTIONS | | |
| 180-40-290 | Emergency removal from a class, subject, or activity. | | |
| 180-40-295 | Emergency expulsion—Limitations. | | |
| 180-40-300 | Emergency expulsion—Notice of hearing—Waiver of hearing right. | | |
| 180-40-305 | Emergency expulsion—Prehearing and hearing process. | | |
| | APPEALS | | |
| 180-40-310 | Appeals—Long-term suspension and expulsion. | | |
| 180-40-315 | Appeals—Hearing before school board—Procedures. | | |
| 180-40-320 | School board decisions. | | |
| DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER | | | |
| 180-40-005 | Regulatory provisions relating to RCW 28A.04.120(6), 28A.04.132 and 28A.58.101. [Order 1-72, § 180-40-005, filed 1/28/72; SBE 40-4-1, filed 3/29/65, effective 4/29/65.] Repealed by Order 6-77, filed 6/2/77, effective 8/1/77. | | |
| 180-40-007 | Rules applicable to grades K-12. [Order 2-74, § 180-40-007, filed 5/23/74; Order 1-72, § 180-40-007, filed 1/28/72; SBE 40-4-2, filed 3/29/65, effective 4/29/65.] Repealed by Order 6-77, filed 6/2/77, effective 8/1/77. | | |
| 180-40-010 | Attendance and adherence to district rules. [SBE 40-4-20, filed 3/29/65, effective 4/29/65.] Repealed by Order 6-77, filed 6/2/77, effective 8/1/77. | | |
| 180-40-020 | Regulatory provisions relating to RCW 28.04.120(7) and 28.58.100(2)—Cause for suspension or expulsion. [SBE 40-4-21, filed 3/29/65, effective 4/29/65.] Repealed by Order 1-72, filed 1/28/72. | | |
| 180-40-030 | Regulatory provisions relating to RCW 28.04.120(7) and 28.58.100(2)—Personal cleanliness and grooming. [SBE 40-4-22, filed 3/29/65, effective 4/29/65.] Repealed by Order 1-72, filed 1/28/72. | | |

- 180-40-130 Rights and responsibilities of pupils and due process guarantees—Interim suspension in emergency situation—Conditions defined—Procedure prescribed. [Order 2-74, § 180-40-130, filed 5/23/74; Order 1-72, § 180-40-130, filed 1/28/72.] Repealed by Order 6-77, filed 6/2/77, effective 8/1/77.
- 180-40-135 Rights and responsibilities of pupils and due process guarantees—Delegation of authority to suspend or expel. [Order 1-72, § 180-40-135, filed 1/28/72.] Repealed by Order 6-77, filed 6/2/77, effective 8/1/77.
- 180-40-140 Rights and responsibilities of pupils and due process guarantees—Board of directors to adopt rules for expulsion or suspension hearing before delegated authority—Provisions for protection of pupil rights and appeal prescribed. [Order 2-74, § 180-40-140, filed 5/23/74; Order 1-72, § 180-40-140, filed 1/28/72.] Repealed by Order 6-77, filed 6/2/77, effective 8/1/77.
- 180-40-145 Rights and responsibilities of pupils and due process guarantees—Appeal to board of directors from expulsion decision of delegated hearing authority—Procedure prescribed. [Order 2-74, § 180-40-145, filed 5/23/74; Order 1-72, § 180-40-145, filed 1/28/72.] Repealed by Order 6-77, filed 6/2/77, effective 8/1/77.
- 180-40-150 Rights and responsibilities of pupils and due process guarantees—Expulsion or suspension hearing directly before board of directors—Procedure prescribed. [Order 1-72, § 180-40-150, filed 1/28/72.] Repealed by Order 6-77, filed 6/2/77, effective 8/1/77.
- 180-40-155 Rights and responsibilities of pupils and due process guarantees—Appeal to superior court from action by board of directors regarding discipline, suspension or expulsion—Procedure prescribed. [Order 2-74, § 180-40-155, filed 5/23/74; Order 1-72, § 180-40-155, filed 1/28/72.] Repealed by Order 6-77, filed 6/2/77, effective 8/1/77.
- 180-40-160 Severability. [Order 1-72, § 180-40-160, filed 1/28/72.] Repealed by Order 6-77, filed 6/2/77, effective 8/1/77.

WAC 180-40-200 Purpose and application. The purpose of this chapter is to implement RCW 28A.305.160 by prescribing the substantive and procedural due process rights of students served by any program or activity conducted by or in behalf of a common school district: *Provided*, That the enforcement of rules promulgated by the Washington interscholastic activity association and like organizations that govern the participation of students in interschool activities, and appeals in connection therewith, shall be governed by rules of the organization that have been adopted pursuant to RCW 28A.600.200 and approved by the state board of education—not by this chapter. The procedures and standards set forth in this chapter and those adopted by a school district in conformance with this chapter shall govern the imposition of corrective action or punishment (i.e., discipline, suspension, and expulsion) upon any student by a school district and its agents.

The provisions of this chapter are intended to establish the minimum procedural and substantive due process rights of students. School districts are free to establish additional due process requirements and limitations and shall do so as necessary to accommodate the constitutional rights of students as now or hereafter established.

For rules regarding student conduct which supplement this chapter see chapter 392-145 WAC governing the operation of school buses, particularly WAC 392-145-015(4) regarding the responsibility of bus drivers and certificated staff members who accompany students for the behavior of students, and WAC 392-145-035 regarding the duty to adopt and post rules, including rules of conduct, governing school bus passengers.

[Statutory Authority: 1990 c 33. 90-17-009, § 180-40-200, filed 8/6/90, effective 9/6/90. Statutory Authority: RCW 28A.04.132. 82-20-052 (Order 4-82), § 180-40-200, filed 10/1/82; Order 6-77, § 180-40-200, filed 6/2/77, effective 8/1/77.]

WAC 180-40-205 Definitions. As used in this chapter the term: (1) "Discipline" shall mean all forms of corrective action or punishment other than suspension and expulsion and shall include the exclusion of a student from a class by a teacher or administrator for a period of time not exceeding the balance of the immediate class period: *Provided*, That the student is in the custody of a school district employee for the balance of such period. Discipline shall also mean the exclusion of a student from any other type of activity conducted by or in behalf of a school district.

(2) "Suspension" shall mean a denial of attendance (other than for the balance of the immediate class period for "discipline" purposes) at any single subject or class, or at any full schedule of subjects or classes for a stated period of time. A suspension also may include a denial of admission to or entry upon real and personal property that is owned, leased, rented, or controlled by the school district.

(3) "Short-term suspension" shall mean a suspension for any portion of a calendar day up to and not exceeding five consecutive school days.

(4) "Long-term suspension" shall mean a suspension which exceeds a "short-term suspension" as defined in subsection (3) of this section.

(5) "Expulsion" shall mean a denial of attendance at any single subject or class or at any full schedule of subjects or classes for an indefinite period of time. An expulsion also may include a denial of admission to or entry upon real and personal property that is owned, leased, rented, or controlled by the school district.

(6) "School business day" shall mean any calendar day, exclusive of Saturdays, Sundays, and any federal and school holidays, upon which the office of the superintendent of the school district is open to the public for the conduct of business. A school business day shall be concluded or terminated upon the closure of said office for the calendar day.

[Statutory Authority: 1979 1st ex.s. c 173 and c 201. 79-11-049 (Order 14-79), § 180-40-205, filed 10/16/79; Order 6-77, § 180-40-205, filed 6/2/77, effective 8/1/77.]

WAC 180-40-210 Student responsibilities and duties. The mission of the common school system is to provide learning experience which will assist all students to develop skills, competencies, and attitudes that are fundamental to an individual's achievement as a responsible, contributing citizen. In order to maintain and advance this mission, it shall be the responsibility and duty of each student to pursue his/her course of studies, comply with written rules of a common school district which are adopted pursuant to and in compliance with WAC 180-40-225 and RCW 28A.600.010, and submit to reasonable corrective action or punishment imposed by a school district and its agents for violation(s) of such rules. The provisions of this chapter do not lessen the foregoing responsibilities and duties of each student. This chapter is intended to assure

that corrective action or punishment is imposed for just cause and in a fair and just manner.

[Statutory Authority: 1990 c 33, 90-17-009, § 180-40-210, filed 8/6/90, effective 9/6/90; Order 6-77, § 180-40-210, filed 6/2/77, effective 8/1/77.]

WAC 180-40-215 Student rights. In addition to other rights established by law, each student served by or in behalf of a common school district shall possess the following substantive rights, and no school district shall limit these rights except for good and sufficient cause:

(1) No student shall be unlawfully denied an equal educational opportunity or be unlawfully discriminated against because of national origin, race, religion, economic status, sex, pregnancy, marital status, previous arrest, previous incarceration, or a physical, mental or sensory handicap.

(2) All students possess the constitutional right to freedom of speech and press, the constitutional right to peaceably assemble and to petition the government and its representatives for a redress of grievances, the constitutional right to the free exercise of religion and to have their schools free from sectarian control or influence, subject to reasonable limitations upon the time, place, and manner of exercising such right.

(3) All students possess the constitutional right to be secure in their persons, papers, and effects against unreasonable searches and seizures.

(4) All students shall have the right to be free from unlawful interference in their pursuit of an education while in the custody of a common school district.

(5) No student shall be deprived of the right to an equal educational opportunity in whole or in part by a school district without due process of law.

The foregoing enumeration of rights shall not be construed to deny or disparage other rights set forth in the constitution and the laws of the state of Washington or the rights retained by the people.

[Statutory Authority: RCW 28A.04.132, 85-04-009 (Order 3-85), § 180-40-215, filed 1/25/85; Order 6-77, § 180-40-215, filed 6/2/77, effective 8/1/77.]

WAC 180-40-220 Student disciplinary boards—Establishment at option of school district—Functions. The board of directors of any school district may authorize the establishment of one or more student disciplinary boards composed of students, teachers, administrators, or parents, or any combination thereof. Disciplinary boards may be authorized to prescribe reasonable discipline and may recommend, but not prescribe, suspension or expulsion to the appropriate school authority. Such school authority shall be granted the power to set aside or modify any such prescription or recommendation. In addition, disciplinary boards may be authorized to periodically review rules of the school district defining the types of misconduct for which corrective action or punishment may be imposed and to recommend amendments thereto to the board of directors.

[Order 6-77, § 180-40-220, filed 6/2/77, effective 8/1/77.]

WAC 180-40-225 School district rules defining misconduct—Distribution of rules. (1) It shall be the responsibility and duty of each school district to adopt,

publish, and make available to all students and parents written rules which state with reasonable clarity the types of misconduct for which discipline, suspension, and expulsion may be imposed. In addition, written procedures for administering corrective action shall be developed and reviewed periodically as follows:

(a) Each school district shall provide for the development with parent and community participation of written procedures for administering corrective action at each school as required by RCW 28A.600.020(3).

(b) In a manner consistent with the district procedures developed pursuant to (a) above, the principal and certificated employees in each school building shall confer at least annually for the purpose of developing, or reviewing, or both, building discipline standards and the uniform enforcement of those standards, as required by RCW 28A.400.110.

(2) Rules that establish types of misconduct pursuant to this section must have a real and substantial relationship to the lawful maintenance and operation of the school district including, but not limited to, the preservation of the health and safety of students and employees and the preservation of an educational process which is conducive to learning.

(3) The rules set forth in this chapter, the rules of a school district that establish types of misconduct pursuant to subsection (1) above, and the written procedures of a district for administering corrective action adopted pursuant to subsection (1)(a) above, shall be published and made available to all students and parents on an annual basis. If a school district chooses not to distribute such rules to all students and parents, then notice which describes the contents of such rules and specifies the person(s) to contact for a copy thereof shall be provided to students and parents on an annual basis in a manner reasonably calculated to come to their attention.

[Statutory Authority: 1990 c 33, 90-17-009, § 180-40-225, filed 8/6/90, effective 9/6/90. Statutory Authority: 1980 c 171, 80-10-030 (Order 11-80), § 180-40-225, filed 8/4/80; Order 6-77, § 180-40-225, filed 6/2/77, effective 8/1/77.]

WAC 180-40-227 School district rules defining students religious rights. It shall be the responsibility and duty of each school district to adopt policies of the district for implementation of students' rights to freedom of religion and to have their schools free from sectarian control or influence while they are participating in any school district conducted or sponsored activity or while they are otherwise subject to school district supervision and control. Such rules shall be adopted by December 1, 1985 and shall be transmitted to the superintendent of public instruction by December 10, 1985.

[Statutory Authority: RCW 28A.04.132, 85-09-049 (Order 6-85), § 180-40-227, filed 4/16/85; 85-04-009 (Order 3-85), § 180-40-227, filed 1/25/85.]

WAC 180-40-230 Persons authorized to impose discipline, suspension, expulsion, or emergency removal upon students. (1) Each certificated teacher, each school administrator, each school bus driver, and any other school employee designated by the board of directors of a school district shall possess the authority to impose discipline upon a student for misconduct which violates rules of the school district established pursuant to WAC 180-40-225 and to

impose an emergency removal from a class, subject, or activity upon a student pursuant to WAC 180-40-290.

(2) The board of directors of any school district may delegate to the superintendent and/or his or her designee(s) the authority to impose suspensions and expulsions upon students for misconduct which violates rules of the school district established pursuant to WAC 180-40-225. Each certificated teacher and each administrator shall possess the authority to recommend suspensions and expulsions for such misconduct.

(3) Any board of directors which chooses not to delegate the authority to impose suspensions and/or expulsions, nevertheless, shall be subject to the requirements set forth in this chapter when it imposes a suspension or expulsion.

(4) Notwithstanding any provision of this section to the contrary, each teacher is empowered to exclude any student who creates a disruption of the educational process in violation of the building disciplinary standards while under the teacher's immediate supervision from his or her individual classroom and instructional or activity area for all or any portion of the balance of the school day or until the principal or designee and teacher have conferred, whichever occurs first: *Provided*, That except in emergency circumstances as provided for in WAC 180-40-290, the teacher shall have first attempted one or more alternative forms of corrective action: *Provided further*, That in no event without the consent of the teacher shall an excluded student be returned during the balance of the particular class or activity period from which the student was initially excluded.

[Statutory Authority: 1980 c 171. 80-10-030 (Order 11-80), § 180-40-230, filed 8/4/80; Order 6-77, § 180-40-230, filed 6/2/77, effective 8/1/77.]

DISCIPLINE

WAC 180-40-235 Discipline—Conditions and limitations. Discipline may be imposed upon any student for violation of the rules of the school district that have been established pursuant to WAC 180-40-225, subject to the following limitations and conditions and the grievance procedure set forth in WAC 180-40-240:

(1) No form of discipline shall be enforced in such a manner as to prevent a student from accomplishing specific academic grade, subject, or graduation requirements.

(2) A student's academic grade or credit in a particular subject or course may be adversely affected by reason of tardiness or absences only to the extent and upon the basis that:

(a) The student's attendance and/or participation is related to the instructional objectives or goals of the particular subject or course, and

(b) The student's attendance and/or participation has been identified by the teacher pursuant to policy of the school district as a basis for grading, in whole or in part, in the particular subject or course.

(3) Corporal punishment which is defined as any act which willfully inflicts or willfully causes the infliction of physical pain on a student is prohibited. This prohibition shall take effect in all school districts September 1, 1994.

Corporal punishment does not include:

(a) The use of reasonable physical force by a school administrator, teacher, school employee or volunteer as necessary to maintain order or to prevent a student from harming him/herself, other students and school staff or property;

(b) Physical pain or discomfort resulting from or caused by training for or participation in athletic competition or recreational activity voluntarily engaged in by a student;

(c) Physical exertion shared by all students in a teacher directed class activity, which may include, but is not limited to, physical education exercises, field trips or vocational education projects; or

(d) Physical restraint or the use of aversive therapy as part of a behavior management program in a student's individual education program which has been signed by the parent and is carried out according to district procedures in compliance with WAC 392-171-800, et seq.

[Statutory Authority: RCW 28A.410.010. 94-03-102 (Order 3-94), § 180-40-235, filed 1/19/94, effective 2/19/94. Statutory Authority: RCW 28A.305.160. 93-01-077, § 180-40-235, filed 12/14/92, effective 1/14/93. Statutory Authority: RCW 28A.04.132. 90-17-004, § 180-40-235, filed 8/2/90, effective 9/2/90; 87-09-040 (Order 6-87), § 180-40-235, filed 4/14/87; Order 6-77, § 180-40-235, filed 6/2/77, effective 8/1/77.]

WAC 180-40-240 Discipline—Grievance procedure.

Any student, parent, or guardian who is aggrieved by the imposition of discipline shall have the right to an informal conference with the building principal or his or her designee for the purpose of resolving the grievance. The employee whose action is being grieved shall be notified of the initiation of a grievance as soon as reasonably possible. During such conference the student, parent, or guardian shall be subject to questioning by the building principal or his or her designee and shall be entitled to question school personnel involved in the matter being grieved. Subsequent to the building level grievance meeting, the student, parent, or guardian, upon two school business days' prior notice, shall have the right to present a written and/or oral grievance to the superintendent of the district or his/her designee. If the grievance is not resolved the student, parent, or guardian, upon two school business days' prior notice, shall have the right to present a written and/or oral grievance to the board of directors during the board's next regular meeting. The board shall notify the student, parent, or guardian of its response to the grievance within ten school business days after the date of the meeting. The discipline action shall continue notwithstanding the implementation of the grievance procedure set forth in this section unless the principal or his or her designee elects to postpone such action.

[Order 6-77, § 180-40-240, filed 6/2/77, effective 8/1/77.]

SHORT-TERM SUSPENSION

WAC 180-40-245 Short-term suspension—Conditions and limitations. A short-term suspension may be imposed upon a student for violation of school district rules adopted pursuant to WAC 180-40-225, subject to the following limitations or conditions, the prior informal conference procedures set forth in WAC 180-40-250, and the grievance procedures set forth in WAC 180-40-255:

(1) The nature and circumstances of the violation must be considered and must reasonably warrant a short-term suspension and the length of the suspension imposed. This requirement does not preclude school districts (that is, the boards of directors of school districts) from establishing the nature and extent of the corrective actions and/or punishments which, as a general rule, must be imposed as a consequence of proscribed misconduct. Such advance notice to students is advisable, and the imposition of such preestablished corrective action and/or punishment is permissible as long as (a) disciplinarians and hearing officers are allowed to grant exceptions in cases involving extenuating and/or exceptional circumstances, and (b) short-term suspension is not established as the corrective action or punishment for a student's first time offense other than for offenses involving exceptional misconduct as defined in subsection (2) of this section.

(2) As a general rule, no student shall be suspended for a short term unless another form of corrective action or punishment reasonably calculated to modify his or her conduct has previously been imposed upon the student as a consequence of misconduct of the same nature. A school district may, however, elect to adopt rules providing for the immediate resort to short-term suspension in cases involving exceptional misconduct as long as disciplinarians and hearing officers may grant exceptions in cases involving extenuating and/or exceptional circumstances, notwithstanding the fact prior alternative corrective action or punishment has not been imposed upon the student(s) involved. For the purpose of this rule, "exceptional misconduct" means misconduct other than absenteeism which a school district has judged following consultation with an ad hoc citizens committee to (a) be of such frequent occurrence, notwithstanding past attempts of district personnel to control such misconduct through the use of other forms of corrective action and/or punishment, as to warrant an immediate resort to short-term suspension, and/or (b) be so serious in nature and/or so serious in terms of the disruptive effect upon the operation of the school(s) as to warrant an immediate resort to short-term suspension (for example, misconduct judged by a school district to be the same or of the same nature as a violation of the state's drug or controlled substances laws). The ad hoc citizens committee required by this section shall be composed of three or more persons chosen by the school district or the administrative designee(s) of the district, and shall be constituted with the intent and purpose of representing various socio economic, minority and majority populations of the school district to the extent deemed practical.

(3) No student subject to compulsory attendance pursuant to chapter 28A.225 RCW, as now or hereafter amended, shall be suspended by reason, in whole or part, of one or more unexcused absences unless the school district has first imposed an alternative corrective action or punishment reasonably calculated to modify his or her conduct and, in addition:

(a) Provided notice to the student's parent(s) or guardian(s) or custodial parent(s) in writing in English or, if different, the primary language of the parent(s), guardian(s) or custodial parent(s) that the student has failed to attend school without valid justification, and by other means reasonably necessary to achieve notice of such fact;

(b) Scheduled a conference or conferences with the parent(s) or guardian(s) or custodial parent(s) and the student at a time and place reasonably convenient to all persons included to analyze the causes for the student's absence, the analysis to determine by appropriate means whether the student should be made a focus of concern for placement in a special education or other special program designed for his/her educational success; and

(c) Taken steps to reduce the student's absence which include, where appropriate in the judgment of local school officials and where possible, discussed with the student, parent(s), guardian(s) or custodial parent(s), adjustments of the student's school program or school or course assignment or assisting the student or parent to obtain supplementary services that might ameliorate the cause(s) for the student's absence from school.

(4) Kindergarten through grade four—No student in grades kindergarten through four shall be subject to short-term suspensions for more than a total of five school days during any single semester or trimester as the case may be, and no loss of academic grades or credit shall be imposed by reason of the suspension of such a student.

(5) Grade five and above program—No student in the grade five and above program shall be subjected to short-term suspensions for more than a total of fifteen school days during any single semester or ten school days during any single trimester, as the case may be.

(6) Any student subject to a short-term suspension shall be provided the opportunity upon his or her return to make up assignments and tests missed by reason of the short-term suspension if:

(a) Such assignments or tests have a substantial effect upon the student's semester or trimester grade or grades, or

(b) Failure to complete such assignments or tests would preclude the student from receiving credit for the course or courses.

(7) Any student who has been suspended shall be allowed to make application for readmission at any time. Each school district board of directors shall adopt written rules which provide for such an application for readmission and set forth the procedures to be followed.

[Statutory Authority: 1990 c 33, 90-17-009, § 180-40-245, filed 8/6/90, effective 9/6/90. Statutory Authority: RCW 28A.04.132, 85-12-042 (Order 14-85), § 180-40-245, filed 6/5/85. Statutory Authority: 1979 1st ex.s. c 173 and c 201, 79-11-049 (Order 14-79), § 180-40-245, filed 10/16/79; Order 13-77, § 180-40-245, filed 10/18/77; Order 6-77, § 180-40-245, filed 6/2/77, effective 8/1/77.]

WAC 180-40-250 Short-term suspension—Prior conference required—Notice to parent. (1) Prior to the short-term suspension of any student a conference shall be conducted with the student as follows:

(a) An oral or written notice of the alleged misconduct and violation(s) of school district rules shall be provided to the student,

(b) An oral or written explanation of the evidence in support of the allegation(s) shall be provided to the student,

(c) An oral or written explanation of the corrective action or punishment which may be imposed shall be provided to the student, and

(d) The student shall be provided the opportunity to present his/her explanation.

(2) In the event a short-term suspension is to exceed one calendar day the parent(s) or guardian(s) of the student shall be notified of the reason for the student's suspension and the duration of the suspension orally and/or by letter deposited in the United States mail as soon as reasonably possible. The notice shall also inform the parent or guardian of the right to an informal conference pursuant to WAC 180-40-255 and that the suspension may possibly be reduced as a result of such conference.

(3) All short-term suspensions and the reasons therefor shall be reported in writing to the superintendent of the school district or his or her designee within twenty-four hours after the imposition of the suspension.

[Order 6-77, § 180-40-250, filed 6/2/77, effective 8/1/77.]

WAC 180-40-255 Short-term suspension—Grievance procedure. Any student, parent, or guardian who is aggrieved by the imposition of a short-term suspension shall have the right to an informal conference with the building principal or his or her designee for the purpose of resolving the grievance. The employee whose action is being grieved shall be notified of the initiation of a grievance as soon as reasonably possible. During such conference the student, parent, or guardian shall be subject to questioning by the building principal or his or her designee and shall be entitled to question school personnel involved in the matter being grieved. Subsequent to the building level grievance meeting, the student, parent, or guardian, upon two school business days' prior notice, shall have the right to present a written and/or oral grievance to the superintendent of the district or his/her designee. If the grievance is not resolved, the student, parent, or guardian, upon two school business days' prior notice, shall have the right to present a written and/or oral grievance to the board of directors during the board's next regular meeting. The board shall notify the student, parent, or guardian of its response to the grievance within ten school business days after the date of the meeting. The short-term suspension shall continue notwithstanding the implementation of the grievance procedure set forth in this section unless the principal or his or her designee elects to postpone such action.

[Order 6-77, § 180-40-255, filed 6/2/77, effective 8/1/77.]

LONG-TERM SUSPENSION

WAC 180-40-260 Long-term suspension—Conditions and limitations. A long-term suspension may be imposed upon a student for violation of school district rules adopted pursuant to WAC 180-40-225, subject to the following limitations or conditions and the notice requirements set forth in WAC 180-40-265 and the hearing requirements set forth in WAC 180-40-270:

(1) The nature and circumstances of the violation must be considered and must reasonably warrant a long-term suspension and the length of the suspension imposed. This requirement does not preclude school districts (that is, the boards of directors of school districts) from establishing the nature and extent of the corrective actions and/or punishments which, as a general rule, must be imposed as a consequence of proscribed misconduct. Such advance notice

to students is advisable, and the imposition of such preestablished corrective action and/or punishment is permissible as long as (a) disciplinarians and hearing officers are allowed to grant exceptions in cases involving extenuating and/or exceptional circumstances, and (b) long-term suspension is not established as the corrective action or punishment for a student's first time offense other than for offenses involving exceptional misconduct as defined in subsection (2) of this section.

(2) As a general rule, no student shall be suspended for a long term unless another form of corrective action or punishment reasonably calculated to modify his or her conduct has previously been imposed upon the student as a consequence of misconduct of the same nature. A school district may, however, elect to adopt rules providing for the immediate resort to long-term suspension in cases involving exceptional misconduct as long as disciplinarians and hearing officers are allowed to grant exceptions in cases involving extenuating and/or exceptional circumstances, notwithstanding the fact prior alternative corrective action or punishment has not been imposed upon the student(s) involved. For the purpose of this rule, "exceptional misconduct" means misconduct other than absenteeism which a school district has judged following consultation with an ad hoc citizens committee to (a) be of such frequent occurrence, notwithstanding past attempts of district personnel to control such misconduct through the use of other forms of corrective action and/or punishment, as to warrant an immediate resort to long-term suspension, and/or (b) be so serious in nature and/or so serious in terms of the disruptive effect upon the operation of the school(s) as to warrant an immediate resort to long-term suspension (for example, misconduct judged by a school district to be the same or of the same nature as a violation of the state's drug or controlled substances laws). The ad hoc citizens committee required by this section shall be composed of three or more persons chosen by the school district or the administrative designee(s) of the district, and shall be constituted with the intent and purpose of representing various socio economic, minority and majority populations of the school district to the extent deemed practical.

(3) No student subject to compulsory attendance pursuant to chapter 28A.225 RCW, as now or hereafter amended, shall be suspended by reason, in whole or part, of one or more unexcused absences unless the school district has first imposed an alternative corrective action or punishment reasonably calculated to modify his or her conduct and, in addition:

(a) Provided notice to the student's parent(s) or guardian(s) or custodial parent(s) in writing in English or, if different, the primary language of the parent(s), guardian(s) or custodial parent(s) that the student has failed to attend school without valid justification, and by other means reasonably necessary to achieve notice of such fact;

(b) Scheduled a conference or conferences with the parent(s) or guardian(s) or custodial parent(s) and the student at a time and place reasonably convenient to all persons included to analyze the causes for the student's absence, the analysis to determine by appropriate means whether the student should be made a focus of concern for placement in a special education or other special program designed for his/her educational success; and

(c) Taken steps to reduce the student's absence which include, where appropriate in the judgment of local school officials and, where possible, discussed with the student, parent(s), guardian(s) or custodial parent(s), adjustments of the student's school program or school or course assignment or assisting the student or parent to obtain supplementary services that might ameliorate the cause(s) for the student's absence from school.

(4) Kindergarten through grade four—No student in grades kindergarten through four shall be subject to short-term and long-term suspensions for more than a total of ten school days during any single semester or trimester, as the case may be, and no loss of academic grades or credit shall be imposed by reason of the suspension of such a student.

(5) Grade five and above program—No single long-term suspension shall be imposed upon a student in the grade five and above program in a manner which causes the student to lose academic grades or credit for in excess of one semester or trimester, as the case may be, during the same school year.

(6) Any student who has been suspended shall be allowed to make application for readmission at any time. Each school district board of directors shall adopt written rules which provide for such an application for readmission and set forth the procedures to be followed.

(7) All long-term suspensions and the reasons therefor shall be reported in writing to the superintendent of the school district or his or her designee within twenty-four hours after the imposition of the suspension.

[Statutory Authority: 1990 c 33. 90-17-009, § 180-40-260, filed 8/6/90, effective 9/6/90. Statutory Authority: RCW 28A.04.132. 85-12-042 (Order 14-85), § 180-40-260, filed 6/5/85. Statutory Authority: 1979 1st ex.s. c 173 and c 201. 79-11-049 (Order 14-79), § 180-40-260, filed 10/16/79; Order 6-77, § 180-40-260, filed 6/2/77, effective 8/1/77.]

WAC 180-40-265 Long-term suspension—Notice of hearing—Waiver of hearing. (1) Prior to the long-term suspension of a student, written notice of an opportunity for a hearing shall be delivered in person or by certified mail to the student and to his or her parent(s) or guardian(s). The notice shall:

(a) Be provided in the predominant language of a student and/or a parent(s) or guardian(s) who predominantly speak a language other than English, to the extent feasible,

(b) Specify the alleged misconduct and the school district rule(s) alleged to have been violated,

(c) Set forth the corrective action or punishment proposed,

(d) Set forth the right of the student and/or his or her parent(s) or guardian(s) to a hearing for the purpose of contesting the allegation(s), and

(e) Set forth the facts that:

(i) A written (or "oral" if provided for by school district policy) request for a hearing must be received by the school district employee designated, or by his or her office, on or before the expiration of the third school business day after receipt of the notice of opportunity for a hearing, and

(ii) If such a request is not received within the prescribed period of time, then the right to a hearing may be deemed to have been waived and the proposed long-term suspension may be imposed by the school district without any further opportunity for the student or his or her parent(s)

or guardian(s) to contest the matter. A schedule of "school business days" potentially applicable to the exercise of such hearing right should be included with the notice.

(2) The student and/or his or her parent(s) or guardian(s) shall reply to the notice of opportunity for a hearing and request a hearing within three school business days after the date of receipt of notice. A request for a hearing shall be provided to the school district employee specified in the notice of opportunity for a hearing, or to his or her office. A request for a hearing shall be accepted if in writing and may be accepted orally if expressly provided for and allowed by rule of the school district.

(3) If a request for a hearing is not received within the required three school business day period, the school district may deem the student and his or her parent(s) or guardian(s) to have waived the right to a hearing and the proposed long-term suspension may be imposed.

[Order 6-77, § 180-40-265, filed 6/2/77, effective 8/1/77.]

WAC 180-40-270 Long-term suspension—Prehearing and hearing process. (1) If a request for a hearing is received pursuant to WAC 180-40-265 within the required three school business days, the school district shall schedule a hearing to commence within three school business days after the date upon which the request for a hearing was received.

(2) The student and his or her parent(s) or guardian(s) shall have the right to:

(a) Inspect in advance of the hearing any documentary and other physical evidence which the school district intends to introduce at the hearing,

(b) Be represented by legal counsel,

(c) Question and confront witnesses,

(d) Present his or her explanation of the alleged misconduct, and

(e) Make such relevant showings by way of witnesses and the introduction of documentary and other physical evidence as he or she desires.

(3) The designee(s) of the school district assigned to present the district's case shall have the right to inspect in advance of the hearing any documentary and other physical evidence which the student and his or her parent(s) or guardian(s) intend to introduce at the hearing.

(4) The person(s) hearing the case shall not be a witness and the guilt or innocence of the student shall be determined solely on the basis of the evidence presented at the hearing.

(5) Either a tape-recorded or verbatim record of the hearing shall be made.

(6) A written decision setting forth the findings of fact, conclusions, and the nature and duration of the long-term suspension or lesser form or corrective action or punishment to be imposed, if any, shall be provided to the student's legal counsel or, if none, to the student and his or her parent(s) or guardian(s).

[Order 6-77, § 180-40-270, filed 6/2/77, effective 8/1/77.]

EXPULSION

WAC 180-40-275 Expulsion—Conditions and limitations. A student may be expelled for violation of school district rules adopted pursuant to WAC 180-40-225, subject to the following limitations or conditions, the notice requirements set forth in WAC 180-40-280, and the hearing requirements set forth in WAC 180-40-285:

(1) The nature and circumstances of the violation must reasonably warrant the harshness of expulsion.

(2) No student shall be expelled unless other forms of corrective action or punishment reasonably calculated to modify his or her conduct have failed or unless there is good reason to believe that other forms of corrective action or punishment would fail if employed.

(3) In addition to the alternative corrective action requirement of subsection (2) of this section, no student subject to compulsory attendance pursuant to chapter 28A.225 RCW, as now or hereafter amended, shall be expelled by reason, in whole or part, of one or more unexcused absences unless the school district has also first:

(a) Provided notice to the student's parent(s) or guardian(s) or custodial parent(s) in writing in English or, if different, the primary language of the parent(s), guardian(s) or custodial parent(s) that the student has failed to attend school without valid justification, and by other means reasonably necessary to achieve notice of such fact;

(b) Scheduled a conference or conferences with the parent(s) or guardian(s) or custodial parent(s) and the student at a time and place reasonably convenient to all persons included to analyze the causes for the student's absence, the analysis to determine by appropriate means whether the student should be made a focus of concern for placement in a special education or other special program designed for his/her educational success; and

(c) Taken steps to reduce the student's absence which include, where appropriate in the judgment of local school officials and, where possible, discussed with the student, parent(s), guardian(s) or custodial parent(s), adjustments of the student's school program or school or course assignment or assisting the student or parent to obtain supplementary services that might ameliorate the cause(s) for the student's absence from school.

(4) Once a student has been expelled in compliance with this chapter the expulsion shall be brought to the attention of appropriate local and state authorities including, but not limited to, juvenile authorities acting pursuant to chapter 13.04 RCW in order that such authorities may address the student's educational needs.

(5) Any student who has been expelled shall be allowed to make application for readmission at any time. Each school district board of directors shall adopt written rules which provide for such an application for readmission and set forth the procedures to be followed.

(6) All expulsions and the reasons therefor shall be reported in writing to the superintendent of the school district or his or her designee within twenty-four hours after the imposition of the expulsion.

[Statutory Authority: 1990 c 33, 90-17-009, § 180-40-275, filed 8/6/90, effective 9/6/90. Statutory Authority: 1979 1st ex.s. c 173 and c 201, 79-11-049 (Order 14-79), § 180-40-275, filed 10/16/79; Order 6-77, § 180-40-275, filed 6/2/77, effective 8/1/77.]

(1995 Ed.)

WAC 180-40-280 Expulsion—Notice of hearing—Waiver of hearing. (1) Prior to the expulsion of a student, written notice of an opportunity for a hearing shall be delivered in person or by certified mail to the student and to his or her parent(s) or guardian(s). The notice shall:

(a) Be provided in the predominant language of a student and/or a parent(s) or guardian(s) who predominantly speak a language other than English, to the extent feasible,

(b) Specify the alleged misconduct and the school district rule(s) or policy alleged to have been violated,

(c) Set forth the corrective action or punishment proposed,

(d) Set forth the right of the student and/or his or her parent(s) or guardian(s) to a hearing for the purpose of contesting the allegation(s), and

(e) Set forth the facts that:

(i) A written (or "oral" if provided for by school district policy) request for a hearing must be received by the school district employee designated, or by his or her office, on or before the expiration of the third school business day after receipt of the notice of opportunity for a hearing, and

(ii) If such a request is not received within the prescribed period of time, then the right to a hearing may be deemed to have been waived and the proposed expulsion may be imposed by the school district without any further opportunity for the student or his or her parent(s) or guardian(s) to contest the matter. A schedule of "school business days" potentially applicable to the exercise of such hearing right should be included with the notice.

(2) The student and/or his or her parent(s) or guardian(s) shall reply to the notice of opportunity for a hearing and request a hearing within three school business days after the date of receipt of the notice. A request for a hearing shall be provided to the school district employee specified in the notice of opportunity for a hearing, or to his or her office. A request for a hearing shall be accepted if in writing and may be accepted orally if expressly provided for and allowed by rule or policy of the school district.

(3) If a request for a hearing is not received within the required three school business day period, the school district may deem the student and his or her parent(s) or guardian(s) to have waived the right to a hearing and the proposed expulsion may be imposed.

[Order 6-77, § 180-40-280, filed 6/2/77, effective 8/1/77.]

WAC 180-40-285 Expulsion—Prehearing and hearing process. (1) If a request for a hearing is received pursuant to WAC 180-40-280 within the required three school business days, the school district shall schedule a hearing to commence within three school business days after the date upon which the request for a hearing was received.

(2) The student and his or her parent(s) or guardian(s) shall have the right to:

(a) Inspect in advance of the hearing any documentary and other physical evidence which the school district intends to introduce at the hearing,

(b) Be represented by legal counsel,

(c) Question and confront witnesses,

(d) Present his or her explanation of the alleged misconduct, and

(e) Make such relevant showings by way of witnesses and the introduction of documentary and other physical evidence as he or she desires.

(3) The designee(s) of the school district assigned to present the district's case shall have the right to inspect in advance of the hearing any documentary and other physical evidence which the student and his or her parent(s) or guardian(s) intend to introduce at the hearing.

(4) The person(s) hearing the case shall not be a witness and the guilt or innocence of the student shall be determined solely on the basis of the evidence presented at the hearing.

(5) Either a tape-recorded or verbatim record of the hearing shall be made.

(6) A written decision setting forth the findings of fact, conclusions, and the expulsion or lesser form of corrective action or punishment to be imposed, if any, shall be provided to the student's legal counsel or, if none, to the student and his or her parent(s) or guardian(s).

[Order 6-77, § 180-40-285, filed 6/2/77, effective 8/1/77.]

EMERGENCY ACTIONS

WAC 180-40-290 Emergency removal from a class, subject, or activity. (1) Notwithstanding any other provision of this chapter, a student may be removed immediately from a class, subject, or activity by a certificated teacher or an administrator and sent to the building principal or a designated school authority: *Provided*, That the teacher or administrator has good and sufficient reason to believe that the student's presence poses an immediate and continuing danger to the student, other students, or school personnel or an immediate and continuing threat of substantial disruption of the class, subject, activity, or educational process of the student's school. The removal from classes, subjects, or activities shall continue only until:

(a) The danger or threat ceases, or

(b) The principal or designated school authority acts to impose discipline, impose a short-term suspension, initiate a long-term suspension or an expulsion, or impose an emergency expulsion, pursuant to this chapter.

(2) The principal or school authority shall meet with the student as soon as reasonably possible following the student's removal and take or initiate appropriate corrective action or punishment. In no case shall the student's opportunity for such meeting be delayed beyond the commencement of the next school day. Prior to or at the time any such student is returned to the class(es), subject(s), or activity(ies), the principal or school authority shall notify the teacher or administrator who removed the student therefrom of the action which has been taken or initiated.

[Order 6-77, § 180-40-290, filed 6/2/77, effective 8/1/77.]

WAC 180-40-295 Emergency expulsion—Limitations. Notwithstanding any other provision of this chapter, a student may be expelled immediately by a school district superintendent or a designee of the superintendent in emergency situations: *Provided*, That the superintendent or designee has good and sufficient reason to believe that the student's presence poses an immediate and continuing danger to the student, other students, or school personnel or an

immediate and continuing threat of substantial disruption of the educational process. An emergency expulsion shall continue until rescinded by the superintendent or his or her designee, or until modified or reversed pursuant to the hearing provisions set forth in WAC 180-40-305 or the appeal provisions set forth in WAC 180-40-315.

[Order 6-77, § 180-40-295, filed 6/2/77, effective 8/1/77.]

WAC 180-40-300 Emergency expulsion—Notice of hearing—Waiver of hearing right. (1) The student and his or her parent(s) or guardian(s) shall be notified of the emergency expulsion of the student and of their opportunity for a hearing either (a) by hand delivering written notice to the student's parent(s) or guardian(s) within twenty-four hours of the expulsion and documenting delivery by obtaining his or her signature acknowledging receipt or the written certification of the person making the delivery, or (b) by certified letter(s) deposited in the United States mail, within twenty-four hours of the expulsion: *Provided*, That if the emergency expulsion is based upon a failure to comply with the state immunization law (see chapter 180-38 WAC), the notice must be received by the student's parent(s) or guardian(s) prior to the emergency expulsion of the student regardless of the method of delivery. In addition, if the notice is by certified letter, reasonable attempts shall be made to notify the student and his or her parent(s) or guardian(s) by telephone or in person as soon as reasonably possible. Such written and oral notice shall:

(a) Be provided in the predominant language of a student and/or a parent(s) or guardian(s) who predominantly speak a language other than English, to the extent feasible,

(b) Specify the alleged reason(s) for the emergency expulsion,

(c) Set forth the corrective action or punishment taken and proposed,

(d) Set forth the right of the student and/or his or her parent(s) or guardian(s) to a hearing for the purpose of contesting the allegation(s) as soon as reasonably possible, and

(e) Set forth the facts that:

(i) A written (or "oral" if provided for by school district policy) request for a hearing must be received by the school district employee designated, or by his or her office, on or before the expiration of the tenth school business day after receipt of the notice of opportunity for a hearing, and

(ii) If such a request is not received within the prescribed period of time, then the right to a hearing may be deemed to have been waived and the emergency expulsion may be continued as deemed necessary by the school district without any further opportunity for the student or his or her parent(s) or guardian(s) to contest the matter. A schedule of "school business days" potentially applicable to the exercise of such hearing right should be included with the notice.

(2) The student and/or his or her parent(s) or guardian(s) shall reply to the notice of opportunity for a hearing and request a hearing within ten school business days after the date of receipt of the notice. A request for a hearing shall be provided to the school district employee specified in the notice of opportunity for a hearing, or to his or her office. A request for a hearing shall be accepted if in writing and

may be accepted orally if expressly provided for and allowed by rule of the school district.

(3) If a request for a hearing is not received within the required ten school business day period, the school district may deem the student and his or her parent(s) or guardian(s) to have waived the right to a hearing and the emergency expulsion may be continued as deemed necessary by the school district.

[Statutory Authority: RCW 28A.04.132, 86-20-055 (Order 13-86), § 180-40-300, filed 9/29/86; Order 6-77, § 180-40-300, filed 6/2/77, effective 8/1/77.]

WAC 180-40-305 Emergency expulsion—Prehearing and hearing process. (1) If a request for a hearing within the required ten school business days is received pursuant to WAC 180-40-300, the school district shall immediately schedule and give notice of a hearing to commence as soon as reasonably possible and in no case later than the third school business day after receipt of the request for hearing.

(2) The student and his or her parent(s) or guardian(s) shall have the right to:

(a) Inspect in advance of the hearing any documentary and other physical evidence which the school district intends to introduce at the hearing,

(b) Be represented by legal counsel,

(c) Question and confront witnesses,

(d) Present his or her explanation of the alleged misconduct, and

(e) Make such relevant showings by way of witnesses and the introduction of documentary and other physical evidence as he or she desires.

(3) The designee(s) of the school district assigned to present the district's case shall have the right to inspect in advance of the hearing any documentary and other physical evidence that the student and his or her parent(s) or guardian(s) intend to introduce at the hearing.

(4) The person(s) hearing the case shall not be a witness and the guilt or innocence of the student shall be determined solely on the basis of the evidence presented at the hearing.

(5) Either a tape-recorded or verbatim record of the hearing shall be made.

(6) Within one school business day after the date upon which the hearing concludes, a decision as to whether or not the expulsion shall be continued shall be rendered, and the student's legal counsel or, if none, the student and his or her parent(s) or guardian(s) shall be notified thereof by depositing a certified letter in the United States mail. The decision shall set forth the findings of fact, the conclusions (including a conclusion as to whether or not the emergency situation giving rise to the emergency expulsion continues), and whether or not the emergency expulsion shall be continued or a lesser form of corrective action or punishment is to be imposed.

(7) An emergency expulsion may be continued following the hearing on the basis that the emergency situation continues and/or as corrective action or punishment for the action(s) giving rise to the emergency expulsion in the first instance.

[Order 6-77, § 180-40-305, filed 6/2/77, effective 8/1/77.]

APPEALS

WAC 180-40-310 Appeals—Long-term suspension and expulsion. Appeals from decision rendered pursuant to WAC 180-40-270, 180-40-285 and 180-40-305 which impose either a long-term suspension or an expulsion upon a student shall be governed as follows:

(1) If the case was not heard and decided by the school district board of directors, the student and his or her parent(s) or guardian(s) shall have the right to appeal the decision to the board of directors. Notice indicating that the student or his parent(s) or guardian(s) desire to appeal the decision shall be provided to either the office of the school district superintendent or to the office of the person who rendered the decision within three school business days after the date of receipt of the decision. The notice of appeal shall be accepted if in writing and may be accepted orally if expressly provided for and allowed by rule or policy of the district.

(2) If an appeal is not taken to the board of directors within the required three school business day period, the suspension or expulsion decided upon may be imposed as of the calendar day following expiration of the three school business day period.

(3) If a timely appeal is taken to the board of directors, the imposition of the suspension or expulsion shall not be imposed until the appeal is decided: *Provided*, That an emergency expulsion that is continued pursuant to WAC 180-40-305 need not be either interrupted or stayed if the decision rendered includes a conclusion that the student continues to pose an immediate and continuing danger to the student, other students, or school personnel or an immediate and continuing threat of substantial disruption of the educational process of the student's school.

(4) An appeal from any decision of a school board to impose or to affirm the imposition of a long-term suspension or an expulsion shall be to the courts. Whether or not the decision of a school board shall be postponed pending an appeal to superior court shall be discretionary with the school board except as ordered otherwise by a court.

[Order 13-77, 180-40-310, filed 10/18/77; Order 6-77, § 180-40-310, filed 6/2/77, effective 8/1/77.]

WAC 180-40-315 Appeals—Hearing before school board—Procedures. (1) If a notice of appeal to the school board of directors is received pursuant to WAC 180-40-310(1) within the required three school business days, the board shall schedule and hold an informal conference to review the matter within ten school business days after the date of receipt of such appeal notice. The purpose of the meeting shall be to meet and confer with the parties in order to decide upon the most appropriate means of disposing of the appeal as provided for in this section. At that time the student or the student's parent(s) or guardian(s) or legal counsel shall be given the right to be heard and shall be granted the opportunity to present such witnesses and testimony as the board deems reasonable. The board shall agree to one of the following procedures prior to adjournment or recess:

(a) Study the hearing record or other material submitted and render its decision within ten school business days after the date of the informal conference, or

(b) Schedule and hold a meeting to hear further arguments based on the record before the board and render its decision within fifteen school business days after the date of the informal conference, or

(c) Schedule and hold a meeting within ten school business days after the date of the informal conference for the purpose of hearing the case de novo.

(2) In the event the school board of directors elects to hear the appeal de novo, the following rights and procedures shall govern the proceedings:

(a) The student and his or her parent(s) or guardian(s) shall have the right to:

(i) Inspect in advance of the hearing any documentary and other physical evidence which the school district intends to introduce at the hearing,

(ii) Question and confront witnesses,

(iii) Present his or her explanation of the alleged misconduct, and

(iv) Make such relevant showings by way of witnesses and the introduction of documentary and other physical evidence as he or she desires,

(b) The designee(s) of the school district assigned to present the district's case shall have the right to inspect in advance of the hearing any documentary and other physical evidence that the student and his or her parent(s) or guardian(s) intend to introduce at the hearing, and

(c) Either a tape-recorded or verbatim record of the hearing shall be made.

[Statutory Authority: 1979 1st ex.s. c 173 and c 201. 79-11-049 (Order 14-79), § 180-40-315, filed 10/16/79; Order 6-77, § 180-40-315, filed 6/2/77, effective 8/1/77.]

WAC 180-40-320 School board decisions. Any decision by a school board of directors pursuant to this chapter to impose or to affirm, reverse, or modify the imposition of discipline, suspension, or expulsion upon a student shall be made:

(1) Only by those board members who have heard or read the evidence.

(2) Only by those board members who have not acted as a witness in the matter.

(3) Only at a meeting at which a quorum of the board is present and by majority vote.

[Order 6-77, § 180-40-320, filed 6/2/77, effective 8/1/77.]

**Chapter 180-41 WAC
PUPIL SAFETY**

WAC

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|------------|--|
| 180-41-010 | Evacuation of buildings in sudden emergency—Regulatory provisions relating to RCW 28A.305.130(11). |
| 180-41-015 | Evacuation of buildings in sudden emergency—Responsibilities of school authorities. |
| 180-41-020 | Evacuation of buildings in sudden emergency—Classroom instruction. |
| 180-41-025 | Evacuation of buildings in sudden emergency—Out-of-class traffic. |

180-41-030 Evacuation of buildings in sudden emergency—School personnel.

180-41-035 Evacuation of buildings in sudden emergency—Emergency exit drills.

180-41-040 Evacuation of buildings in sudden emergency—Exit alarm and recall signal systems.

WAC 180-41-010 Evacuation of buildings in sudden emergency—Regulatory provisions relating to RCW 28A.305.130(11). Pursuant to RCW 28A.305.130(11), all pupils in the public and private schools of the state carrying out a kindergarten through twelve program, or any part thereof, shall receive instruction so that in case of sudden emergency they shall be able to leave their particular building in the shortest possible time, or take such other steps as the particular emergency demands, and without confusion or panic. Instruction of pupils, training of school personnel and preparatory measures with respect to the building and equipment shall include but not be limited to the provisions hereinafter in WAC 180-41-015 through 180-41-040 set forth.

[Statutory Authority: 1990 c 33. 90-17-009, § 180-41-010, filed 8/6/90, effective 9/6/90; Order 10-70, § 180-41-010, filed 10/22/70.]

WAC 180-41-015 Evacuation of buildings in sudden emergency—Responsibilities of school authorities. It shall be the responsibility of school district boards of directors and governing bodies of private schools, respectively, (1) to provide for the instruction of pupils and develop specific plans and procedures for their schools consistent with the rules and regulations hereinafter in WAC 180-41-020 through 180-41-040 set forth and in accordance with guidelines to be provided by the superintendent of public instruction and (2) to ensure compliance with the plans and procedures so established. It is recognized that procedures for the sudden evacuation of a school building may vary according to the situation, circumstances and/or conditions existing in a particular school or school system.

[Order 10-70, § 180-41-015, filed 10/22/70.]

WAC 180-41-020 Evacuation of buildings in sudden emergency—Classroom instruction. Safety education programs at all grade levels should provide opportunity for each pupil to develop a foundation for a sense of security in orderly and safe exit in emergency situations.

[Order 10-70, § 180-41-020, filed 10/22/70.]

WAC 180-41-025 Evacuation of buildings in sudden emergency—Out-of-class traffic. Areas where pupils congregate before school and at noon should be properly supervised to assure safe conditions at all times and a minimum of confusion and consternation in the event of an emergency exit drill or actual emergency situation necessitating immediate evacuation.

Reasonable regulations governing traffic in halls, on stairways and elsewhere on school premises should be cooperatively established and kept up-to-date by student and faculty representatives.

[Order 10-70, § 180-41-025, filed 10/22/70.]

WAC 180-41-030 Evacuation of buildings in sudden emergency—School personnel. Periodically, all school personnel—teachers, clerks, custodial staff, engineers and others—shall have orientation in procedures and instructions as to specific responsibilities in emergency situations necessitating immediate evacuation of the building.

In addition to specific instruction relating to emergency exit drills, the principal should provide opportunity for an objective evaluation of the practice following each such drill.

Staff personnel, assigned to act in the absence of the principal, should be thoroughly familiar with emergency exit drill procedures.

[Order 10-70, § 180-41-030, filed 10/22/70.]

WAC 180-41-035 Evacuation of buildings in sudden emergency—Emergency exit drills. Alarm for all emergency exit drills shall be by the appropriate school building administrator or his designee without advance announcement to building occupants. Exit drills shall be held as frequently as may be necessary to assure rapid and orderly evacuation of the building in the event of an emergency. Drills should be executed at irregular times of day or evening so as to eliminate any possible distinction between a drill and an actual emergency situation.

Plans and procedures for exit drills shall include but not be limited to the following provisions:

(1) Emergency evacuation directions shall be posted in each room of the building.

(2) Special provision shall be made for removal of disabled and physically handicapped persons from the building.

(3) All occupants of the building—pupils, teachers and other school personnel without exception—shall, at the beginning of each school year, be given full and explicit instructions on exit drills in order that they have a clear working knowledge of exit drill directions and rules.

(4) Instruction and practice in ways to meet such emergencies as blocked exits and blocked stairways during exit drills shall be provided teachers and pupils.

Attention is directed to the *Guide for Adoption of Uniform School Exit Drill* prepared and published by the state fire marshal for the assistance of school administrators.

[Order 10-70, § 180-41-035, filed 10/22/70.]

WAC 180-41-040 Evacuation of buildings in sudden emergency—Exit alarm and recall signal systems. (1) Exit alarm system.

(a) The exit alarm system is to be used only for emergency exit drills and in the case of an actual emergency necessitating evacuation of the building. The exit alarm should be sounded on an independent signal system and not on the signal system used to dismiss classes.

(b) A substitute device readily available for manually sounding the alarm should be provided for use in the event the electric alarm system fails to operate.

(c) Signal or alarm stations should be located at readily accessible points in the building and there should be a minimum of one on each floor.

(d) All occupants of the building—pupils, teachers and other personnel—should be familiar with the location of the nearest public fire alarm box.

(1995 Ed.)

(e) The exit alarm as prescribed by the state fire marshal shall be the continuous ringing of all sounding devices in the signal system.

(2) **Recall signal.** In order that pupils will not be returned to a building hazardous to life, the recall signal shall be one that is separate and distinct from and cannot be mistaken for any other signal.

[Order 10-70, § 180-41-040, filed 10/22/70.]

Chapter 180-43 WAC INTERSCHOLASTIC ACTIVITIES

WAC

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| 180-43-005 | Purpose and application. |
| 180-43-010 | Annual report. |
| 180-43-015 | Rules and policies. |

WAC 180-43-005 Purpose and application. The purpose of this chapter is to establish rules and regulations which implement RCW 28A.600.200 (1) and (3).

[Statutory Authority: 1990 c 33, 90-17-009, § 180-43-005, filed 8/6/90, effective 9/6/90. Statutory Authority: RCW 28A.58.125, 80-02-146 (Order 2-80), § 180-43-005, filed 2/5/80.]

WAC 180-43-010 Annual report. The Washington interscholastic activities association and any other voluntary nonprofit entities which have been delegated powers by a school district pursuant to RCW 28A.600.200, shall submit an annual report to the state board of education of student appeal determinations, assets, and financial receipts and disbursements.

(1) The annual report shall be delivered to the secretary of the board not later than November 1 of each calendar year.

(2) The annual report shall include the standard financial statement for the preceding fiscal year of the association or entity, prepared in accordance with generally accepted accounting principles. The financial statements shall include adequate information to inform the state board of education of the activities of the interscholastic activities association during the year reported upon. At a minimum, the certified financial statements as prepared by a certified public accountant or licensed public accountant shall list all assets and liabilities in a statement of financial position; a statement of cash receipts and disbursements; and other exhibits detailing salary expenses, office expenses, state tournament finances, and the basis for distributing profits to the school districts.

(3) The annual report shall include a section summarizing student eligibility appeal cases by local interscholastic activities association districts for the preceding school year (September 1 through August 31). Details of the summary shall include student's first name and surname initial, school, the rule and factual issue involved, interscholastic activities association district disposition and date, and if ruled ineligible at the district level, interscholastic activities association executive board disposition and date.

[Statutory Authority: 1990 c 33, 90-17-009, § 180-43-010, filed 8/6/90, effective 9/6/90. Statutory Authority: RCW 28A.58.125, 80-02-146 (Order 2-80), § 180-43-010, filed 2/5/80.]

WAC 180-43-015 Rules and policies. All rules and policies applied by the Washington interscholastic activities association and any other voluntary nonprofit entities which have been delegated powers by a school district pursuant to RCW 28A.600.200 and which govern student participation in any interschool activity, shall be written and subject to the annual review and approval of the state board of education.

No such rule or policy shall be valid and enforceable during any school year unless first approved by the state board for that particular school year. All such rules shall be submitted annually by the association and other nonprofit entities to the state board office on or before March 1 for initial review at the board's March meeting and, if subsequently revised, again on or before May 1 for final action by the board at its May meeting. The state board may modify the foregoing schedule of submissions and actions in its discretion at the request of the association or other nonprofit entity.

[Statutory Authority: 1990 c 33, 90-17-009, § 180-43-015, filed 8/6/90, effective 9/6/90. Statutory Authority: RCW 28A.58.125, 80-02-146 (Order 2-80), § 180-43-015, filed 2/5/80.]

Chapter 180-44 WAC

TEACHERS' RESPONSIBILITIES

WAC

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| 180-44-005 | Regulatory provisions relating to RCW 28A.305.130(6) and 28A.600.010. |
| 180-44-007 | Regulatory provisions relating to RCW 28A.04.120(6) and 28A.58.101—Application. |
| 180-44-010 | Regulatory provisions relating to RCW 28A.04.120(6) and 28A.58.101—Responsibilities related to instruction. |
| 180-44-020 | Regulatory provisions relating to RCW 28A.04.120(6) and 28A.58.101—Responsibilities related to discipline of pupils. |
| 180-44-040 | Regulatory provisions relating to RCW 28A.04.120(6) and 28A.58.101—Classroom—Physical environment. |
| 180-44-050 | Regulatory provisions relating to RCW 28A.305.130(6) and 28A.600.010—School day as related to the teacher. |
| 180-44-060 | Regulatory provisions relating to RCW 28A.04.120(6) and 28A.58.101—Drugs and alcohol—Use of as cause for dismissal. |

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

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| 180-44-030 | Regulatory provisions relating to RCW 28A.04.120(6) and 28A.58.101—Excuse for pupil absence required. [SBE 44-4-22, filed 3/29/65, effective 4/29/65.] Repealed by 81-12-022 (Order 4-81), filed 6/1/81. Statutory Authority: RCW 28A.04.120 and 28A.58.101. |
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WAC 180-44-005 Regulatory provisions relating to RCW 28A.305.130(6) and 28A.600.010. Pursuant to authority vested in the state board of education under provisions of RCW 28A.305.130(6) and 28A.600.010 to prescribe rules and regulations for the government of the common schools, pupils and teachers, the state board of education hereby adopts rules and regulations provided in WAC 180-44-007 through 180-44-060 relating to teachers.

[Statutory Authority: 1990 c 33, 90-17-009, § 180-44-005, filed 8/6/90, effective 9/6/90; Order 7-77, § 180-44-005, filed 6/1/77; SBE 44-4-1, filed 3/29/65, effective 4/29/65.]

WAC 180-44-007 Regulatory provisions relating to RCW 28A.04.120(6) and 28A.58.101—Application. The rules and regulations provided for in WAC 180-44-010 through 180-44-060 shall be applicable to all teachers and other certificated personnel of grades kindergarten through twelve of the common schools.

[SBE 44-4-2, filed 3/29/65, effective 4/29/65.]

WAC 180-44-010 Regulatory provisions relating to RCW 28A.04.120(6) and 28A.58.101—Responsibilities related to instruction. (1) It shall be the responsibility of the teacher to follow the prescribed courses of study and to enforce the rules and regulations of the school district, the state superintendent of public instruction and the state board of education, maintaining and rendering the appropriate records and reports.

(2) Teachers shall have the right, and it shall be their duty, to direct and control within reasonable limits the studies of their pupils, taking into consideration individual differences among pupils: *Provided*, That all pupils shall receive instruction in such prescribed courses of study as are required by law and regulations.

(3) Teachers shall be responsible for the evaluation of each pupil's educational growth and development and for making periodic reports to parents or guardian and to the designated school administrator.

(4) Teachers are required to make daily preparation for their duties, preparation to include attendance at teachers' meetings and such other professional work contributing to efficient school service as may be required by the principal, superintendent or board of directors.

[Order 7-77, § 180-44-010, filed 6/1/77; SBE 44-4-20, filed 3/29/65, effective 4/29/65.]

WAC 180-44-020 Regulatory provisions relating to RCW 28A.04.120(6) and 28A.58.101—Responsibilities related to discipline of pupils. (1) Teachers shall maintain good order and discipline in their classrooms at all times, and any neglect of this requirement shall constitute sufficient cause for dismissal.

[Order 7-77, § 180-44-020, filed 6/1/77; SBE 44-4-21, filed 3/29/65, effective 4/29/65.]

WAC 180-44-040 Regulatory provisions relating to RCW 28A.04.120(6) and 28A.58.101—Classroom—Physical environment. Every teacher shall give careful attention to the maintenance of a healthful atmosphere in the classroom, reporting to the principal or his designated representative any shortcomings in lighting, heating or ventilation.

[SBE 44-4-23, filed 3/29/65, effective 4/29/65.]

WAC 180-44-050 Regulatory provisions relating to RCW 28A.305.130(6) and 28A.600.010—School day as related to the teacher. (1) Teachers and other certificated personnel are required to be at their respective schools for the benefit of pupils and patrons at least thirty minutes before the opening of school in the morning and at least thirty minutes after the closing of school in the afternoon.

(2) A district may apply for a waiver from the provisions of this section. The state board may grant a waiver if the district demonstrates the need for the waiver by meeting the procedural criteria of developing a local plan which identifies: The rationale and justification for the need for the waiver; an explicit statement as to how the "before and after" thirty minutes will be reallocated, and district assurance that the reallocated time will be used to enhance the educational program for all students; the goals and objectives, and anticipated outcomes associated with the proposed reallocation. Additionally, each district shall supply written assurance that appropriate supervision of students will not be curtailed. Each approval shall be valid for three school years.

[Statutory Authority: RCW 28A.600.010. 91-08-055, § 180-44-050, filed 4/2/91, effective 5/3/91; SBE 44-4-24, filed 3/29/65, effective 4/29/65.]

WAC 180-44-060 Regulatory provisions relating to RCW 28A.04.120(6) and 28A.58.101—Drugs and alcohol—Use of as cause for dismissal. Use by any certificated person of habit-forming drugs, without pharmaceutical prescription by a duly licensed practitioner of medicine and/or dentistry licensed doctor of medicine, or any unauthorized use of alcoholic beverage on school premises, or at a school-sponsored activity off the school premises, shall constitute sufficient cause for dismissal or nonrenewal of contract.

[Order 7-77, § 180-44-060, filed 6/1/77; SBE 44-4-25, filed 3/29/65, effective 4/29/65.]

**Chapter 180-46 WAC
LIBRARY MEDIA CENTERS**

WAC

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| 180-46-005 | Purpose. |
| 180-46-010 | Library media centers. |
| 180-46-015 | Library media collections. |
| 180-46-020 | Library media programs. |
| 180-46-025 | Services. |
| 180-46-030 | Equipment and materials. |
| 180-46-035 | Production. |
| 180-46-040 | Facilities. |
| 180-46-045 | Staff. |
| 180-46-050 | Access. |
| 180-46-055 | Other sources. |
| 180-46-065 | Program evaluation. |

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

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| 180-46-060 | Measurement. [Order 15-75, § 180-46-060, filed 12/11/75.] Repealed by 81-12-023 (Order 5-81), filed 6/1/81. Statutory Authority: RCW 28A.04.134. |
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WAC 180-46-005 Purpose. The purpose of this chapter is to implement RCW 28A.320.240, through the adoption of rules and regulations establishing minimum standards for the operation and stocking of school library media centers.

[Statutory Authority: RCW 28A.320.240. 92-24-025, § 180-46-005, filed 11/24/92, effective 12/25/92. Statutory Authority: 1990 c 33. 90-17-009, § 180-46-005, filed 8/6/90, effective 9/6/90; Order 1-76, § 180-46-005, filed 2/3/76; Order 15-75, § 180-46-005, filed 12/11/75.]

WAC 180-46-010 Library media centers. Library media centers shall house instructional equipment, such as, computers, video cassette recorders, laser video playback equipment, CD-ROM players, video cam-corders, and other related equipment. The library media center may serve as the receiving and distribution point for the various telecommunication services. The library media center may utilize other designated space(s) within each school building or campus.

[Statutory Authority: RCW 28A.320.240. 92-24-025, § 180-46-010, filed 11/24/92, effective 12/25/92; Order 15-75, § 180-46-010, filed 12/11/75.]

WAC 180-46-015 Library media collections. The library media collection defined as, but not limited to, those organized collections of print and nonprint instructional materials such as, books, slide sets, newspapers, periodicals, microforms, audio and video tape recordings, CD-ROM and laser video discs, records, vertical file collections, pamphlets, study prints, maps, charts, globes, overhead transparencies, realia, models, and other materials that provide instructional value.

[Statutory Authority: RCW 28A.320.240. 92-24-025, § 180-46-015, filed 11/24/92, effective 12/25/92. Statutory Authority: RCW 28A.04.134. 81-12-023 (Order 5-81), § 180-46-015, filed 6/1/81; Order 15-75, § 180-46-015, filed 12/11/75.]

WAC 180-46-020 Library media programs. Library media programs in each school district are to be directed toward the implementation of the district's instructional goals and objectives and consistent with the goals for Washington common schools, as adopted by the state board of education. These programs are to include a system for continuing evaluation.

[Statutory Authority: RCW 28A.320.240. 92-24-025, § 180-46-020, filed 11/24/92, effective 12/25/92; Order 15-75, § 180-46-020, filed 12/11/75.]

WAC 180-46-025 Services. Each school district shall provide library media services relevant to and integrated with the district's instructional program and directed toward meeting the creative and informational needs of each student and staff member.

[Statutory Authority: RCW 28A.320.240. 92-24-025, § 180-46-025, filed 11/24/92, effective 12/25/92; Order 15-75, § 180-46-025, filed 12/11/75.]

WAC 180-46-030 Equipment and materials. Each school district shall provide library media collections in each school which are adequate in quality, quantity and variety, and organized so as to enable students and professional staff to select materials necessary to achieve the district's instructional objectives.

[Statutory Authority: RCW 28A.320.240. 92-24-025, § 180-46-030, filed 11/24/92, effective 12/25/92. Statutory Authority: RCW 28A.04.134. 81-12-023 (Order 5-81), § 180-46-030, filed 6/1/81; Order 15-75, § 180-46-030, filed 12/11/75.]

WAC 180-46-035 Production. Each school district shall provide the opportunity for every student and teacher to design and produce a variety of media as a part of the learning and teaching process.

[Order 15-75, § 180-46-035, filed 12/11/75.]

WAC 180-46-040 Facilities. Each school district shall provide in each school a library media center of sufficient size and so arranged as to encourage individualized and group learning through a wide variety of experiences.

[Statutory Authority: RCW 28A.320.240. 92-24-025, § 180-46-040, filed 11/24/92, effective 12/25/92; Order 15-75, § 180-46-040, filed 12/11/75.]

WAC 180-46-045 Staff. Each school district shall provide for a sufficient number of qualified certificated and supportive library media staff to meet the identified needs of students and teachers in each school.

[Statutory Authority: RCW 28A.320.240. 92-24-025, § 180-46-045, filed 11/24/92, effective 12/25/92. Statutory Authority: RCW 28A.04.134. 81-12-023 (Order 5-81), § 180-46-045, filed 6/1/81; Order 15-75, § 180-46-045, filed 12/11/75.]

WAC 180-46-050 Access. Each school district shall provide in each school a library media program which provides maximum access by students and teachers throughout the school year.

[Statutory Authority: RCW 28A.320.240. 92-24-025, § 180-46-050, filed 11/24/92, effective 12/25/92; Order 15-75, § 180-46-050, filed 12/11/75.]

WAC 180-46-055 Other sources. When it is not feasible to provide resources at the building level, the use of sources beyond the building shall be considered as an alternate way of meeting standards.

[Statutory Authority: RCW 28A.320.240. 92-24-025, § 180-46-055, filed 11/24/92, effective 12/25/92; Order 15-75, § 180-46-055, filed 12/11/75.]

WAC 180-46-065 Program evaluation. The guidelines adopted by the state board of education, which were developed by the superintendent of public instruction shall be made available to school districts for use in assessing their library media programs and school districts shall be subject to continuing evaluation for such programs pursuant to WAC 180-16-240 (2)(e).

[Statutory Authority: RCW 28A.320.240. 92-24-025, § 180-46-065, filed 11/24/92, effective 12/25/92. Statutory Authority: RCW 28A.04.134. 81-12-023 (Order 5-81), § 180-46-065, filed 6/1/81.]

Chapter 180-50 WAC

COURSES OF STUDY AND EQUIVALENCIES

WAC

| | |
|------------|---|
| 180-50-100 | Authority. |
| 180-50-105 | Purposes. |
| 180-50-110 | Prospective application of amendments to this chapter. |
| 180-50-115 | Mandatory areas of study in the common school. |
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180-50-320 Equivalency course of study—National Guard high school career training—Approval procedures.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

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| 180-50-005 | Authority, scope—Board approval of superintendent's action as compliance. [SBE 48-4-1, filed 3/29/65, effective 4/29/65.] Repealed by Order 1-77, filed 3/24/77. |
| 180-50-010 | Washington state history and government. [Order 1-77, § 180-50-010, filed 3/24/77; SBE 48-4-22, 48-4-220 and 48-4-221, filed 3/29/65, effective 4/29/65; Rules filed 6/27/61, effective 7/28/61; Rules (part), filed 3/24/60.] Repealed by 84-21-004 (Order 12-84), filed 10/4/84. Statutory Authority: RCW 28A.04.120 (6) and (8). |
| 180-50-020 | United States history and government. [Order 1-77, § 180-50-020, filed 3/24/77; SBE 48-4-23, 48-4-230 and 48-4-231, filed 3/29/65, effective 4/29/65.] Repealed by 84-21-004 (Order 12-84), filed 10/4/84. Statutory Authority: RCW 28A.04.120 (6) and (8). |
| 180-50-030 | Contemporary world history, geography and problems—High school requirement. [Order 1-77, § 180-50-030, filed 3/24/77; SBE 48-4-24 and 48-4-241, filed 3/29/65, effective 4/29/65.] Repealed by 84-21-004 (Order 12-84), filed 10/4/84. Statutory Authority: RCW 28A.04.120 (6) and (8). |
| 180-50-040 | Study of constitutions. [Order 1-77, § 180-50-040, filed 3/24/77; SBE 48-4-20, filed 3/29/65, effective 4/29/65.] Repealed by 84-21-004 (Order 12-84), filed 10/4/84. Statutory Authority: RCW 28A.04.120 (6) and (8). |
| 180-50-050 | Physical education. [Order 1-77, § 180-50-050, filed 3/24/77; SBE 48-4-21, filed 3/29/65, effective 4/29/65.] Repealed by 84-21-004 (Order 12-84), filed 10/4/84. Statutory Authority: RCW 28A.04.120 (6) and (8). |
| 180-50-060 | National defense units. [SBE 48-4-25, filed 3/29/65, effective 4/29/65.] Repealed by Order 1-77, filed 3/24/77. |
| 180-50-070 | Sex education. [Order 1-77, § 180-50-070, filed 3/24/77; Order 9-69, § 180-50-070, filed 12/5/69.] Repealed by 84-21-004 (Order 12-84), filed 10/4/84. Statutory Authority: RCW 28A.04.120 (6) and (8). |

WAC 180-50-100 Authority. The general authority for this chapter is RCW 28A.305.130(6) which authorizes the state board of education to prepare an outline of study for the common schools and RCW 28A.305.130(8) which authorizes the state board of education to adopt rules and regulations to meet the educational needs of students. Where applicable, specific statutory authority is cited within sections of this chapter.

[Statutory Authority: 1990 c 33. 90-17-009, § 180-50-100, filed 8/6/90, effective 9/6/90. Statutory Authority: RCW 28A.04.120 (6) and (8). 84-21-004 (Order 12-84), § 180-50-100, filed 10/4/84.]

WAC 180-50-105 Purposes. The purposes of this chapter are to:

- (1) Implement RCW 28A.305.130 (6) and (8) by prescribing state requirements for a course of study in the common schools;
- (2) Implement courses of study specifically required by statutes;
- (3) Establish procedural and substantive requirements for the granting of credit for equivalent courses of study which may be in conjunction with or as a substitution for courses of study in common schools.

[Statutory Authority: 1990 c 33. 90-17-009, § 180-50-105, filed 8/6/90, effective 9/6/90. Statutory Authority: RCW 28A.04.120 (6) and (8). 84-21-004 (Order 12-84), § 180-50-105, filed 10/4/84.]

WAC 180-50-110 Prospective application of amendments to this chapter. Pursuant to WAC 180-51-035, high school students shall be entitled to incorporate into their graduation requirements the provisions of this chapter as written and effective for the applicable year. Amendments to this chapter shall apply prospectively to the school year which commences subsequent to the adoption of amendments.

[Statutory Authority: RCW 28A.04.120 (6) and (8). 84-21-004 (Order 12-84), § 180-50-110, filed 10/4/84.]

WAC 180-50-115 Mandatory areas of study in the common school. (1) Pursuant to RCW 28A.230.020 all school districts shall provide instruction in reading, penmanship, spelling, mathematics, geography, English grammar, physiology, hygiene, and history of the United States.

(2) Pursuant to RCW 28A.230.030, unless instruction in a language other than English will aid the educational advancement of the student, all students shall be taught in English.

(3) Pursuant to RCW 28A.230.130, after July 1, 1986, each school district offering a high school program shall provide a course of study which includes the preparation for uniform college and university entrance requirements as published by the council of postsecondary education.

(4) In addition to the requirements in the above subsections, each such school district shall offer all required courses for a high school diploma as provided in chapter 180-51 WAC and shall provide an opportunity for high school students to take at least one course in the following areas of study:

- (a) Art;
- (b) Career education;
- (c) Computer education;
- (d) Consumer education;
- (e) Economics;
- (f) A language other than English which may include American Indian languages;
- (g) Health education;
- (h) Home and family life;
- (i) Music;
- (j) Remedial education, including at least, remedial education in reading, language arts, and mathematics.

(5) Districts shall make available to all high school students enrolled therein the areas of study enumerated above either within the district or by alternative means which shall include equivalent education programs set forth in this chapter, interdistrict cooperative programs as permitted by RCW 28A.225.220, and/or the full-time or part-time release of such students to attend nonresident districts pursuant to chapter 392-137 WAC.

(6) Pursuant to RCW 28A.230.020 instruction about conservation, natural resources, and the environment shall be provided at all grade levels in an interdisciplinary manner through science, the social studies, the humanities, and other appropriate areas with an emphasis on solving the problems of human adaptation to the environment.

[Statutory Authority: RCW 28A.410.010. 94-03-104 (Order 5-94), § 180-50-115, filed 1/19/94, effective 2/19/94. Statutory Authority: RCW 28A.305.130. 91-01-067, § 180-50-115, filed 12/14/90, effective 1/14/91. Statutory Authority: 1990 c 33. 90-17-009, § 180-50-115, filed 8/6/90,

effective 9/6/90. Statutory Authority: RCW 28A.04.120 (6) and (8). 84-21-004 (Order 12-84), § 180-50-115, filed 10/4/84.]

WAC 180-50-120 Washington state history and government requirements. (1) Grades 1-6. A one semester course—i.e., 90 (50 minute) hours of instruction—or its equivalent in Washington state history and government shall be required in the common schools in grades one through six.

(2) Grades 7-12. A one-semester course—i.e., 90 (50 minute) hours of instruction—or its equivalent in Washington state history and government shall be required in the common schools in grades seven through twelve. Such course shall include a study of the Washington state Constitution and is encouraged to include information on the culture, history, and government of the American Indian people who were the first inhabitants of the state. Pursuant to RCW 28A.230.170, 28A.230.060, and 28A.230.090 this course also shall be required for high school graduation unless waived pursuant to WAC 180-51-075.

[Statutory Authority: RCW 28A.410.010. 94-03-104 (Order 5-94), § 180-50-120, filed 1/19/94, effective 2/19/94. Statutory Authority: 1990 c 33. 90-17-009, § 180-50-120, filed 8/6/90, effective 9/6/90. Statutory Authority: RCW 28A.04.120 (6) and (8) and 28A.05.060. 85-12-037 (Order 13-85), § 180-50-120, filed 6/3/85. Statutory Authority: RCW 28A.04.120 (6) and (8). 85-04-007 (Order 1-85), § 180-50-120, filed 1/25/85; 84-21-004 (Order 12-84), § 180-50-120, filed 10/4/84.]

WAC 180-50-125 United States history—High school requirement. A one-year course—i.e., 180 (50 minute) hours of instruction—or its equivalent in United States history shall be required in the common schools in the high school (grades 9-12) program. Such course shall include a study of the United States Constitution. Pursuant to RCW 28A.230.170, 28A.230.060, and 28A.230.090 this course also shall be required for high school graduation.

[Statutory Authority: 1990 c 33. 90-17-009, § 180-50-125, filed 8/6/90, effective 9/6/90. Statutory Authority: RCW 28A.04.120 (6) and (8). 84-21-004 (Order 12-84), § 180-50-125, filed 10/4/84.]

WAC 180-50-130 Social studies course—High school requirement. A one-year course—i.e., 180 (50 minute) hours of instruction—or its equivalent in contemporary world history, geography and problems and/or specific course in economics, sociology, civics, political science, international relations, or related social studies with emphasis on current problems shall be required in the common schools in the high school (grades 9-12). Pursuant to RCW 28A.230.090 this course also shall be required for high school graduation.

[Statutory Authority: 1990 c 33. 90-17-009, § 180-50-130, filed 8/6/90, effective 9/6/90. Statutory Authority: RCW 28A.04.120 (6) and (8). 84-21-004 (Order 12-84), § 180-50-130, filed 10/4/84.]

WAC 180-50-135 Physical education—Grade school and high school requirement. (1) Grades 1-8. An average of at least twenty instructional minutes per day per year in physical education shall be required of all pupils in the common schools in the grade school (grades 1-8) program unless waived pursuant to RCW 28A.230.040.

(2) Grades 9-12. A one-year course—i.e., 180 (50 minute) hours of instruction—or its equivalent shall be

offered in physical education for each grade (grades 9-12) in the high school program. Pursuant to RCW 28A.230.050 and 28A.230.090, two credits in physical education also shall be required for high school graduation unless waived pursuant to RCW 28A.230.050.

[Statutory Authority: 1990 c 33, 90-17-009, § 180-50-135, filed 8/6/90, effective 9/6/90. Statutory Authority: RCW 28A.04.120 (6) and (8) and 28A.05.060. 85-20-026 (Order 19-85), § 180-50-135, filed 9/24/85. Statutory Authority: RCW 28A.04.120 (6) and (8). 84-21-004 (Order 12-84), § 180-50-135, filed 10/4/84.]

WAC 180-50-140 Sex education—Definition—Optional course or subject matter—Excusal of students.

(1) Local option. The decision as to whether or not a program about sex education or human sexuality is to be introduced into the common schools is a matter for determination at the district level by the local school board, the duly elected representatives of the people of the community.

(2) Definition(s).

(a) Sex education for the purpose of this regulation is defined as the study of the anatomy and the physiology of human reproduction.

(b) Human sexuality for the purpose of this regulation is defined as the characteristics or qualities that distinguish between maleness and femaleness. It includes the physiological, psychological, and sociological processes experienced by an individual.

(3) Development of instruction in sex education and human sexuality. School districts shall involve parents and school district community groups in the planning, development, evaluation, and revision of any instruction in sex education and human sexuality offered as a part of the school program.

(4) Excusal of students—Alternative studies. Any parent or legal guardian who wishes to have his/her child excused from any planned instruction in sex education or human sexuality may do so upon filing a written request with the school district board of directors or its designee and the board of directors shall make available the appropriate forms for such requests. Alternative educational opportunities shall be provided for those excused.

[Statutory Authority: RCW 28A.04.120 (6) and (8). 84-21-004 (Order 12-84), § 180-50-140, filed 10/4/84.]

WAC 180-50-300 Equivalency course of study—Credit for learning experiences conducted away from school or by persons not employed by the school district.

Credit, including high school graduation credit, may be granted for school planned learning experiences primarily conducted away from the facilities owned, operated, or supervised by the district or conducted primarily by individuals not employed by the district. School planned learning experiences such as, but not limited to, travel study, work study, private lessons, and educational programs sponsored by governmental agencies may be accepted for credit upon compliance with procedures established by the district. Rules which permit the granting of credit for such out-of-school learning activities shall be adopted by the district board of directors and shall be available to students, parents, the public, and representatives of the superintendent of public instruction upon request. Such rules shall include at least the following provisions:

[Title 180 WAC—page 122]

(1) A proposal for approval of credit for such learning experiences shall be submitted prior to the experience and shall include at least the following information:

- (a) Name of program;
- (b) Length of time for which approval is desired;
- (c) Objectives of the program;
- (d) Description of how credits shall be determined;
- (e) Content outline of the program and/or major learning activities and instructional materials to be used;
- (f) Description of how student performance will be assessed;
- (g) Qualifications of instructional personnel; and
- (h) Plans for evaluation of program.

(2) The proposal shall be presented to the personnel designated by the district board of directors for review, revision, and approval or disapproval.

(3) The reasons for approval or disapproval shall be communicated to the students, parents, or guardians.

[Statutory Authority: RCW 28A.04.120 (6) and (8). 84-21-004 (Order 12-84), § 180-50-300, filed 10/4/84.]

WAC 180-50-310 Equivalency course of study—Credit for correspondence courses and college courses.

Each common school district board of directors shall adopt rules governing the acceptance of correspondence or college courses for credit, including high school graduation credit. Such rules shall limit acceptance to courses from approved schools or institutions and shall be available upon request for review by students, parents, the public, and representatives of the superintendent of public instruction. The following are approved schools:

(1) Schools that are members of the National University Continuing Education Association or accredited by the National Home Study Council;

(2) Community colleges, vocational-technical institutes, four-year colleges and universities, and approved private schools in Washington state; and

(3) Other schools or institutions which are approved, after evaluation of a particular course offering, by the school district.

[Statutory Authority: RCW 28A.04.120(6). 88-01-108 (Order 17-87), § 180-50-310, filed 12/22/87. Statutory Authority: RCW 28A.04.120 (6) and (8). 84-21-004 (Order 12-84), § 180-50-310, filed 10/4/84.]

WAC 180-50-315 Equivalency course of study—Credit for work experience. School districts may accept work experience training in lieu of either required or elective high school credits if such experience training meets the following standards:

(1) The work program shall be supervised by the school;

(2) The work experience shall be definitely related to the school program of the student;

(3) Credit given for work experience shall represent growth in the student and the type of work done should have definite educational value;

(4) The job in which experience is gained shall provide varied experiences;

(5) A work experience program shall be supplemented by an adequate program of guidance, placement, follow-up and coordination between job and school;

(6) Work experience as a planned part of a school subject may be included in the credit given for that subject;

(7) One credit may be granted for not less than four hundred five hours of work experience related to a student's school program;

(8) A student participating shall be legally employed and must have passed his sixteenth birthday;

(9) An employer's report of the student's work record, indicating satisfactory progress on the job, shall be filed with the school; and

(10) The regular state apprenticeship program, in which the training is worked out cooperatively with the school and meets the standards for high school graduation, is acceptable.

[Statutory Authority: RCW 28A.04.120 (6) and (8) and 28A.05.060. 85-12-037 (Order 13-85), § 180-50-315, filed 6/3/85. Statutory Authority: RCW 28A.04.120 (6) and (8). 84-21-004 (Order 12-84), § 180-50-315, filed 10/4/84.]

WAC 180-50-320 Equivalency course of study—National Guard high school career training—Approval procedures. School districts may accept National Guard high school career training in lieu of either required or elective high school credits. Students who are enrolled in such a National Guard program with the approval of the school district of last attendance shall be considered enrolled in such district for state equalization apportionment and other appropriate purposes.

Approval by the district shall be obtained prior to a student's participation in a National Guard career training program as follows:

(1) MIL Form 115 or an equivalent form now or hereafter provided by the National Guard shall be completed and filed with the school district; and

(2) The number of credits toward high school graduation to be granted shall be calculated, agreed upon by the student and an authorized representative of the school district, and such agreement noted on MIL Form 115 or such equivalent form.

Credit toward high school graduation may be granted by the school district upon certification by a National Guard training unit commander on the completion component of MIL Form 115 or such equivalent form that the student has met all program requirements.

[Statutory Authority: RCW 28A.04.120 (6) and (8). 84-21-004 (Order 12-84), § 180-50-320, filed 10/4/84.]

Chapter 180-51 WAC

HIGH SCHOOL GRADUATION REQUIREMENTS

WAC

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| 180-51-005 | Authority. |
| 180-51-010 | Purpose. |
| 180-51-015 | Application of chapter to approved private schools and community colleges. |
| 180-51-020 | Additional local standards. |
| 180-51-025 | Local application of state requirements. |
| 180-51-030 | High school credit for courses taken before attending high school. |
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| 180-51-050 | High school credit—Definition. |

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| 180-51-055 | Minimum credits for high school graduation. |
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| 180-51-070 | Laboratory science requirement. |
| 180-51-075 | Social studies requirement—Mandatory courses—Equivalencies. |
| 180-51-080 | Occupational education requirement. |
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| 180-51-100 | Temporary exemption from 1985 course and credit requirements. |
| 180-51-105 | Exceptions to graduation requirements for former educational clinic students. |
| 180-51-110 | Equivalency credit for alternative learning experiences, nonhigh school courses, work experience, and challenges. |
| 180-51-115 | Procedures for granting high school graduation credits for students with special educational needs. |

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

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| 180-51-062 | Fine, visual, or performing arts requirement. [Statutory Authority: RCW 28A.05.060. 85-12-041 (Order 12-85), § 180-51-062, filed 6/5/85.] Repealed by 88-01-109 (Order 18-87), filed 12/22/87. Statutory Authority: RCW 28A.05.062 and 28A.05.064. |
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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 180-51-010 Purpose. The purpose of this chapter is to establish high school graduation requirements, including policies and procedures for equivalencies, for students who commence the ninth grade subsequent to July 1, 1985. Graduation requirements and policies and procedures for equivalencies for students who commence the ninth grade prior to July 1, 1985, are codified in chapter 180-56 WAC and, pursuant to WAC 180-51-035, shall remain in effect for such students even though such provisions in chapter 180-56 WAC are repealed.

[Statutory Authority: Chapter 28A.05 RCW. 84-11-049 (Order 7-84), § 180-51-010, filed 5/17/84.]

WAC 180-51-015 Application of chapter to approved private schools and community colleges. High school diplomas granted by approved private schools and by community colleges shall meet the requirements of this chapter. References in this chapter to the board of directors of a school district shall apply to the governing board of the approved private school or the community college district affected. References within this chapter to school district shall refer to the approved private school or community college district. References within this chapter to high school shall refer to each approved private school or each community college.

[Statutory Authority: Chapter 28A.05 RCW. 84-11-049 (Order 7-84), § 180-51-015, filed 5/17/84.]

WAC 180-51-020 Additional local standards.

Nothing within this chapter shall preclude the board of directors of any district offering a high school diploma from establishing such additional course, credit, and test requirements as deemed desirable. A district may not adopt any policy which requires enrollment for either (a) a minimum number of semesters or trimesters or (b) a minimum number of courses in a semester or trimester which exceeds the enrollment time or courses necessary for a student to meet established course, credit, and test requirements for high school graduation.

[Statutory Authority: Chapter 28A.05 RCW. 84-11-049 (Order 7-84), § 180-51-020, filed 5/17/84.]

WAC 180-51-025 Local application of state requirements. The content of courses and the determination of which courses satisfy particular subject area requirements and whether a particular course may satisfy more than one subject area requirement for different students shall be determined locally in accordance with rules adopted by boards of directors of districts: *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:

(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 180-51-035 Applicable standards for graduation—Amendments to this chapter. A student shall have the right to graduate in accordance with the standards in effect for the school of graduation for any year since such student commenced the ninth grade unless more than ten years has passed since such entry. In such case, the student shall have the right to graduate in accordance with the standards in effect for the school of graduation for any year within the last ten years. All subsequent amendment to this chapter and all subsequent local standards shall apply prospectively to the students who enter the ninth grade subsequent to the amendment.

[Statutory Authority: Chapter 28A.05 RCW. 84-11-049 (Order 7-84), § 180-51-035, filed 5/17/84.]

WAC 180-51-040 Copies of graduation requirements for each year. Each high school shall keep on file for student and public inspection a copy of the state board of education rules and regulations regarding high school graduation requirements and procedures for equivalencies applicable for the school year, including the preceding ten years. Any locally adopted high school graduation requirements and procedures for equivalencies shall also be kept on file with such state requirements. Copies of state requirements by year also shall be kept on file in the office of superintendent of public instruction.

[Statutory Authority: Chapter 28A.05 RCW. 84-11-049 (Order 7-84), § 180-51-040, filed 5/17/84.]

WAC 180-51-045 Notice to students, parents, and guardians. Commencing with the beginning of the ninth grade and each year thereafter, each high school shall provide each student and his or her parents or guardians with a copy of the high school graduation requirements applicable to each student and a progress report at the close of each school year thereafter of each individual student's progress toward meeting those requirements. If a student is not making normal progress toward such requirements, the high school shall notify the student and parents or guardians of alternative education experiences, including summer school opportunities available in the community, if any, or in close proximity.

[Statutory Authority: Chapter 28A.05 RCW. 84-11-049 (Order 7-84), § 180-51-045, filed 5/17/84.]

WAC 180-51-050 High school credit—Definition. As used in this chapter the term "high school credit" shall mean:

(1) Grades nine through twelve high school programs. One hundred fifty hours of planned in-school instruction;

(2) College and university course work. At the college or university level, except for community college adult high school completion programs, five quarter or three semester hours shall equal .75 high school credit: *Provided*, That five quarter or three semester hours shall continue to equal one high school credit until September 1, 1995; and

(3) Community college adult high school completion program. Five quarter or three semester hours of community college work shall equal 1.0 high school credit for students in the community college high school completion program.

[Statutory Authority: RCW 28A.230.090(1) and 28A.305.130 (8) and (9). 94-13-017, § 180-51-050, filed 6/3/94, effective 7/4/94. Statutory Authority: RCW 28A.230.090. 94-03-100 (Order 1-94), § 180-51-050, filed 1/19/94, effective 9/1/94. Statutory Authority: RCW 28A.05.060. 85-12-041 (Order 12-85), § 180-51-050, filed 6/5/85. Statutory Authority: Chapter 28A.05 RCW. 84-11-049 (Order 7-84), § 180-51-050, filed 5/17/84.]

WAC 180-51-055 Minimum credits for high school graduation. The minimum credits for high school graduation shall be 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 180-51-060 Minimum subject areas for high school graduation. The minimum subject areas and credits therein shall be:

| SUBJECT | CREDIT |
|---|--------|
| English | 3 |
| Mathematics | 2 |
| Science | 2 |
| Social Studies | 2 1/2 |
| United States History and Government | (1) |
| Washington State History and Government | (1/2)* |
| Contemporary World History, Geography, and Problems | (1)* |
| Occupational Education | 1 |
| Physical Education | 2 |
| Restricted Elective | ** 1 |
| Electives | 5 1/2 |
| Total | 19 |

*See WAC 180-51-075 for equivalencies.

**This one credit requirement must be selected from fine, visual, or performing arts or any of the subject areas listed above.

The minimum elective credits shall be met by additional courses in the required subject areas, by specific local district requirements, or by any course offered pursuant to WAC 180-50-115.

[Statutory Authority: RCW 28A.05.062 and 28A.05.064. 88-01-109 (Order 18-87), § 180-51-060, filed 12/22/87. Statutory Authority: RCW 28A.05.060. 85-12-041 (Order 12-85), § 180-51-060, filed 6/5/85. Statutory Authority: Chapter 28A.05 RCW. 84-11-049 (Order 7-84), § 180-51-060, filed 5/17/84.]

WAC 180-51-065 Sequential requirement for English, mathematics, and science—Exception for transfer students from without the state, for students who fail a required course, and special accommodations. English, mathematics, and science credit shall not be applied toward the subject area requirements in WAC 180-51-060 at a rate exceeding one credit per year. High schools may make exceptions to this sequentiating requirement for high school students:

(1) Who transfer from without the state who have already earned five or more credits but who will not be able to make normal progress toward graduation with their class without an exception; or

(2) Who fail a course and jointly enroll in the failed course and another course in the same subject area if such other course does not require the failed course as a prerequisite and the students are not able to make normal progress toward graduation with their class without an exception.

Additional credits in these subjects in excess of the one credit per year rate of accumulation shall be counted toward the minimum state credit requirement or local requirements if applicable.

Special accommodations may be provided for an individual student, or in lieu thereof, exemption from any requirement in this section, if such requirement impedes the student's progress toward graduation and there is a direct relationship between the failure to meet the requirement and the student's ability.

[Statutory Authority: RCW 28A.05.060. 85-12-041 (Order 12-85), § 180-51-065, filed 6/5/85. Statutory Authority: Chapter 28A.05 RCW. 84-11-049 (Order 7-84), § 180-51-065, filed 5/17/84.]

WAC 180-51-070 Laboratory science requirement.

At least one credit of the two science credits shall be in a laboratory science.

[Statutory Authority: RCW 28A.05.060. 85-12-041 (Order 12-85), § 180-51-070, filed 6/5/85. Statutory Authority: Chapter 28A.05 RCW. 84-11-049 (Order 7-84), § 180-51-070, filed 5/17/84.]

WAC 180-51-075 Social studies requirement—Mandatory courses—Equivalencies. The social studies requirement in WAC 180-51-060 shall consist of the following mandatory courses or equivalencies:

(1) Pursuant to the provisions of RCW 28A.230.170, 28A.230.060, and 28A.230.090, one credit shall be required in United States history and government which shall include study of the Constitution of the United States. No other course content may be substituted as an equivalency for this requirement;

(2) Pursuant to the provisions of RCW 28A.230.170, 28A.230.060, and 28A.230.090, one-half credit shall be required in Washington state history and government which shall include study of the Constitution of the state of Washington and is encouraged to include information on the culture, history, and government of the American Indian people who were the first inhabitants of the state. The provisions of WAC 180-51-030 notwithstanding, the Washington state history and government course requirement may be fulfilled by students in grades seven or eight or both. Credits earned in grades seven or eight shall not be applied toward the minimum number of credits required for high school graduation. For students who transfer from without the state, northwest history and government may serve as an equivalent course for Washington state history and government in grades seven through twelve if such course included the study of the Constitution of the state of Washington pursuant to RCW 28A.230.170 or if this statutory requirement is fulfilled through an alternative learning experience. The Washington state history and government requirement for twelfth grade students who transfer from without the

state who have or will have earned two credits in social studies at graduation but who will not be able to make normal progress toward graduation with their class without an exception may have this requirement waived by their principal;

(3) Pursuant to the provision of chapter 28A.230 RCW, one credit shall be required in contemporary world history, geography, and problems. Courses in economics, sociology, civics, political science, international relations, or related courses with emphasis on current problems may be accepted as equivalencies.

[Statutory Authority: RCW 28A.410.010. 94-03-104 (Order 5-94), § 180-51-075, filed 1/19/94, effective 2/19/94. Statutory Authority: 1990 c 33. 90-17-009, § 180-51-075, filed 8/6/90, effective 9/6/90. Statutory Authority: RCW 28A.05.060. 85-12-041 (Order 12-85), § 180-51-075, filed 6/5/85. Statutory Authority: Chapter 28A.05 RCW. 84-11-049 (Order 7-84), § 180-51-075, filed 5/17/84.]

WAC 180-51-080 Occupational education requirement. The one credit occupational education requirement may be met by any approved vocational education course or any course which qualifies as a work skill pursuant to RCW 28A.150.220 (1)(b).

[Statutory Authority: 1990 c 33. 90-17-009, § 180-51-080, filed 8/6/90, effective 9/6/90. Statutory Authority: RCW 28A.05.060. 85-12-041 (Order 12-85), § 180-51-080, filed 6/5/85. Statutory Authority: Chapter 28A.05 RCW. 84-11-049 (Order 7-84), § 180-51-080, filed 5/17/84.]

WAC 180-51-085 Physical education requirement—Excuse. The two credit physical education requirement shall be met by course work in physical education. The content of courses shall be determined locally pursuant to WAC 180-51-025. Suggested course outlines and student outcomes shall be developed by the office of the superintendent of public instruction. Students shall be excused from physical education pursuant to RCW 28A.230.050. Such excused students shall be required to substitute equivalency credits in accordance with policies of boards of directors of districts.

[Statutory Authority: RCW 28A.230.100. 92-08-078, § 180-51-085, filed 3/31/92, effective 5/1/92; 91-11-018, § 180-51-085, filed 5/6/91, effective 6/6/91. Statutory Authority: 1990 c 33. 90-17-009, § 180-51-085, filed 8/6/90, effective 9/6/90. Statutory Authority: RCW 28A.05.060. 85-12-041 (Order 12-85), § 180-51-085, filed 6/5/85. Statutory Authority: Chapter 28A.05 RCW. 84-11-049 (Order 7-84), § 180-51-085, filed 5/17/84.]

WAC 180-51-100 Temporary exemption from 1985 course and credit requirements. 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.]

WAC 180-51-105 Exceptions to graduation requirements for former educational clinic students. Pursuant to the provisions of RCW 28A.205.030 and chapter 392-184 WAC, the provisions of this chapter are modified in order to provide for the exemptions required by RCW 28A.205.030 for former education center students.

[Statutory Authority: RCW 28A.410.010. 94-03-103 (Order 4-94), § 180-51-105, filed 1/19/94, effective 2/19/94. Statutory Authority: 1990 c 33. 90-17-009, § 180-51-105, filed 8/6/90, effective 9/6/90. Statutory Authority: Chapter 28A.05 RCW. 84-11-049 (Order 7-84), § 180-51-105, filed 5/17/84.]

WAC 180-51-110 Equivalency credit for alternative learning experiences, nonhigh school courses, work experience, and challenges. The board of directors of a district offering a high school diploma shall adopt rules providing for the granting of high school graduation credit for alternative learning experiences, nonhigh school courses, work experience, and challenges. High school credits may be given for, but not limited to, the following:

(1) Planned learning experiences conducted away from the school under the supervision or with the approval of the school;

(2) Work experience on the basis that four hundred five hours of work experience equals one credit;

(3) National guard high school career training;

(4) Postsecondary courses in accredited colleges and universities;

(5) Courses in accredited or approved vocational-technical institutes;

(6) Correspondence courses from accredited colleges and universities or schools approved by the National University Extension Association or the National Home Study Council;

(7) Other courses offered by any school or institution if specifically approved for credit by the district; and

(8) Credit based on competency testing, in lieu of enrollment or taking specific courses, may be granted by the district.

[Statutory Authority: RCW 28A.05.060. 85-12-041 (Order 12-85), § 180-51-110, filed 6/5/85. Statutory Authority: Chapter 28A.05 RCW. 84-11-049 (Order 7-84), § 180-51-110, filed 5/17/84.]

WAC 180-51-115 Procedures for granting high school graduation credits for students with special educational needs. No student shall be denied the opportunity to earn a high school diploma solely because of limitations on the student's ability. The board of directors of districts granting high school diplomas shall develop rules, including procedures, for meeting the unique limitations of each student. Such procedures may provide for:

(1) The extension of time the student remains in school up to and including the school year in which such student reaches twenty-one years of age;

(2) A special education program in accordance with chapter 28A.155 RCW if the student is eligible; and

(3) Special accommodations for individual students, or in lieu thereof, exemption from any requirement in this chapter, if such requirement impedes the student's progress

toward graduation and there is a direct relationship between the failure to meet the requirement and the student's limitation.

[Statutory Authority: 1990 c 33, 90-17-009, § 180-51-115, filed 8/6/90, effective 9/6/90. Statutory Authority: Chapter 28A.05 RCW, 84-11-049 (Order 7-84), § 180-51-115, filed 5/17/84.]

**Chapter 180-52 WAC
PUPIL PERSONNEL SERVICES**

WAC

- 180-52-015 Pupil tests and records—Authority.
- 180-52-020 Pupil tests and records—Tests—School district policy in writing.
- 180-52-025 Pupil tests and records—Pupil personnel records—School district policy in writing.
- 180-52-030 Pupil tests and records—Certain tests, questionnaires, etc.—Limitations.
- 180-52-035 Pupil tests and records—Diagnostic personality tests—Parental permission required.

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

- 180-52-040 Purpose. [Statutory Authority: RCW 28A.04.120 and 28A.31.118. 83-16-049 (Order 7-83), § 180-52-040, filed 8/1/83. Statutory Authority: Chapter 28A.31 RCW, 79-11-067 (Order 16-79), § 180-52-040, filed 10/18/79.] Repealed by 85-20-041 (Order 21-85), filed 9/25/85. Statutory Authority: RCW 28A.04.120, 28A.31.118 and chapter 28A.31 RCW.
- 180-52-045 Definitions. [Statutory Authority: Chapter 28A.31 RCW, 79-11-067 (Order 16-79), § 180-52-045, filed 10/18/79.] Repealed by 85-20-041 (Order 21-85), filed 9/25/85. Statutory Authority: RCW 28A.04.120, 28A.31.118 and chapter 28A.31 RCW.
- 180-52-050 Determination, order of exclusion and notice. [Statutory Authority: RCW 28A.04.120 and 28A.31.118. 83-16-049 (Order 7-83), § 180-52-050, filed 8/1/83. Statutory Authority: Chapter 28A.31 RCW, 79-11-067 (Order 16-79), § 180-52-050, filed 10/18/79.] Repealed by 85-20-041 (Order 21-85), filed 9/25/85. Statutory Authority: RCW 28A.04.120, 28A.31.118 and chapter 28A.31 RCW.
- 180-52-055 Right to a hearing—Notice to school official. [Statutory Authority: Chapter 28A.31 RCW, 79-11-067 (Order 16-79), § 180-52-055, filed 10/18/79.] Repealed by 85-20-041 (Order 21-85), filed 9/25/85. Statutory Authority: RCW 28A.04.120, 28A.31.118 and chapter 28A.31 RCW.
- 180-52-060 Prehearing and hearing rights—Decision and notice thereof. [Statutory Authority: RCW 28A.04.120 and 28A.31.118. 83-16-049 (Order 7-83), § 180-52-060, filed 8/1/83. Statutory Authority: Chapter 28A.31 RCW, 79-11-067 (Order 16-79), § 180-52-060, filed 10/18/79.] Repealed by 85-20-041 (Order 21-85), filed 9/25/85. Statutory Authority: RCW 28A.04.120, 28A.31.118 and chapter 28A.31 RCW.
- 180-52-065 Issues to be decided. [Statutory Authority: RCW 28A.04.120 and 28A.31.118. 83-16-049 (Order 7-83), § 180-52-065, filed 8/1/83. Statutory Authority: Chapter 28A.31 RCW, 79-11-067 (Order 16-79), § 180-52-065, filed 10/18/79.] Repealed by 85-20-041 (Order 21-85), filed 9/25/85. Statutory Authority: RCW 28A.04.120, 28A.31.118 and chapter 28A.31 RCW.

WAC 180-52-015 Pupil tests and records—Authority. Pursuant to authority under provisions of RCW 28A.305.130, the state board of education, hereby prescribes the rules and regulations relating to pupil tests and records hereinafter in WAC 180-52-020, 180-52-025, 180-52-030 and 180-52-035 set forth.

[Statutory Authority: 1990 c 33, 90-17-009, § 180-52-015, filed 8/6/90, effective 9/6/90. Statutory Authority: RCW 28A.04.120 and 28A.31.118. 83-16-049 (Order 7-83), § 180-52-015, filed 8/1/83; Order 10-69, § 180-52-015, filed 12/5/69.]

WAC 180-52-020 Pupil tests and records—Tests—School district policy in writing. School districts shall develop and adopt written policies relative to testing, kindergarten through grade twelve, which policies shall include an outline of procedures by which parents or legal guardians of a student may become acquainted with the nature of tests and their uses in helping children.

[Order 10-69, § 180-52-020, filed 12/5/69.]

WAC 180-52-025 Pupil tests and records—Pupil personnel records—School district policy in writing. School districts shall develop and adopt written policies relating to (a) the type of pupil personnel records which are to be kept and the manner in which data is to be recorded; and (b) procedures by which a parent or legal guardian may upon written request examine school records pertaining to his child with professionally competent personnel present to interpret and assist in the analysis of such records.

[Order 10-69, § 180-52-025, filed 12/5/69.]

WAC 180-52-030 Pupil tests and records—Certain tests, questionnaires, etc.—Limitations. No written or oral test, questionnaire, survey, or examination shall be used to elicit the personal beliefs or practices of a student or his parents as to sex or religion except with the written consent of parent or guardian.

[Order 10-69, § 180-52-030, filed 12/5/69.]

WAC 180-52-035 Pupil tests and records—Diagnostic personality tests—Parental permission required. Each school district shall require that there shall be on file the written consent of the parent or guardian prior to the administering of any diagnostic personality test.

[Order 10-69, § 180-52-035, filed 12/5/69.]

**Chapter 180-53 WAC
EDUCATIONAL QUALITY—SELF-STUDY BY
SCHOOL DISTRICTS**

WAC

- 180-53-005 Authority.
- 180-53-010 Purpose.
- 180-53-020 Self-study schedule.
- 180-53-025 Self-study criteria.
- 180-53-030 Elementary school—Joint self-study process.
- 180-53-035 Initial self-study cycle.
- 180-53-040 Self-study cycles.
- 180-53-045 Initial self-study cycle plan—Report to superintendent of public instruction.
- 180-53-050 Subsequent self-study cycle plan—Report to superintendent of public instruction.
- 180-53-055 Biennial report—To superintendent of public instruction.
- 180-53-060 Waiver for economic reasons.
- 180-53-070 Waiver for restructuring.

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

180-53-065 Waiver of the initial self-study cycle. [Statutory Authority: 1985 c 349 § 2. 85-24-055 (Order 22-85), § 180-53-065, filed 12/2/85.] Repealed by 92-17-053, filed 8/17/92, effective 9/17/92. Statutory Authority: RCW 28A.150.220, 28A.320.200, 28A.150.260 and 1992 c 141.

WAC 180-53-005 Authority. The authority for this chapter is RCW 28A.320.200, which authorizes the state board of education to develop rules and regulations governing procedural criteria for a self-study process of educational quality for all public schools within each district.

[Statutory Authority: 1990 c 33. 90-17-009, § 180-53-005, filed 8/6/90, effective 9/6/90. Statutory Authority: RCW 28A.58.085. 86-20-054 (Order 12-86), § 180-53-005, filed 9/29/86. Statutory Authority: 1985 c 349 § 2. 85-24-055 (Order 22-85), § 180-53-005, filed 12/2/85.]

WAC 180-53-010 Purpose. The purpose of this chapter is to set forth procedural criteria for the implementation of an educational quality self-study process by school districts that places emphasis upon:

- (1) Achieving educational excellence and equity;
- (2) Building stronger links with the community; and
- (3) Reaching consensus upon educational expectations through community involvement and corresponding school management.

[Statutory Authority: 1985 c 349 § 2. 85-24-055 (Order 22-85), § 180-53-010, filed 12/2/85.]

WAC 180-53-020 Self-study schedule. Each school district board of directors shall develop a schedule and process by which each public school within its jurisdiction shall undertake self-study procedures in compliance with this chapter on a cyclical basis. For the purpose of this section each school district shall determine what constitutes a public school as long as all instructional programs offered by the district, for example, those provided by contractual or cooperative agreements, are included in the self-study process.

[Statutory Authority: 1985 c 349 § 2. 85-24-055 (Order 22-85), § 180-53-020, filed 12/2/85.]

WAC 180-53-025 Self-study criteria. The self-study process shall include an emphasis in the following areas:

- (1) The participation of staff, parents, community members, and students where appropriate to their age;
- (2) A comprehensive assessment of the instructional program, staff, services, learning resources, student activities, and facilities;
- (3) The implementation of a program for student learning objectives in the areas of language arts, mathematics, social studies, physical education, and all other course(s)/subject(s) taught in grades kindergarten through twelve in the common schools. This program shall be reviewed by the building steering committee in accordance with a time schedule the district has established for their self-study. Periodic review shall take place at least every seven years;
- (4) An analysis of class size and staffing patterns within the school district; and

(5) The development of a plan for program improvement.

Public schools that are accredited pursuant to the self-study procedures of the state board of education or the Northwest Association of Schools and Colleges as specified in chapter 180-55 WAC shall be judged to have complied with the criteria stated above.

[Statutory Authority: RCW 28A.58.085. 90-01-138, § 180-53-025, filed 12/20/89, effective 1/20/90. Statutory Authority: 1985 c 349 § 2. 85-24-055 (Order 22-85), § 180-53-025, filed 12/2/85.]

WAC 180-53-030 Elementary school—Joint self-study process. A school district may allow two or more elementary schools, i.e., containing no grades above grade eight, within its jurisdiction to conduct the self-study process jointly. For the purposes of this section each district board of directors shall determine what constitutes an elementary school.

[Statutory Authority: 1985 c 349 § 2. 85-24-055 (Order 22-85), § 180-53-030, filed 12/2/85.]

WAC 180-53-035 Initial self-study cycle. The initial self-study process within each district shall begin by September 1, 1986, and shall be completed for all public schools within the district by the end of the 1990-91 school year unless a waiver has been granted pursuant to WAC 180-53-060 or 180-53-065.

[Statutory Authority: 1985 c 349 § 2. 85-24-055 (Order 22-85), § 180-53-035, filed 12/2/85.]

WAC 180-53-040 Self-study cycles. The initial self-study cycle shall be known as cycle 1 and run from the beginning of the 1986-87 school year until the end of the 1990-91 school year. After the initial self-study cycle, cycles of seven years shall follow. For example, cycle 2 shall begin with the 1991-92 school year and run until the end of the 1997-98 school year, and cycle 3 shall begin with the 1998-99 school year and run until the end of the 2004-2005 school year.

[Statutory Authority: 1985 c 349 § 2. 85-24-055 (Order 22-85), § 180-53-040, filed 12/2/85.]

WAC 180-53-045 Initial self-study cycle plan—Report to superintendent of public instruction. Each school district shall report to the superintendent of public instruction by May 31, 1986, a plan for the implementation of a self-study in each public school within the district's jurisdiction for the initial self-study cycle. The report shall include:

- (1) A schedule for self-study;
- (2) Assurance that the self-study criteria specified in WAC 180-53-025 will be implemented;
- (3) Identification of each public school for which the initial self-study cycle is waived pursuant to WAC 180-53-065; and
- (4) Whether a waiver is being requested for economic reasons pursuant to WAC 180-53-060.

[Statutory Authority: 1985 c 349 § 2. 85-24-055 (Order 22-85), § 180-53-045, filed 12/2/85.]

WAC 180-53-050 Subsequent self-study cycle plan—Report to superintendent of public instruction. Each school district shall report to the superintendent of public instruction, by June 15 of the final year of a self-study cycle, a plan for the implementation of a self-study in each public school within the district's jurisdiction during the next self-study cycle. The report shall include:

- (1) A schedule for self-study;
- (2) Assurance that the self-study criteria specified in WAC 180-53-025 will be implemented; and
- (3) Whether a waiver is being requested for economic reasons pursuant to WAC 180-53-060.

[Statutory Authority: RCW 28A.58.085, 90-01-138, § 180-53-050, filed 12/20/89, effective 1/20/90. Statutory Authority: 1985 c 349 § 2, 85-24-055 (Order 22-85), § 180-53-050, filed 12/2/85.]

WAC 180-53-055 Biennial report—To superintendent of public instruction. Each district shall report every two years to the superintendent of public instruction by June 15 on the scheduling and implementation of the self-study activities in each public school. The report shall contain the following:

- (1) Dates of self-study completion;
- (2) Assurance that the self-study criteria specified in WAC 180-53-025 have been met;
- (3) An indication of the self-study model implemented, for example, the state board of education accrediting process (chapter 180-55 WAC), the *Evaluative Criteria* published by the National Study of School Evaluation, or district development procedure; and
- (4) Whether a waiver is being requested for economic reasons pursuant to WAC 180-53-060.

[Statutory Authority: RCW 28A.58.085, 90-01-138, § 180-53-055, filed 12/20/89, effective 1/20/90. Statutory Authority: 1985 c 349 § 2, 85-24-055 (Order 22-85), § 180-53-055, filed 12/2/85.]

WAC 180-53-060 Waiver for economic reasons. A district may petition the state board of education for a waiver from a self-study cycle for any or all of the schools in its jurisdiction for economic reasons. The state board of education shall grant a waiver if the district in its petition demonstrates that sufficient funds are not available to operate all mandatory instructional programs and to complete the self-study process. Such demonstration shall provide evidence that one or more of the following requirements for entitlement to basic education allocation funds (chapter 180-16 WAC) cannot be met:

- (1) Total program hour offerings—basic skills and work skills (WAC 180-16-200);
- (2) Classroom teacher contact hours (WAC 180-16-205);
- (3) Kindergarten through grade 3 students to classroom teacher ratio (WAC 180-16-210);
- (4) Minimum one hundred eighty school day year (WAC 180-16-215);
- (5) Students to certificated staff ratio (WAC 180-16-220(1)); and
- (6) Adequate provision for health and safety of all pupils (WAC 180-16-240 (2)(g)).

[Statutory Authority: 1985 c 349 § 2, 85-24-055 (Order 22-85), § 180-53-060, filed 12/2/85.]

WAC 180-53-070 Waiver for restructuring. (1) A district desiring to implement a restructuring plan may apply for a waiver from the self-study requirements of this chapter. The state board of education shall grant said waiver. Approval of district waivers shall occur at a state board of education meeting prior to implementation. A district's application for a waiver shall be in the form of a resolution adopted by the district board of directors which includes a request for the waiver, and a plan for restructuring the educational program of one or more schools consisting of at least the following information:

- (a) Identification of the requirement to be waived;
- (b) Specific standards for increased student learning expected to be achieved;
- (c) How the district plans to achieve the higher standards, including timelines for implementation;
- (d) How the district plans to determine if the higher standards are met;
- (e) Evidence that the board of directors, teachers, administrators, and classified employees are committed to working cooperatively in implementing the plan; and
- (f) Evidence that opportunities were provided for parents and citizens to be involved in the development of the plan.

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

(3) Renewal procedure. Waivers granted by the state board of education under this section shall be renewed every three years upon the state board of education receiving a renewal request from the school district board of directors. The school district shall conduct at least one public meeting to evaluate the educational programs that were implemented as a result of the waivers before filing the request. The request to the state board of education for renewal shall include information regarding the activities and programs implemented as a result of the waivers, whether the higher standards for students are being achieved, and a summary of the comments received at the public meeting or meetings.

[Statutory Authority: RCW 28A.150.220, 28A.320.200, 28A.150.260 and 1992 c 141, 92-17-053, § 180-53-070, filed 8/17/92, effective 9/17/92.]

Chapter 180-55 WAC SCHOOL ACCREDITATION

WAC

| | |
|------------|---|
| 180-55-005 | Statutory authority. |
| 180-55-010 | Intent and purposes. |
| 180-55-015 | Definitions. |
| 180-55-020 | Compliance with requirements for entitlement to basic education allocation funds or approved private school status. |
| 180-55-025 | Types of accreditation—Conditions—Effective periods. |
| 180-55-030 | Administration of accreditation procedures. |
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SELF-STUDY ACCREDITATION

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| 180-55-050 | Self-study—Common guidelines. |
| 180-55-070 | Standards—General conditions. |
| 180-55-075 | Standards—Elementary and secondary—Professional preparation of staff. |
| 180-55-080 | Standards—Elementary and secondary—Guidance services. |
| 180-55-085 | Standards—Elementary and secondary—School health services. |
| 180-55-090 | Standards—Elementary and secondary—Textbook and supplementary reference materials. |
| 180-55-095 | Standards—Elementary and secondary—Equipment and materials. |
| 180-55-100 | Standards—Elementary and secondary—Facilities. |
| 180-55-105 | Standards—Elementary—Program offerings. |
| 180-55-110 | Standards—Elementary—Number and time assignment of personnel. |
| 180-55-115 | Standards—Elementary—Instructional and learning resources. |
| 180-55-120 | Standards—Secondary—Unit of credit. |
| 180-55-125 | Standards—Secondary—Minimum program offerings. |
| 180-55-130 | Standards—Secondary—Number and time assignment of personnel. |
| 180-55-135 | Standards—Secondary—Instructional and learning resources. |

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

| | |
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| 180-55-040 | Self-study—Approval to participate. [Statutory Authority: RCW 28A.04.120(4). 81-08-027 (Order 2-85), § 180-55-040, filed 3/26/81.] Repealed 91-01-068, filed 12/14/90, effective 1/14/91. Statutory Authority: RCW 28A.305.130(6). |
| 180-55-045 | Self-study—Types. [Statutory Authority: RCW 28A.04.120(4). 81-08-027 (Order 2-85), § 180-55-045, filed 3/26/81.] Repealed 91-01-068, filed 12/14/90, effective 1/14/91. Statutory Authority: RCW 28A.305.130(6). |
| 180-55-055 | Self-study—Input/standards assessment. [Statutory Authority: RCW 28A.04.120(4). 81-08-027 (Order 2-85), § 180-55-055, filed 3/26/81.] Repealed 91-01-068, filed 12/14/90, effective 1/14/91. Statutory Authority: RCW 28A.305.130(6). |
| 180-55-060 | Self-study—Process/outcomes analysis. [Statutory Authority: RCW 28A.04.120(4). 81-08-027 (Order 2-85), § 180-55-060, filed 3/26/81.] Repealed 91-01-068, filed 12/14/90, effective 1/14/91. Statutory Authority: RCW 28A.305.130(6). |
| 180-55-065 | Self-study—Self-designed. [Statutory Authority: RCW 28A.04.120(4). 81-08-027 (Order 2-85), § 180-55-065, filed 3/26/81.] Repealed 91-01-068, filed 12/14/90, effective 1/14/91. Statutory Authority: RCW 28A.305.130(6). |

WAC 180-55-005 Statutory authority. Pursuant to provision of RCW 28A.305.130(6), the state board of education hereby establishes standards and procedures for accreditation of all schools as hereinafter set forth.

[Statutory Authority: RCW 28A.305.130(6). 91-04-015, § 180-55-005, filed 1/28/91, effective 2/28/91. Statutory Authority: 1990 c 33. 90-17-009, § 180-55-005, filed 8/6/90, effective 9/6/90. Statutory Authority: RCW 28A.04.120(4). 81-08-027 (Order 2-85), § 180-55-005, filed 3/26/81.]

WAC 180-55-010 Intent and purposes. (1) **Intent.** It is the intent of the state board of education to establish accreditation procedures in which participation by schools is voluntary and by which such procedures:

(a) Enhance the quality and strengthen the effectiveness of a school's educational program.

(b) Facilitate a comprehensive self-examination of the school including but not limited to: Program planning, program balance, human and material resources, school climate, student services, equipment and facilities, and strategies for early intervention, dropout prevention, and retrieval.

(c) Provide means whereby such self-examination may be validated by objective observers.

(d) Promote the subsequent implementation of an effective plan for school improvement.

(e) Provide maximum flexibility to the district and the school by making available different procedures for accreditation.

(f) Provide assurance to the public that students in an accredited elementary school have available a program containing a comprehensive foundation of knowledge and learning skills.

(g) Provide assurance to the public that students in an accredited middle school or junior high school have available a program containing an expanded and reinforced foundation of knowledge and learning skills, a variety of introductory and survey courses that offer exploratory opportunities to meet emerging individual student interests, and a suitable transitional experience designed to provide a bridge from elementary to secondary instructional organization.

(h) Provide assurance to the public that students in an accredited comprehensive secondary school have available a program in which they can prepare for the requirements of higher education and/or occupational opportunities.

(i) Provide assurance to the public that students in accredited vocational skill centers have available a program which, through dual enrollment in a high school and a skill center, provides the student with instruction that leads to a high school diploma granted by the student's cooperating high school and entry level job skills.

(j) Provide assurance to the public that students in accredited vocational-technical institutes have available vocational programs which prepare students for entry level employment, to upgrade the skills and knowledge required to continue or to retrain for job change.

(2) **Purposes.** The provision of school accreditation procedures by the state board of education is designed to serve the following purposes:

(a) Improve the general quality of the school's educational program.

(b) Promote staff growth and commitment.

(c) Promote improved community awareness of and sensitivity to the school program.

(d) Provide a statement of accountability to the public.

(e) Fulfill such assessment and planning requirements as may exist.

[Statutory Authority: RCW 28A.305.130(6). 91-01-068, § 180-55-010, filed 12/14/90, effective 1/14/91. Statutory Authority: RCW 28A.04.120(4). 84-11-050 (Order 8-84), § 180-55-010, filed 5/17/84; 81-08-027 (Order 2-85), § 180-55-010, filed 3/26/81.]

WAC 180-55-015 Definitions. (1) An accredited school is a public or an approved private school that meets the regulations established by the state board of education, and one that has completed the accreditation procedures described by the state superintendent of public instruction

pursuant to RCW 28A.305.130(6) and WAC 180-55-005 through 180-55-135.

(2) "Accredited" status shall be assigned to public or approved private schools that:

(a) Complete and meet fully the requirements for accreditation as described in WAC 180-55-020 through 180-55-135, or;

(b) Participate and qualify in accordance with standards and procedures established by the Northwest Association of Schools and Colleges (NASC).

(3) "Standards-review" shall mean an appraisal whereby requirements established by the state board of education are applied to an individual school. The standards-review shall take place during the application process and implementation update.

(4) "Self-study" shall mean an approved comprehensive set of needs-assessment and program improvement plan procedures as described in WAC 180-55-050.

(5) "Plan for school improvement" shall mean a formal document produced as a result of the self-study procedure for implementation at an accredited school.

(6) "Validation" shall mean an objective, external review of a school's accreditation activities for the purposes of establishing their correctness, accuracy and thoroughness, including an objective, external review of the self-study process, the plan for program improvement, and the accreditation standards as part of the application process and implementation update as described in WAC 180-55-035.

(7) "Implementation update" shall mean an interim report submitted to the superintendent of public instruction by an accredited school after three years in the standard accreditation status. The implementation update shall include a status report on the implementation of the plan for school improvement and an accreditation standards review.

(8) "Northwest Association of Schools and Colleges alternative" shall mean the accreditation activities provided through school membership in the NASC and shall be accepted by the state board of education in lieu of state board accreditation procedures.

(9) "Approved private school" shall mean a school approved by the state board of education pursuant to chapter 180-90 WAC.

(10) "Vocational-technical institute" shall mean a specialized area nongraded vocational education facility established and operated for the purpose of offering comprehensive courses primarily oriented to the job market area for persons sixteen years of age or older without regard to residence, pursuant to laws and rules and regulations pertaining to the maintenance, operation, and funding of vocational-technical institutes. In applying the provisions of this chapter the terms "school" and "principal" shall mean a vocational-technical institute and director of such institute, respectively.

[Statutory Authority: RCW 28A.305.130(6), 91-04-015, § 180-55-015, filed 1/28/91, effective 2/28/91. Statutory Authority: 1990 c 33, 90-17-009, § 180-55-015, filed 8/6/90, effective 9/6/90. Statutory Authority: RCW 28A.04.120(4), 84-11-050 (Order 8-84), § 180-55-015, filed 5/17/84; 81-08-027 (Order 2-85), § 180-55-015, filed 3/26/81.]

WAC 180-55-020 Compliance with requirements for entitlement to basic education allocation funds or approved private school status. (1) Public schools.

(a) **District compliance.** Certification by the state board of education of compliance by a school district's program pursuant to provisions of "basic education allocation entitlement requirements" or receipt of waiver therefrom (WAC 180-16-191 through 180-16-225) shall be prerequisite to a public school's participation in accreditation activities and to a public school's receipt of any accreditation status from the state board of education. Such requirements hereby are included within the standards upon which accreditation is conditioned.

(b) **School contribution to district compliance with requirements for entitlement to basic education allocation funds.** Each public school engaged in the state board of education's accreditation program shall be in compliance with such entitlement requirements (WAC 180-16-191 through 180-16-225).

(c) **Assessment of school compliance with supplemental program standards.** Each public school engaged in the state board of education's accreditation program shall be in compliance with the supplemental program standards (WAC 180-16-240).

(d) **Vocational-technical institutes—Additional requirement.** Certification by the state board of education of compliance with the program approval provisions of chapter 180-58 WAC shall be conditional to the receipt of accreditation status by a vocational-technical institute.

(2) **Private schools.** Certification by the state board of education of compliance by a private school with the approval requirements of chapter 180-90 WAC shall be prerequisite to a private school's participation in the state board of education's accreditation activities and to a private school's receipt of any accreditation status from the state board of education. Such requirements hereby are included within the standards upon which accreditation is conditioned.

[Statutory Authority: RCW 28A.305.130(6), 91-01-068, § 180-55-020, filed 12/14/90, effective 1/14/91. Statutory Authority: RCW 28A.04.120(4), 84-11-050 (Order 8-84), § 180-55-020, filed 5/17/84; 81-08-027 (Order 2-85), § 180-55-020, filed 3/26/81.]

WAC 180-55-025 Types of accreditation—Conditions—Effective periods. (1) Standard accreditation - seven years, shall be granted to a school after a satisfactory standards review and upon successful completion of self-study activities, adoption of a plan for program improvement based upon findings of the self-study, and validation of the self-study and the plan by an objective review process external to the school being considered for accreditation.

(2) **Conditional accreditation** is assigned for one year and shall be designated for a school where validation identifies minor omissions, inaccuracies or weaknesses in the accreditation procedures, the plan, or the school program, and which are not addressed in the plan.

(3) **Probationary accreditation** is limited to a one year period and shall be designated for a school where validation identifies major omissions, inaccuracies, or deviations from the accreditation standards or for a school which shows little or no progress toward the implementation of the recommendations contained in the self-study improvement plan or the recommendations of the validation team as reported in the implementation update. If upgraded accreditation status is not achieved by the end of the one year period, the school will be reclassified as unaccredited.

(4) **Unaccredited** status shall be assigned to a participating school that fails to upgrade probationary accreditation status within the prescribed time, or to a participating school that has drastic inadequacies or omissions in major required components or procedures.

[Statutory Authority: RCW 28A.305.130(6). 91-01-068, § 180-55-025, filed 12/14/90, effective 1/14/91. Statutory Authority: RCW 28A.04.120(4). 81-08-027 (Order 2-85), § 180-55-025, filed 3/26/81.]

WAC 180-55-030 Administration of accreditation procedures. The following general procedures hereby are established to effect the state board of education's school accreditation program:

(1) **Application.** Application for school accreditation shall be made to the state superintendent of public instruction at least four months prior to the request for a visiting validation team. Such application shall be submitted jointly by the appropriate officials of the school and school district in accordance with procedures and timelines established by the state superintendent. The application shall include a description of the level at which the accreditation standards are met by the applicant school.

(2) **Self-studies, reviews, examinations.** The state superintendent of public instruction shall direct a program of self-studies, reviews, and examinations as specified in WAC 180-55-050.

(3) **Validations.** The state superintendent of public instruction shall direct such validation activities as are necessary to implement WAC 180-55-035. The state superintendent may place yearly limits on the number of schools authorized for validation.

(4) **Findings and recommendations.** The state superintendent of public instruction upon determining whether the school meets statutory and state board of education requirements for accreditation shall submit findings and recommendations to the state board of education.

[Statutory Authority: RCW 28A.305.130(6). 91-01-068, § 180-55-030, filed 12/14/90, effective 1/14/91. Statutory Authority: RCW 28A.04.120(4). 81-08-027 (Order 2-85), § 180-55-030, filed 3/26/81.]

WAC 180-55-035 Validation of accreditation activities. Validation of school accreditation activities shall be a necessary final step preceding the assignment of any accredited status to a school by the state board of education. Validation activities shall be conducted by persons external to the school and district concerned. Each school participating in the accreditation procedure shall nominate three or more staff members for the state validation pool. Such persons may be called upon to serve as members of visiting teams assigned to validate other schools' self-study procedures and plans for program improvement. No persons so designated shall be required to serve as a visiting team member more than twice during the ensuing two years, after which the school's foregoing obligation expires.

(1) **Self-study accreditation validation.** Validation of the self-study accreditation activities described in WAC 180-55-050 and the subsequent plan for program improvement shall be administered by the state superintendent of public instruction and conducted by visiting teams appointed by the

state superintendent. Such teams shall at least review and examine the following areas:

(a) The thoroughness and adequacy of the planning and preparation activities leading to the self-study.

(b) The levels of participation, comprehensiveness, and validity of the findings of the self-study.

(c) The feasibility and comprehensiveness of the plan for school improvement, with particular attention given to:

(i) School climate.

(ii) The relationship between the self-study and the prioritized goals of the improvement plan.

(d) Evidence of appropriate implementation plans and activities including:

(i) Timeline.

(ii) Task and assignments; responsibilities.

(iii) Internal monitoring and evaluation procedures.

(iv) Feedback and revision procedures.

(v) Analysis of cost.

(2) **Standards-review.** Validation of the report on standards contained in the application process and implementation update shall be conducted by review committees appointed by the state superintendent of public instruction. Such committees shall utilize such means and measures as the state superintendent deems appropriate to assess school compliance with pertinent accreditation standards.

[Statutory Authority: RCW 28A.305.130(6). 91-01-068, § 180-55-035, filed 12/14/90, effective 1/14/91. Statutory Authority: RCW 28A.04.120(4). 81-08-027 (Order 2-85), § 180-55-035, filed 3/26/81.]

SELF-STUDY ACCREDITATION

WAC 180-55-050 Self-study—Common guidelines.

The state board of education's self-study accreditation procedures shall include at least the following:

(1) Personnel:

(a) A coordinator responsible for the self-study.

(b) A steering committee responsible for guiding the self-study.

(c) Planned participation from the following individuals or groups: A district-level administrator, the principal, teachers, parents, and classified employees, and students (where appropriate). For a vocational skill center or a vocational-technical institute the following individuals and groups also shall be included: Program supervisors, advisory committee members (industry representatives) and vocational-technical students, if applicable.

(2) Process:

(a) The self-study shall be comprehensive in scope, with needs assessments conducted in the following areas: Instructional program, staff, services, materials and resources, facilities, student activities, and school climate.

(b) The assessment of the instructional program shall review program balance, comprehensiveness and flexibility, student learning objectives, and student achievement and progress.

(c) The survey of staff shall review staffing balance in terms of preparation, certification, experience, assignment, and teacher pupil ratio.

(d) The assessment activities shall review the extent and appropriateness of services provided to students, parents, and staff; including dropout prevention and retrieval.

(e) A required component of these procedures shall be the school climate survey, an assessment of the affective environment of the school and the impact of school climate upon the educational process and outcomes.

(f) The assessment activity shall evaluate the impact of available resources on the ability of the school to meet identified standards, priorities, and goals.

(3) Product:

The product of the self-study procedures shall be a report including:

(a) A vision statement.

(b) Goals.

(c) A detailed plan for school improvement which:

(i) Includes an implementation timeline, priorities, and assigned responsibilities.

(ii) Identifies constraints that may affect reaching desired goals.

(iii) Describes an internal monitoring process.

(iv) Provides for a revision and periodic updating.

[Statutory Authority: RCW 28A.305.130(6). 91-01-068, § 180-55-050, filed 12/14/90, effective 1/14/91. Statutory Authority: RCW 28A.04.120(4). 84-11-050 (Order 8-84), § 180-55-050, filed 5/17/84; 81-08-027 (Order 2-85), § 180-55-050, filed 3/26/81.]

WAC 180-55-070 Standards—General conditions.

The standards which form the basis for the standard review contained in the application process and the implementation update are described in WAC 180-55-075 through 180-55-135. Such standards are established for elementary school and middle school accreditation in WAC 180-55-075 through 180-55-115, and for junior high school and senior high school accreditation in WAC 180-55-075 through 180-55-100 and 180-55-120 through 180-55-135.

[Statutory Authority: RCW 28A.305.130(6). 91-01-068, § 180-55-070, filed 12/14/90, effective 1/14/91. Statutory Authority: RCW 28A.04.120(4). 81-08-027 (Order 2-85), § 180-55-070, filed 3/26/81.]

WAC 180-55-075 Standards—Elementary and secondary—Professional preparation of staff. In applying the following standards it should be understood that the basic reference for approval is completion of state-approved programs of preparation for the several fields of teaching and school service, rather than any specified courses or any particular number of course credits. School district recommendation and documentation (justification) of preparation including other than institutional programs, when appropriate, will be required when evidence of institutional program completion is lacking.

(1) **Principal.** The official heads of the school (principals and vice principals) must have the appropriate credentials in accordance with regulations of the state board of education.

(2) **Teacher.** Teachers should be assigned to their proper grade level or subject area in accordance with their competency based on training and experience. Teachers must have the appropriate credentials in accordance with regulations of the state board of education.

(3) **Learning resources specialist (library/audio-visual) and counselor.** School programs of instruction and supporting professional services should be staffed by professional personnel recommended by teacher education institutions. School districts shall provide evidence that

documents the fact that personnel have completed programs of preparation appropriate to the school functions to which they are assigned. When assignments are not consistent with instructional preparation, the school district shall provide information which in its judgment will justify the assignments.

[Statutory Authority: RCW 28A.305.130(6). 91-01-068, § 180-55-075, filed 12/14/90, effective 1/14/91. Statutory Authority: RCW 28A.04.120(4). 81-08-027 (Order 2-85), § 180-55-075, filed 3/26/81.]

WAC 180-55-080 Standards—Elementary and secondary—Guidance services. (1) Physical facilities. Physical facilities suitably equipped to provide privacy for individual counseling.

(2) **Recommended organization and program.**

(a) A counselor's job description, plus description of administrator's relationship to guidance program.

(b) A functional guidance committee (secondary only).

(c) A testing program that includes achievement and intelligence testing.

(d) Adequate and up-to-date materials pertaining to educational and occupational opportunities (secondary only).

(e) A program of continuous identification of student developmental needs.

(f) Complete and permanent student records maintained with adequate adult clerical help.

[Statutory Authority: RCW 28A.305.130(6). 91-01-068, § 180-55-080, filed 12/14/90, effective 1/14/91. Statutory Authority: RCW 28A.04.120(4). 81-08-027 (Order 2-85), § 180-55-080, filed 3/26/81.]

WAC 180-55-085 Standards—Elementary and secondary—School health services. (1) Recommended physical facilities. Provide a health service area with adequate space for the following health appraisal and counseling activities:

(a) Isolating students who are ill.

(b) Administering vision screening tests.

(c) Administering hearing tests.

(d) Providing privacy for conferences with students, parents, teachers and other school personnel.

(2) **Recommended organization and program.**

(a) Provide help to teachers in observation and referral of students whose characteristics show deviations from those of healthy children.

(b) Provide guidance and assistance in the identification of students with unobservable handicaps who may need special educational opportunities.

(c) Maintain concise and pertinent records containing information that will help to further educational opportunities and potentials of students.

(d) Develop procedures to help prevent and control disease, provide first aid procedures for the injured and emergency care for cases of sudden illness.

(e) Coordinate with the health services of professional and official health agencies in the community.

[Statutory Authority: RCW 28A.305.130(6). 91-01-068, § 180-55-085, filed 12/14/90, effective 1/14/91. Statutory Authority: RCW 28A.04.120(4). 81-08-027 (Order 2-85), § 180-55-085, filed 3/26/81.]

WAC 180-55-090 Standards—Elementary and secondary—Textbook and supplementary reference

materials. Each school must have textbooks and supplementary reference materials which allow for an adequate comprehensive school program consistent with criteria established by the state superintendent of public instruction.

[Statutory Authority: RCW 28A.305.130(6). 91-01-068, § 180-55-090, filed 12/14/90, effective 1/14/91. Statutory Authority: RCW 28A.04.120(4). 81-08-027 (Order 2-85), § 180-55-090, filed 3/26/81.]

WAC 180-55-095 Standards—Elementary and secondary—Equipment and materials. Each school must have equipment and materials which allow for an adequate comprehensive school program consistent with criteria established by the state superintendent of public instruction.

[Statutory Authority: RCW 28A.305.130(6). 91-01-068, § 180-55-095, filed 12/14/90, effective 1/14/91. Statutory Authority: RCW 28A.04.120(4). 81-08-027 (Order 2-85), § 180-55-095, filed 3/26/81.]

WAC 180-55-100 Standards—Elementary and secondary—Facilities. Each school must have facilities which allow for an adequate comprehensive school program consistent with criteria established by the state superintendent of public instruction.

[Statutory Authority: RCW 28A.305.130(6). 91-01-068, § 180-55-100, filed 12/14/90, effective 1/14/91. Statutory Authority: RCW 28A.04.120(4). 81-08-027 (Order 2-85), § 180-55-100, filed 3/26/81.]

WAC 180-55-105 Standards—Elementary—Program offerings. The assessment of adequacy of elementary program offerings shall be based upon the minimum requirements for entitlement to basic education allocation funds (WAC 180-16-191 through 180-16-225) as follows:

(1) **Program hours.** The school schedule shall meet or exceed the program hour requirements (WAC 180-16-200).

(2) **Program mix and subject area coverage.** The school program shall meet or exceed the program mix requirements, and all required subjects shall be included in the instructional program (WAC 180-16-200).

[Statutory Authority: RCW 28A.305.130(6). 91-01-068, § 180-55-105, filed 12/14/90, effective 1/14/91. Statutory Authority: RCW 28A.04.120(4). 81-08-027 (Order 2-85), § 180-55-105, filed 3/26/81.]

WAC 180-55-110 Standards—Elementary—Number and time assignment of personnel. The provisions below are for the purpose of determining minimum number and time assignments of personnel.

Credit toward personnel requirements of any one of the following categories may not be claimed for personnel who are reported in other categories for the same time period.

The enrollment (E) figure to be used in determining the minimum number of required staff members shall be the latest October 1 enrollment.

Schools with fewer than 100 students refer to (6), below.

(1) **Administrative staff.** Minimum FTE administrative staff time assigned shall be calculated as follows:

| | |
|-------------------|--|
| | E |
| 100-200 students: | <hr style="width: 50px; margin: 0 auto;"/> 200 |
| 201-500 students: | 1.0 |

| | |
|------------------------|--|
| | E |
| 501 students and over: | <hr style="width: 50px; margin: 0 auto;"/> 500 |

In schools having an enrollment above 500, administrative time above 1.0 FTE may be allocated to increase counseling personnel time. Such increase shall be in addition to the counseling personnel staff requirement as computed in WAC 180-55-110(2) and shall be calculated as follows:

| | |
|--------------------|--|
| E in excess of 500 | <hr style="width: 50px; margin: 0 auto;"/> |
| | 800 |

(2) **Counseling personnel.** Minimum FTE counseling staff time assigned shall be calculated as follows:

| | |
|------------------------|--|
| | E |
| 100 students and over: | <hr style="width: 50px; margin: 0 auto;"/> 800 |

(Do not include converted administrative time.)

Schools shall have the option of instituting other guidance programs provided that they can show such programs to be equivalent to the standard.

(3) **Teachers.** A full-time equivalent teacher (FTE) is one who spends 6 hours per day in instruction-related activities. Exclude self-contained special education students and staff from the following calculation for minimum FTE teaching staff time assigned:

| | |
|-----------------------|---|
| | E |
| 100 students and over | <hr style="width: 50px; margin: 0 auto;"/> 25 |

(4) **Learning resource specialists.** Minimum FTE learning resource (library/audio-visual) staff time assigned shall be calculated as follows:

| | |
|------------------------|--|
| 100-150 students: | 0.5 |
| | E |
| 151-300 students: | <hr style="width: 50px; margin: 0 auto;"/> 300 |
| 301 students and over: | 1.0 |

Schools with district facilities for central cataloging and processing of books may deduct 15% of the required learning resource personnel time assignment.

Schools shall have the option of instituting other learning resource programs provided that they can show such programs to be equivalent to the standard.

(5) **Clerical staff.** Paid adult clerical staff shall be provided at the school for aid to school administrators, teachers, counseling personnel and learning resource specialists at the following hourly rates per week:

| | |
|------------------------|---|
| 100-150 students: | Regular classroom hours students are at school x 5. |
| 151-500 students: | 40 hrs/wk |
| 501 students and over: | E <hr style="width: 50px; margin: 0 auto;"/> 500 + .2 x 40 |

Clerical time assigned to perform services related to lunch program operation shall not be counted toward fulfillment of the time required by formula.

Schools shall have the option of instituting other clerical staff assignment programs provided that they can show such programs to be equivalent to the standard.

(6) Time assignment - schools with less than 100 students enrolled.

- (a) Administrator: .5 FTE
 - (b) Teachers: E
-
- 25

- (c) Learning Resource Specialist: .2 FTE
- (d) Counselor: .1 FTE
- (e) Clerical Staff: .5 FTE (20 hours)

Assignment time may not be claimed for time assigned to tasks associated with district-level operations.

[Statutory Authority: RCW 28A.305.130(6). 91-01-068, § 180-55-110, filed 12/14/90, effective 1/14/91. Statutory Authority: RCW 28A.04.120(4). 81-08-027 (Order 2-85), § 180-55-110, filed 3/26/81.]

WAC 180-55-115 Standards—Elementary—Instructional and learning resources. (1) Resources.

- (a) **Teaching materials.**
 - (i) Books: 2000 or 7 per student, whichever is greater.
 - (ii) Films: Access to 250 titles.
 - (iii) Filmstrips and slide sets: Access to 200 titles.
 - (iv) Periodicals: 15.
 - (v) Tapes and records: Access to 200 titles.

(vi) Wide variety of teaching-learning materials: Vertical file collections; pamphlets; study prints; folded maps; 8 mm films; overhead transparencies and transparency masters; globes; dioramas; realia - all readily available and easily accessible to both teachers and students.

(b) **Facilities.** Library room(s) seating largest class plus 10 up to 10% of enrollment, if such exceeds the largest class plus 10, with special room for storage and check-out of audio-visual equipment, easily accessible to the charge desk, plus work office, conference areas equipped for listening and viewing; independent work areas (carrels) in larger schools.

(c) **Budget.** The budget shall provide adequately for library book purchases, materials and supplies, equipment, and equipment maintenance and repair.

(2) Recommended organization and program.

(a) Materials collections classified and cataloged for use.
 (b) Library available for reading, listening, conferences, and reference throughout the school day.

(c) Professional personnel of the learning resource center and teachers plan together for the program of library instruction.

(d) Professional personnel of the learning resource center plan with teachers for the active use of all communication media by students and teachers alike.

(e) Skilled help to aid teachers and students in the production of teaching-learning materials.

[Statutory Authority: RCW 28A.305.130(6). 91-01-068, § 180-55-115, filed 12/14/90, effective 1/14/91. Statutory Authority: RCW 28A.04.120(4). 81-08-027 (Order 2-85), § 180-55-115, filed 3/26/81.]

WAC 180-55-120 Standards—Secondary—Unit of credit. (1) For the purpose of assessing minimum offerings

(WAC 180-55-125) one unit of credit shall be equivalent to one hundred fifty hours of planned in-school instruction. Fractional credits may be given for fewer or more than one hundred fifty hours.

(2) Time spent in class shall be one criterion in judging the worth of a program; however, experimentation in organization is encouraged to provide for individual differences in pupils and better utilization of staff. Deviations from the one hundred fifty clock hour unit shall be subject to approval by the state superintendent of public instruction.

[Statutory Authority: RCW 28A.305.130(6). 91-01-068, § 180-55-120, filed 12/14/90, effective 1/14/91. Statutory Authority: RCW 28A.04.120(4). 81-08-027 (Order 2-85), § 180-55-120, filed 3/26/81.]

WAC 180-55-125 Standards—Secondary—Minimum program offerings. The following table lists minimum offerings for secondary school programs, grades seven through twelve, and for each secondary school organization plan. The alternation of courses in successive years may be counted in the year's total offerings, subject to requirements of WAC 180-16-200. The course offerings are stated in annual credits as defined in WAC 180-51-050 (one hundred fifty hours equal one high school credit). The minimum program requirements shall meet the requirements described in chapters 180-50 and 180-51 WAC.

| SUBJECT | MINIMUM OFFERINGS | | | | |
|--------------------|--|---|---|------------|---|
| | GRADES 7-8 | GRADES 9-12 | GRADES 7-12 | GRADES 7-9 | GRADES 10-12 |
| Language Arts | 2 | 5 | 7 (See note a) (May include reading, drama, speech, journalism, college prep English, etc.) | 4 | 4 |
| Social Studies | 2 | 4 | 6 | 3 | 4 |
| Mathematics | 2 | 4 | 6 | 4 | 4 |
| Science | 1 | 4 | 6 (See note b) | 2 | 4 |
| Foreign Language | | 3 | 3 (See note c) | 1 | 3 |
| Business Education | | 4 | 4 | 1 | 3 |
| Physical Education | | Grades 7-8 Provide an average of at least 20 minutes in each school day | | | |
| Health | | (See note d) | | | |
| Practical Arts | 1 | 4 | 4 | 1 | 3 (May include industrial arts, agriculture, trade and industry classes, etc.) |
| Homemaking | 1 | 2 | 2 | 1 | 2 |
| Music | Must be offered at all grade levels (see note e) | | | | |
| Art | Must be offered at all grade levels | | | | |
| Driver Education | May be offered outside of school hours | | | | |

a/ Including 6-year sequence.
 b/ Must include 1 credit each of life science and physical science in grades 7, 8, and/or 9. All science courses in grades 7-12 should be laboratory oriented.
 c/ Including 3-year sequence.
 d/ Separate 1 credit course must be offered in grades 9-12; in grades 7-8 course may be integrated.
 e/ Secondary programs must include offerings in both vocal and instrumental music.

[Statutory Authority: RCW 28A.305.130(6). 91-01-068, § 180-55-125, filed 12/14/90, effective 1/14/91. Statutory Authority: RCW 28A.04.120(4) and (8). 82-04-002 (Order 1-82), § 180-55-125, filed 1/21/82. Statutory

Authority: RCW 28A.04.120(4). 81-08-027 (Order 2-85), § 180-55-125, filed 3/26/81.]

WAC 180-55-130 Standards—Secondary—Number and time assignment of personnel. The provisions below are for the purpose of determining minimum number and time assignments of personnel.

Credit toward personnel requirements of any one of the following categories may not be claimed for personnel who are reported in other categories for the same time period.

The enrollment (E) figure to be used in determining the minimum number of required staff members shall be the latest October 1 enrollment.

Schools with fewer than 150 students refer to (6), below.

(1) **Administrative staff.** Assigned administrative staff shall be at the rate of one for the first 300 students plus one for each additional 600 students or a fraction of one for any portion thereof.

For schools with fewer than 300 students:

$$\begin{array}{l} \text{Minimum} \\ \text{administrative} \\ \text{assignment} \end{array} = \frac{E}{300}$$

For schools with 300 or more students:

$$\begin{array}{l} \text{Minimum} \\ \text{administrative} \\ \text{assignment} \end{array} = \frac{E}{600} + \frac{1}{2}$$

Administrative staff requirements in addition to two full-time credentialed administrators may be met by assignment of certificated personnel at the same staff-enrollment ratio.

(2) **Teacher staff.** Assigned teaching staff shall be at the rate of one for each 25 students.

$$\begin{array}{l} \text{Minimum} \\ \text{teaching} \\ \text{staff} \end{array} = \frac{E}{25}$$

(3) **Professional library staff.** Assigned library staff shall be at the rate of one for the first 400 students plus one for each additional 1,200 students.

For schools with fewer than 400 students:

$$\begin{array}{l} \text{Minimum} \\ \text{library} \\ \text{staff} \end{array} = \frac{E}{400}$$

For schools with 400 or more students:

$$\begin{array}{l} \text{Minimum} \\ \text{library} \\ \text{staff} \end{array} = \frac{E}{1200} + \frac{2}{3}$$

Library staff requirements in addition to one full-time librarian recommended by a teacher education institution may be met by assigning certificated personnel at the same staff-enrollment ratio.

Schools with central cataloging and processing of books may deduct 15% of the required certificated library personnel and 6% of the total minimum clerical requirement.

(4) **Trained counselors.** Assigned counseling staff shall be at the rate of one for each 400 students.

$$\begin{array}{l} \text{Minimum} \\ \text{counseling} \\ \text{staff} \end{array} = \frac{E}{400}$$

Administrators shall not be considered in determining compliance with guidance personnel requirements for schools with enrollments over 150 in grades 7-12.

(5) **Clerical staff.** Paid adult clerical staff shall be provided at the school for aid to school administrators, teachers, guidance personnel and learning resources specialists at the rate of one for each 350 students.

$$\begin{array}{l} \text{Minimum} \\ \text{clerical} \\ \text{staff} \end{array} = \frac{E}{350}$$

(6) **Under 150 enrollment in grades 7-12.** School districts with fewer than 150 students in grades 7-12 must have the following minimum personnel to provide the instructional program in grades 7-12:

- Administrators—1/2
- Teachers—8
- Librarian—1/2
- Counselor—1/2
- Total Certificated Personnel—9 1/2
- Clerks—4/7

Assignment time may not be claimed for time assigned to tasks associated with district-level operations.

[Statutory Authority: RCW 28A.305.130(6). 91-01-068, § 180-55-130, filed 12/14/90, effective 1/14/91. Statutory Authority: RCW 28A.04.120(4). 81-08-027 (Order 2-85), § 180-55-130, filed 3/26/81.]

WAC 180-55-135 Standards—Secondary—Instructional and learning resources. (1) **Resources.**

(a) **Teaching materials.**

(i) **Books:** 2000 minimum or 7 books per student whichever is greater.

(ii) **Films, 16 mm:** 250 titles (available through rental or loan sources).

(iii) **Film strips and slide sets:** 200 (available through rental or loan sources.)

(iv) **Newspapers:** 1 local, 1 national and 2 area metropolitan dailies.

(v) **Periodicals-magazines (including professional);** 35 junior high: 50 senior high.

(vi) **Tapes and records (excluding tapes for language laboratory):** 200 (Available through rental or loan sources).

(vii) **Wide variety of teaching-learning materials:** Vertical file collections; pamphlets; study prints; folded maps; 8 mm films; overhead transparencies and transparency masters; globes; dioramas; realia - all readily available and easily accessible to both teachers and students.

(b) **Facilities.** Library room(s) seating largest class plus 10 up to 10% of enrollment, if such exceeds the largest class plus 10, with special room for storage and check-out of audio-visual equipment, easily accessible to the charge desk, plus work, office, conference areas equipped for listening and viewing; independent work areas (carrels) in larger schools.

(c) **Budget.**

(i) **Books:** \$900 minimum or \$3.50 per student whichever is greater.

(ii) Other: Adequate budget in addition to book budget for regular encyclopedia replacement, periodical subscriptions, audio-visual materials, supplies and binding.

(2) **Recommended organization and program.**

(a) Materials collections classified and cataloged for use.

(b) Library available for reading, listening, conferences and reference throughout the school day.

(c) Professional personnel of the learning resource center and teachers plan together for the program of library instruction.

(d) Professional personnel of the learning resource center plan with teachers for the active use of all communication media by students and teachers alike.

(e) Skilled help to aid teachers and students in the production of teaching-learning materials.

[Statutory Authority: RCW 28A.305.130(6). 91-01-068, § 180-55-135, filed 12/14/90, effective 1/14/91. Statutory Authority: RCW 28A.04.120(4). 81-08-027 (Order 2-85), § 180-55-135, filed 3/26/81.]

**Chapter 180-56 WAC
SECONDARY EDUCATION**

WAC

180-56-003 Application of WAC 180-50-010 through 180-50-070 and 180-56-006 through 180-56-066—High school graduation requirements for students who commenced the ninth grade prior to July 1, 1985.

NEW SECONDARY PROGRAM OR NEW GRADES NINE THROUGH TWELVE

180-56-205 New secondary program or new grades nine through twelve—Regulatory provisions pursuant to RCW 28A.305.130(5).
180-56-210 Basic policy.
180-56-215 Procedure.
180-56-220 Regulations—Purpose.
180-56-230 Program.
180-56-235 Enrollment.
180-56-240 Staff and corps.
180-56-245 Specialized services.
180-56-250 Fiscal responsibility.
180-56-255 Interdistrict relationships.
180-56-260 New secondary program or new grades nine through twelve—School district organization.
180-56-265 Establishment of new grade or grades.
180-56-270 Exceptional cases.

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

180-56-006 Purpose of graduation requirements. [Order 6-76, § 180-56-006, filed 6/1/76.] Repealed by 84-21-005 (Order 13-84), filed 10/4/84. Statutory Authority: RCW 28A.04.120(6), 28A.05.010 and 1984 c 278 § 6.
180-56-010 Standards for high school accreditation. Authority—Purpose—Definitions—Procedure. [SBE 56-8-40, 56-8-41, 56-8-42, and 56-8-43, filed 3/29/65, effective 4/29/65; Rules (part), filed 3/24/60.] Repealed by Rule (part), filed 10/16/67, effective 7/1/68.
180-56-011 School district board of directors to adopt graduation requirements. [Statutory Authority: RCW 28A.04.120. 79-10-034 (Order 11-79), § 180-56-011, filed 9/12/79; Order 6-76, § 180-56-011, filed 6/1/76.] Repealed by 84-21-005 (Order 13-84), filed 10/4/84. Statutory Authority: RCW 28A.04.120(6), 28A.05.010 and 1984 c 278 § 6.
180-56-015 Rules for classification of high school districts. [Rules (part), filed 3/24/60.] Formerly codified as WAC 180-56-060, now codified within WAC 180-24-100.

180-56-016 Minimum high school graduation requirements. [Order 6-76, § 180-56-016, filed 6/1/76.] Repealed by 84-21-005 (Order 13-84), filed 10/4/84. Statutory Authority: RCW 28A.04.120(6), 28A.05.010 and 1984 c 278 § 6.
180-56-020 Standards for high school accreditation. Types of accreditation—Reduction of accreditation status—Grades maintained requirement—Units of study requirement. [SBE 56-8-44, 56-8-45, 56-8-460 and 56-8-461, filed 3/29/65, effective 4/29/65; Rules (part), filed 3/24/60.] Repealed by Rule (part), filed 10/16/67, effective 7/1/68.
180-56-021 Required subject areas and credits. [Order 6-76, § 180-56-021, filed 6/1/76.] Repealed by 84-21-005 (Order 13-84), filed 10/4/84. Statutory Authority: RCW 28A.04.120(6), 28A.05.010 and 1984 c 278 § 6.
180-56-023 Required subject areas and credits for high school graduation. [Statutory Authority: RCW 28A.04.120(6). 83-13-005 (Order 6-83), § 180-56-023, filed 6/2/83.] Repealed by 84-21-005 (Order 13-84), filed 10/4/84. Statutory Authority: RCW 28A.04.120(6), 28A.05.010 and 1984 c 278 § 6.
180-56-026 Areas of study which must be available to students. [Order 6-76, § 180-56-026, filed 6/1/76.] Repealed by 84-21-005 (Order 13-84), filed 10/4/84. Statutory Authority: RCW 28A.04.120(6), 28A.05.010 and 1984 c 278 § 6.
180-56-030 High school graduation requirements—Minimum. [Order 1-71, § 180-56-030, filed 3/11/71, effective 7/1/71; SBE 56-8-4620, filed 3/29/65, effective 4/29/65; Rules (part), filed 3/24/60.] Repealed by Order 6-76, filed 6/1/76.
180-56-031 Waiver of high school graduation requirements. [Statutory Authority: Chapter 28A.97 RCW. 80-15-062 (Order 12-80), § 180-56-031, filed 10/16/80. Statutory Authority: RCW 28A.04.120. 80-02-147 (Order 3-80), § 180-56-031, filed 2/5/80; Order 6-76, § 180-56-031, filed 6/1/76.] Repealed by 84-21-005 (Order 13-84), filed 10/4/84. Statutory Authority: RCW 28A.04.120(6), 28A.05.010 and 1984 c 278 § 6.
180-56-035 High school graduation requirements—Recommendations for additional requirements. [Order 1-71, § 180-56-035, filed 3/11/71, effective 7/1/71; SBE 56-8-4621, filed 3/29/65, effective 4/29/65; Rules (part), filed 3/24/60.] Repealed by Order 6-76, filed 6/1/76.
180-56-036 Additional high school graduation requirements. [Statutory Authority: RCW 28A.04.120. 79-10-034 (Order 11-79), § 180-56-036, filed 9/12/79; Order 6-76, § 180-56-036, filed 6/1/76.] Repealed by 84-21-005 (Order 13-84), filed 10/4/84. Statutory Authority: RCW 28A.04.120(6), 28A.05.010 and 1984 c 278 § 6.
180-56-041 Credit for learning experiences conducted away from school or by persons not employed by the school district. [Order 6-76, § 180-56-041, filed 6/1/76.] Repealed by 84-21-005 (Order 13-84), filed 10/4/84. Statutory Authority: RCW 28A.04.120(6), 28A.05.010 and 1984 c 278 § 6.
180-56-046 High school credit for correspondence courses and college courses. [Order 6-76, § 180-56-046, filed 6/1/76.] Repealed by 84-21-005 (Order 13-84), filed 10/4/84. Statutory Authority: RCW 28A.04.120(6), 28A.05.010 and 1984 c 278 § 6.
180-56-050 Standards for high school accreditation. General requirements for accreditation. [SBE 56-8-463, filed 3/29/65, effective 4/29/65; Rules (part), filed 3/24/60.] Repealed by Rule (part), filed 10/16/67, effective 7/1/68.
180-56-051 High school credit for work experience. [Order 6-76, § 180-56-051, filed 6/1/76.] Repealed by 84-21-005 (Order 13-84), filed 10/4/84. Statutory Authority: RCW 28A.04.120(6), 28A.05.010 and 1984 c 278 § 6.
180-56-056 High school graduation and state apportionment credit—National Guard high school career training—Approval procedures. [Order 6-76, § 180-56-056, filed 6/1/76.] Repealed by 84-21-005 (Order 13-84), filed 10/4/84. Statutory Authority: RCW 28A.04.120(6), 28A.05.010 and 1984 c 278 § 6.
180-56-060 Rules for classification of high school districts. [SBE 24-8-1, 24-8-20, 24-8-21, 24-8-22 and 24-8-23, filed 3/29/65, effective 4/29/65; WAC 180-56-015, Rules (part), filed 4/24/60.] Recodified as WAC 180-24-100.

- 180-56-061 High school graduation requirements—Minimum. [Order 6-76, § 180-56-061, filed 6/1/76.] Repealed by 84-21-005 (Order 13-84), filed 10/4/84. Statutory Authority: RCW 28A.04.120(6), 28A.05.010 and 1984 c 278 § 6.
- 180-56-066 High school graduation requirements—Recommendation for additional requirements—For all students who commence the ninth grade prior to July 1, 1977. [Order 6-76, § 180-56-066, filed 6/1/76.] Repealed by 84-21-005 (Order 13-84), filed 10/4/84. Statutory Authority: RCW 28A.04.120(6), 28A.05.010 and 1984 c 278 § 6.
- 180-56-100 High school credit toward graduation—Correspondence courses. [SBE 56-8-600, filed 3/29/65, effective 4/29/65; Rules (part), filed 3/24/60.] Repealed by Order 6-76, filed 6/1/76.
- 180-56-105 High school credit toward graduation—Military institutes. [SBE 56-8-601, filed 3/29/65, effective 4/29/65; Rules (part), filed 3/24/60.] Repealed by Order 6-76, filed 6/1/76.
- 180-56-125 High school credit toward graduation—Military service credit. [SBE 56-8-610, filed 3/29/65, effective 4/29/65; Rules (part), filed 3/24/60.] Repealed by Order 6-76, filed 6/1/76.
- 180-56-126 High school credit toward graduation—Transcripts of persons in military service. [SBE 56-8-611, filed 3/29/65, effective 4/29/65.] Repealed by Order 6-76, filed 6/1/76.
- 180-56-127 High school credit toward graduation—General education development test. [SBE 56-8-62, filed 3/29/65, effective 4/29/65.] Repealed by Order 1-74, filed 3/19/74.
- 180-56-130 Credit for music courses. [SBE 56-8-6400, filed 3/29/65, effective 4/29/65; Rules (part), filed 3/24/60.] Repealed by Order 6-76, filed 6/1/76.
- 180-56-131 Credit for music courses—Credit for private music study—Examination syllabi. [Order 8-71, § 180-56-131, filed 10/13/71; SBE 56-8-6401, filed 3/29/65, effective 4/29/65.] Repealed by Order 6-76, filed 6/1/76.
- 180-56-135 Credit for physical education and health courses. [SBE 56-8-641, filed 3/29/65, effective 4/29/65; Rules (part), filed 3/24/60.] Repealed by Order 6-76, filed 6/1/76.
- 180-56-140 Credit for work experience. [SBE 56-8-63, filed 3/29/65, effective 4/29/65; Rules (part), filed 3/24/60.] Repealed by Order 6-76, filed 6/1/76.
- 180-56-305 Statutory authority. [Order 6-76, § 180-56-305, filed 6/1/76; SBE 56-2-2, 56-2-20, filed 10/16/67, effective 7/1/68.] Repealed by 81-08-028 (Order 3-81), filed 3/26/81. Statutory Authority: RCW 28A.04.120(4).
- 180-56-306 Intent. [SBE 56-2-21, filed 10/16/67, effective 7/1/68.] Repealed by 81-08-028 (Order 3-81), filed 3/26/81. Statutory Authority: RCW 28A.04.120(4).
- 180-56-307 Definitions. [Order 6-76, § 180-56-307, filed 6/1/76; Order 6-69, § 180-56-307, filed 9/9/69; SBE 56-2-22, filed 10/16/67, effective 7/1/68.] Repealed by 81-08-028 (Order 3-81), filed 3/26/81. Statutory Authority: RCW 28A.04.120(4).
- 180-56-310 Types of accreditation—Conditions—Effective period. [Order 6-69, § 180-56-310, filed 9/9/69.] Repealed by 81-08-028 (Order 3-81), filed 3/26/81. Statutory Authority: RCW 28A.04.120(4).
- 180-56-315 Approval of school district program. [Statutory Authority: RCW 28A.41.130 and 28A.58.754. 78-06-065 (Order 4-78), § 180-56-315, filed 5/25/78; Order 6-76, § 180-56-315, filed 6/1/76; SBE 56-2-4, 56-2-40, filed 10/16/67, effective 7/1/68.] Repealed by 81-08-028 (Order 3-81), filed 3/26/81. Statutory Authority: RCW 28A.04.120(4).
- 180-56-320 Annual report. [SBE 56-2-41, filed 10/16/67, effective 7/1/68.] Repealed by 81-08-028 (Order 3-81), filed 3/26/81. Statutory Authority: RCW 28A.04.120(4).
- 180-56-325 Unit of credit. [Order 6-76, § 180-56-325, filed 6/1/76; SBE 56-2-42, 56-2-420, filed 10/16/67, effective 7/1/68.] Repealed by 81-08-028 (Order 3-81), filed 3/26/81. Statutory Authority: RCW 28A.04.120(4).
- 180-56-330 Minimum program offerings. [SBE 56-2-421, filed 10/16/67, effective 7/1/68.] Repealed by 81-08-028 (Order 3-81), filed 3/26/81. Statutory Authority: RCW 28A.04.120(4).
- 180-56-335 Standards for accreditation of comprehensive secondary schools—Minimum requirements for students—Grades 9-12. [Order 6-76, § 180-56-335, filed 6/1/76; Order 5-72, § 180-56-335, filed 8/29/72; SBE 56-2-422, filed 10/16/67, effective 7/1/68.] Repealed by 81-08-028 (Order 3-81), filed 3/26/81. Statutory Authority: RCW 28A.04.120(4).
- 180-56-340 Professional preparation of staff. [SBE 56-2-43, 56-2-430, filed 10/16/67, effective 7/1/68.] Repealed by 81-08-028 (Order 3-81), filed 3/26/81. Statutory Authority: RCW 28A.04.120(4).
- 180-56-345 Number and time assignment of personnel. [Order 6-76, § 180-56-345, filed 6/1/76; SBE 56-2-431, filed 10/16/67, effective 7/1/68.] Repealed by 81-08-028 (Order 3-81), filed 3/26/81. Statutory Authority: RCW 28A.04.120(4).
- 180-56-350 Instructional and learning resources. [Order 6-76, § 180-56-350, filed 6/1/76; SBE 56-2-44, 56-2-440, filed 10/16/67, effective 7/1/68.] Repealed by 81-08-028 (Order 3-81), filed 3/26/81. Statutory Authority: RCW 28A.04.120(4).
- 180-56-355 Guidance services. [SBE 56-2-441, filed 10/16/67, effective 7/1/68.] Repealed by 81-08-028 (Order 3-81), filed 3/26/81. Statutory Authority: RCW 28A.04.120(4).
- 180-56-360 School health services. [SBE 56-2-442, filed 10/16/67, effective 7/1/68.] Repealed by 81-08-028 (Order 3-81), filed 3/26/81. Statutory Authority: RCW 28A.04.120(4).
- 180-56-365 Textbook and supplementary reference materials. [SBE 56-2-45, filed 10/16/67, effective 7/1/68.] Repealed by 81-08-028 (Order 3-81), filed 3/26/81. Statutory Authority: RCW 28A.04.120(4).
- 180-56-370 Equipment and materials. [SBE 56-2-46, filed 10/16/67, effective 7/1/68.] Repealed by 81-08-028 (Order 3-81), filed 3/26/81. Statutory Authority: RCW 28A.04.120(4).
- 180-56-375 Facilities. [SBE 56-2-47, filed 10/16/67, effective 7/1/68.] Repealed by 81-08-028 (Order 3-81), filed 3/26/81. Statutory Authority: RCW 28A.04.120(4).
- 180-56-380 Administration of accreditation procedures. [Order 6-76, § 180-56-380, filed 6/1/76; SBE 56-2-6, 56-2-60, 56-2-61, filed 10/16/67, effective 7/1/68.] Repealed by 81-08-028 (Order 3-81), filed 3/26/81. Statutory Authority: RCW 28A.04.120(4).
- 180-56-400 Basic policy. [Order 1-74, § 180-56-400, filed 3/19/74.] Repealed by 89-01-037 (Order 22-88), filed 12/14/88. Statutory Authority: RCW 28A.04.135.
- 180-56-405 Purposes. [Order 6-76, § 180-56-405, filed 6/1/76; Order 1-74, § 180-56-405, filed 3/19/74.] Repealed by 89-01-037 (Order 22-88), filed 12/14/88. Statutory Authority: RCW 28A.04.135.
- 180-56-410 Definitions. [Order 1-74, § 180-56-410, filed 3/19/74.] Repealed by 89-01-037 (Order 22-88), filed 12/14/88. Statutory Authority: RCW 28A.04.135.
- 180-56-415 Applications—Establishment of substantial and warranted reason—Administration by school districts. [Order 1-74, § 180-56-415, filed 3/19/74.] Repealed by 89-01-037 (Order 22-88), filed 12/14/88. Statutory Authority: RCW 28A.04.135.
- 180-56-420 Appeals. [Order 1-74, § 180-56-420, filed 3/19/74.] Repealed by 89-01-037 (Order 22-88), filed 12/14/88. Statutory Authority: RCW 28A.04.135.
- 180-56-425 Applications—Testing—Award of certificates of educational competence. [Order 1-74, § 180-56-425, filed 3/19/74.] Repealed by 89-01-037 (Order 22-88), filed 12/14/88. Statutory Authority: RCW 28A.04.135.
- 180-56-430 Issuance of certificates—Minimum test scores. [Order 1-74, § 180-56-430, filed 3/19/74.] Repealed by 89-01-037 (Order 22-88), filed 12/14/88. Statutory Authority: RCW 28A.04.135.
- 180-56-435 State committee. [Order 1-74, § 180-56-435, filed 3/19/74.] Repealed by 89-01-037 (Order 22-88), filed 12/14/88. Statutory Authority: RCW 28A.04.135.

Reviser's note: See Title digest in reference to chapter 180-54 WAC which was repealed by order filed 10/16/67, effective 7/1/68, and now codified within this chapter.

WAC 180-56-003 Application of WAC 180-50-010 through 180-50-070 and 180-56-006 through 180-56-066—High school graduation requirements for students who commenced the ninth grade prior to July 1, 1985. The provisions of WAC 180-50-010 through 180-50-070, which establish courses of study in the common schools, and the provisions of WAC 180-56-006 through 180-56-066, which establish high school graduation requirements for students in common schools, approved private schools, and community colleges, apply to students who commenced the ninth grade prior to July 1, 1985. In accordance with WAC 180-51-035 such provisions remain applicable and in effect for such students for a maximum of ten years even though such regulations have been repealed. Copies of such repealed regulations are available from the office of superintendent of public instruction.

[Statutory Authority: RCW 28A.04.120(6), 28A.05.010 and 1984 c 278 § 6. 84-21-005 (Order 13-84), § 180-56-003, filed 10/4/84.]

NEW SECONDARY PROGRAM OR NEW GRADES NINE THROUGH TWELVE

WAC 180-56-205 New secondary program or new grades nine through twelve—Regulatory provisions pursuant to RCW 28A.305.130(5). Pursuant to provisions of RCW 28A.305.130(5), the state board of education hereby establishes rules and regulations as hereinafter set forth in WAC 180-56-210 through 180-56-270 to govern the establishment in any existing nonhigh school district of any secondary program or any new grades in grades nine through twelve.

[Statutory Authority: 1990 c 33. 90-17-009, § 180-56-205, filed 8/6/90, effective 9/6/90; Order 6-76, § 180-56-205, filed 6/1/76; SBE 56-8-50, filed 3/29/65, effective 4/29/65.]

WAC 180-56-210 Basic policy. Believing that the welfare of the state and its children require secondary schools which (1) can provide a comprehensive program broad enough to meet the varied needs, abilities and interests of students, (2) are adequately staffed with certified teachers assigned to teach in their fields of competency, (3) are administered by properly certified personnel, (4) can provide adequate pupil-personnel service, (5) can provide school plant facilities suitable to the type of organization and program offered, (6) can give assurance of financial ability and willingness to construct, maintain and operate the facility, and (7) do not duplicate existent educational facilities and/or programs, it shall be the policy of the state board of education to approve applications for the establishment in any high school district of any secondary program or any new grades in grades nine through twelve only when there is evidence that the foregoing conditions can be fulfilled.

[SBE 56-8-51, filed 3/29/65, effective 4/29/65; Emergency and Permanent Rule, filed 6/21/63.]

WAC 180-56-215 Procedure. A secondary program or any new grades nine through twelve may not be established in any existing nonhigh school district except upon prior approval by the state board of education. Application for approval to establish any such program or any new

grades shall be made to the state superintendent of public instruction by the school authorities of the applicant district. The state superintendent shall review the application in light of state board of education rules and regulations relating thereto and shall submit his findings and recommendation to the state board.

[SBE 56-8-52, filed 3/29/65, effective 4/29/65.]

WAC 180-56-220 Regulations—Purpose. In order to assure an educational program and school facilities which will meet the requirements of the basic policy stated in WAC 180-56-210 above, the specific regulations hereinafter in WAC 180-56-230 through 180-56-270 set forth shall be applied in considering applications from nonhigh school districts.

[SBE 56-8-53, filed 3/29/65, effective 4/29/65; Emergency and Permanent Rule, filed 6/21/63.]

WAC 180-56-230 Program. It is presumed by the state board of education that a new secondary program (or new grades nine through twelve) must make provision for a comprehensive program. These programs also must accommodate the requirements of WAC 180-56-026 relating to areas of study that must be available to students and WAC 180-56-021 relating to required subject area and credits for graduation, and must provide for the varied needs, abilities, and interests of students. Minimum course offerings that must be available for student selection during grades nine through twelve shall include:

| Required Offerings (subject areas) | Credits* |
|--|----------|
| Language arts | 18 |
| Social studies | 15 |
| Mathematics (including algebra and geometry) | 12 |
| Laboratory science (including biology, chemistry and physics) | 12 |
| Home economics | 9 |
| Health and physical education | 9 |
| Industrial arts | 9 |
| Fine arts (must include both music and art) | 12 |
| Foreign language (9 credits of one language or 6 credits of two languages) | 9 |
| Business education | 9 |

* One credit equals 60 clock hours of instruction including normal class change passing time. (See WAC 180-56-016)

[Statutory Authority: RCW 28A.04.120(5). 82-04-003 (Order 2-82), § 180-56-230, filed 1/21/82; SBE 56-8-530, filed 3/29/65, effective 4/29/65; Emergency and Permanent Rule, filed 6/21/63.]

WAC 180-56-235 Enrollment. The initial enrollment for a four-year secondary school, grades nine through twelve, shall be at least four hundred; or if less than four hundred initially, substantial evidence shall be submitted that this enrollment will be reached within three years and that there is assurance of a relatively stable population.

The initial enrollment for a six-year secondary school, grades seven through twelve, shall be at least five hundred; or if less than five hundred initially, substantial evidence shall be submitted that this enrollment will be reached within three years and that there is assurance of a relatively stable population.

[Statutory Authority: RCW 28A.04.120, 79-06-048 (Order 4-79), § 180-56-235, filed 5/22/79; SBE 56-8-531, filed 3/29/65, effective 4/29/65; Emergency and Permanent Rule, filed 6/21/63.]

WAC 180-56-240 Staff and corps. There shall be not fewer than sixteen qualified teachers, or equivalent, not including principal, vice principal, counselor and librarian, in a four-year high school, nor fewer than twenty qualified teachers, or equivalent, in a six-year secondary school, not including principal, vice principal, counselor and librarian.

Teachers shall be assigned to grade levels or teaching areas in accordance with the regulations of the state board of education.

All administrative personnel, superintendent of the district and principal of the proposed school, shall be qualified in accordance with the regulations of the state board of education.

A full-time high school principal shall be employed to serve the functions of administration and instructional supervision.

[§ 180-56-240, filed 10/16/67, effective 7/1/68; SBE 56-8-532, filed 3/29/65, effective 4/29/65; Emergency and Permanent Rule, filed 6/21/63.]

WAC 180-56-245 Specialized services. Full-time library and instructional materials services shall be provided by a librarian qualified in accordance with standards adopted by the state board of education.

A minimum of one full-time person, or equivalent, shall be provided for counseling and guidance services. Personnel assigned to part-time or full-time counseling and guidance responsibilities shall have a minimum of one year of training beyond the bachelor's degree including course work in each of the following areas: Principles and practices of guidance; techniques of counseling; occupational and educational information; testing, measurement and evaluation; and foundations of psychology, preferably including developmental psychology and learning theory.

Provision shall be made for exceptional children including those with high ability or special talent, those who are slow learners and those who are physically handicapped.

Adequate health services shall be provided by the district or by the district in cooperation with other districts and/or agencies.

[SBE 56-8-533, filed 3/29/65, effective 4/29/65; Emergency and Permanent Rule, filed 6/21/63.]

WAC 180-56-250 Fiscal responsibility. The board of directors of the nonhigh school district shall submit evidence of the district's financial willingness and ability, within the existing patterns of school support, to make its proportionate contribution to the establishment and maintenance of a broad, comprehensive educational program.

The building to be used or to be built for use as a secondary school shall be approved by the office of the superintendent of public instruction as suitable for the type of organization and instructional program proposed.

The board of directors of the nonhigh school district shall submit evidence of the district's financial willingness and ability within existing patterns of school support to construct, maintain and operate the required building facilities.

[SBE 56-8-534, filed 3/29/65, effective 4/29/65; Emergency and Permanent Rule, filed 6/21/63.]

WAC 180-56-255 Interdistrict relationships. Prior to application to the state board for the establishment of a new secondary school, the district or districts presently serving students living in the nonhigh school district shall have been given adequate notice of the intent of the nonhigh school district subsequently to withdraw students.

The board of directors of the nonhigh school district seeking approval of the establishment of a new secondary school shall submit evidence that students living in the nonhigh school district cannot be economically and reasonably served in an existing high school or high schools.

There must be adequate proof that the proposed secondary facilities will not duplicate facilities already constructed with state and/or recommended federal assistance when such assistance was predicated on educational service to the nonhigh school district or districts: *Provided*, That the nonhigh school district may petition the state board of education for a feasibility study of the establishment of a high school when the existing high school district facilities reach designated maximum utilization and new construction is needed.

Evidence shall be submitted that unreasonable duplication of transportation routes and/or facilities will not result from the establishment of the new secondary school.

[SBE 56-8-535, filed 3/29/65, effective 4/29/65; Emergency and Permanent Rule, filed 6/21/63.]

WAC 180-56-260 New secondary program or new grades nine through twelve—School district organization. The proposal for establishment of a new secondary school must be consistent with sound, comprehensive planning for secondary school facilities and services and shall be in agreement with provisions of chapter 28A.315 RCW and any subsequent statutory provisions or policies established by the state board of education pertaining thereto.

[Statutory Authority: 1990 c 33, 90-17-009, § 180-56-260, filed 8/6/90, effective 9/6/90; Order 6-76, § 180-56-260, filed 6/1/76; SBE 56-8-536, filed 3/29/65, effective 4/29/65; Emergency and Permanent Rule, filed 6/21/63.]

WAC 180-56-265 Establishment of new grade or grades. In the establishment of one or more new grades in grades nine through twelve, the principle set forth in WAC 180-56-205 through 180-56-260 above concerning program, specialized services, staff and corps and size of respective grade or grades as related to potential total enrollment of the proposed secondary school shall apply: *Provided*, That the school district shall have satisfied all other requirements as herein prescribed. The establishment of each such grade shall be subject to prior approval by the state board of education.

[SBE 56-8-537, filed 3/29/65, effective 4/29/65; Emergency and Permanent Rule, filed 6/21/63.]

WAC 180-56-270 Exceptional cases. In exceptional cases, the state board of education will consider for special approval applications from schools with an initial enrollment of less than four hundred students and fewer than sixteen

teachers and related personnel if in its judgment the establishment of a new high school may be desirable because of the remoteness of the area and the necessity for a program of secondary education.

[§ 180-56-270, filed 10/16/67, effective 7/1/68; SBE 56-8-538, filed 3/29/65, effective 4/29/65; Emergency and Permanent Rule, filed 6/21/63.]

Chapter 180-57 WAC
SECONDARY EDUCATION—STANDARDIZED
HIGH SCHOOL TRANSCRIPT

WAC

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| 180-57-040 | Definitions—Credits and hours. |
| 180-57-050 | Grade reporting and calculation system. |
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| 180-57-060 | Use at district level. |
| 180-57-065 | School of record. |
| 180-57-070 | Mandatory high school transcript contents—Items. |
| 180-57-080 | School profile. |
| 180-57-090 | Requirement to inform students. |
| 180-57-100 | Transcript release procedures. |
| 180-57-110 | Standardized transcript forms. |

WAC 180-57-005 Authority. The authority for this chapter is RCW 28A.305.220 which authorizes the state board of education to develop a standardized high school transcript and to establish definitions for credits and hours for use by all common school districts.

[Statutory Authority: 1990 c 33. 90-17-009, § 180-57-005, filed 8/6/90, effective 9/6/90. Statutory Authority: RCW 28A.04.155. 85-01-017 (Order 18-84), § 180-57-005, filed 12/10/84.]

WAC 180-57-010 Purposes. The purposes of this chapter are:

- (1) To establish standardized criteria for high school transcripts issued by all common school districts; and
- (2) To establish definitions for credits, hours, and marking system so that common school district high school transcripts are standardized.

[Statutory Authority: RCW 28A.04.155. 85-01-017 (Order 18-84), § 180-57-010, filed 12/10/84.]

WAC 180-57-020 Definition—High school. As used in this chapter, the term "high school" shall mean all courses taken in the common school commencing with grade nine.

[Statutory Authority: RCW 28A.04.155. 85-01-017 (Order 18-84), § 180-57-020, filed 12/10/84.]

WAC 180-57-030 Definition—Standardized high school transcript. As used in this chapter, "standardized high school transcript" shall mean the standardized content specified in WAC 180-57-070. Such transcript usually is completed by the student's graduation from the twelfth grade but may extend for some students through the school year in which the student becomes twenty-one years of age.

[Statutory Authority: RCW 28A.04.155. 85-01-017 (Order 18-84), § 180-57-030, filed 12/10/84.]

WAC 180-57-040 Definitions—Credits and hours. As used in this chapter, "credit" and "hour" shall mean the same as defined in WAC 180-51-050.

[Statutory Authority: RCW 28A.04.155. 85-01-017 (Order 18-84), § 180-57-040, filed 12/10/84.]

WAC 180-57-050 Grade reporting and calculation system. The standardized high school transcript shall report the marks/grades earned by students in courses as follows; provided, that there is no requirement to adopt a marking/grading system that uses minuses or pluses or, if adopted, to report minuses or pluses on standardized transcripts:

- (1) A = 4.0
- (2) A- = 3.7
- (3) B+ = 3.3
- (4) B = 3.0
- (5) B- = 2.7
- (6) C+ = 2.3
- (7) C = 2.0
- (8) C- = 1.7
- (9) D+ = 1.3
- (10) D = 1.0
- (11) E or F = 0.0

The minimal passing mark/grade is D = 1.0. Pass/fail, credit/no credit, and satisfactory/unsatisfactory marks also may be used; however, notwithstanding the provisions of WAC 180-57-055, these nonnumerical marks/grades shall be clearly identified and excluded from the calculation of grade point average.

[Statutory Authority: RCW 28A.04.155. 88-13-026 (Order 15-88), § 180-57-050, filed 6/7/88; 85-01-017 (Order 18-84), § 180-57-050, filed 12/10/84.]

WAC 180-57-055 Definition—Grade point average. Each student's "grade point average" shall be the sum of the point values, as defined in WAC 180-57-050, of all the marks/grades received for all courses attempted divided by the sum of the credits for all courses attempted. The grade point value shall be calculated by multiplying the numerical value of the mark/grade earned by the number of credits assigned to the course. Except as provided in WAC 180-57-050, all marks/grades for all courses taken shall be included in the calculation of grade point averages. Grade point averages shall be calculated to two decimal places and reported for each trimester/semester or other term and for the cumulative credits earned for all courses attempted in high school.

[Statutory Authority: RCW 28A.04.155. 85-01-017 (Order 18-84), § 180-57-055, filed 12/10/84.]

WAC 180-57-060 Use at district level. All common school districts shall use the standardized high school transcript and the definitions of "credits," "hours," and "marking system" as specified in this chapter. The standardized high school transcript shall be used as an official record for students who commence grade nine subsequent to July 1, 1986.

[Statutory Authority: RCW 28A.04.155. 85-01-017 (Order 18-84), § 180-57-060, filed 12/10/84.]

WAC 180-57-065 School of record. The school of record shall be that school in which the student was most recently enrolled or is currently enrolled whichever is applicable. The school of record shall be responsible for incorporating into the student's standardized transcript the information specified in WAC 180-57-070(8) from all previous high schools in which the student was enrolled.

[Statutory Authority: RCW 28A.04.155. 85-01-017 (Order 18-84), § 180-57-065, filed 12/10/84.]

WAC 180-57-070 Mandatory high school transcript contents—Items. The standardized high school transcript shall contain only the following information:

(1) The student's name (last name, first name, and middle names or middle initials);

(2) The student's current address, address at graduation, or address at withdrawal from school (street, city, state, zip code);

(3) The student's birth date and sex;

(4) The student's identification number (if applicable);

(5) The school's name;

(6) The school's address (street, city, state, zip code, and telephone number);

(7) The dates of the student's entry, reentry, withdrawal, and graduation (if applicable) related to the school issuing the transcript;

(8) The student's academic history for high school (grade level and date of course completion, course titles, marks/grades earned as defined in WAC 180-57-050, credits attempted as defined in WAC 180-57-040, and grade point average as defined in WAC 180-57-055);

(9) The name and address of parent(s) or guardian(s) (street, city, state, zip code) if such information is available;

(10) A list of previous high schools attended (school name, address, city, state, and month and year of entrance and exit); and

(11) The signature and/or seal of the authorized school official (name, title, and date).

[Statutory Authority: RCW 28A.04.155. 85-01-017 (Order 18-84), § 180-57-070, filed 12/10/84.]

WAC 180-57-080 School profile. Each school may develop a school profile to be distributed with the standardized transcript. This profile may include school characteristics such as accreditation status, school motto, school size, grades served, staff size and training, school graduation requirements, special curriculum features, and community information. The school profile may be distributed without the student's consent.

[Statutory Authority: RCW 28A.04.155. 85-01-017 (Order 18-84), § 180-57-080, filed 12/10/84.]

WAC 180-57-090 Requirement to inform students. Common school districts shall inform annually all high school students that prospective employers may request to see transcripts and that the student's decision to release transcripts can be an important part of the process of applying for employment.

[Statutory Authority: RCW 28A.04.155. 85-01-017 (Order 18-84), § 180-57-090, filed 12/10/84.]

WAC 180-57-100 Transcript release procedures.

All common school districts shall adopt written procedures for the release of official student transcripts. Such procedures shall recognize the limited exception to the release of transcripts provided in RCW 28A.635.060 and shall provide that student transcripts are released to persons other than the student or the student's parents or guardians only upon the written authorization of the student or the student's parents or guardians, whichever is applicable, or as set forth in the Family Educational Rights and Privacy Act of 1974 and subsequent amendments. Except as provided in RCW 28A.635.060, all common school districts shall provide or make available to students upon request complete copies of their high school transcripts, with graduation noted thereon, within forty-five calendar days following the student's graduation from high school.

[Statutory Authority: 1990 c 33. 90-17-009, § 180-57-100, filed 8/6/90, effective 9/6/90. Statutory Authority: RCW 28A.04.155. 85-01-017 (Order 18-84), § 180-57-100, filed 12/10/84.]

WAC 180-57-110 Standardized transcript forms.

The superintendent of public instruction shall make available to school districts standardized transcript forms that include the content specified in WAC 180-57-070.

[Statutory Authority: RCW 28A.04.155. 85-01-017 (Order 18-84), § 180-57-110, filed 12/10/84.]

Chapter 180-58 WAC

VOCATIONAL EDUCATION

WAC

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| 180-58-090 | Establishment of program, application for processing—Approval of programs—Conditions. |

WAC 180-58-010 Vocational education programs—Regulatory provisions pursuant to chapter 285, Laws of 1971 ex. sess. Pursuant to the provisions of chapter 285, Laws of 1971 ex. sess., the state board of education hereby establishes rules and regulations as hereinafter set forth in WAC 180-58-015 through 180-58-090 to govern the implementation and approval of vocational education programs in grades one through twelve, as well as nongraded vocational-technical institutes.

[Order 10-71, § 180-58-010, filed 12/13/71.]

WAC 180-58-015 General statement of purpose. The basic purpose of section 1, chapter 285, Laws of 1971

ex. sess., authorizing the state board of education to offer vocational education programs in the elementary and secondary schools and to adopt rules and regulations for programs authorized by RCW 28A.225.250 and 28B.50.770 is to unify the vocational education delivery system in this state in order to provide the optimum educational opportunities to children and adults, to eliminate duplication of effort and expenditures, and to serve the population and the economy of the state most effectively.

[Statutory Authority: 1990 c 33, 90-17-009, § 180-58-015, filed 8/6/90, effective 9/6/90; Order 10-71, § 180-58-015, filed 12/13/71.]

Reviser's note: RCW 28B.50.770 was repealed by section 18, chapter 174, Laws of 1975 1st ex. sess.

WAC 180-58-020 Definitions. For purposes of this chapter the following terms are defined in accordance with section 4, chapter 285, Laws of 1971 ex. sess.

(1) The term "vocational education" shall mean a planned series of learning experiences, the specific objective of which is to prepare persons to enter, continue in or upgrade themselves in gainful employment in recognized occupations and homemaking, which are not designated as professional or requiring a baccalaureate or higher degree.

(2) The term "occupational exploration" shall include prevocational education. The term "occupational exploration" shall mean a series of educational experiences designed to (a) assist individuals in developing their understanding of, appreciation for, aptitudes for and abilities in recognized occupations; (b) develop an attitude of respect toward work and pride in workmanship; and (c) provide knowledge and experience to assist in the choice of an occupational program.

(3) The term "job market area" shall mean the geographic area for recruitment and placement of job entrants, usually determined by each industry or by a collective bargaining agreement.

[Order 10-71, § 180-58-020, filed 12/13/71.]

WAC 180-58-030 Appropriate advisory committee—Definition of. For purposes of this chapter "appropriate advisory committee" shall mean a local committee made up equally of employers and representatives of employees engaged in the trades, crafts or vocations involved in that program for which a school district is seeking authorization: *Provided*, That where such a committee is not appropriate to a specific program a citizens' advisory committee, made up of other representatives of the community to be served, may be deemed sufficient.

[Order 10-71, § 180-58-030, filed 12/13/71.]

WAC 180-58-040 Elementary and middle school vocational education. Vocational education in grades one through eight shall function under the definition and operational requisites for occupational exploration programs.

[Order 10-71, § 180-58-040, filed 12/13/71.]

WAC 180-58-045 Elementary and middle school vocational education—Occupational exploration programs—Operational requisites. (1) **Facilities and equipment.** The operating school district shall provide such

facilities and equipment adequate for the satisfactory maintenance of acceptable educational standards. Furthermore, such facilities and equipment shall meet the necessary safety codes as established by the state department of labor and industries.

(2) **Programs.** Occupational exploration programs shall:

(a) Assist individuals to achieve self-fulfillment and self-support, with self-respect.

(b) Assist individuals in developing their understanding of and appreciation for the production and distribution of goods and services and for the role of the family in our society.

(c) Develop an attitude of respect toward work, pride in workmanship and respect for the inherent dignity of the worker.

(d) Emphasize the importance of striving for excellence in all of life's work.

(e) Provide knowledge and practical experience through active student participation to assist in the choice of an occupation.

(3) **Guidance and counseling.** Provision shall be made for effective vocational guidance which shall include but not be limited to occupational information and counseling.

(4) **Administration and instruction.** There shall be satisfactory evidence that the school district will provide adequate administration and supervision as well as competent instructional and counseling personnel to insure maintenance of acceptable educational standards.

(5) **Conformity with state plan for vocational education.** Vocational education and occupational exploration programs shall, as a minimum, be consistent with the Washington state plan for vocational education as adopted by the coordinating council for occupational education pursuant to pertinent provisions of chapter 28B.50 RCW.

[Order 10-71, § 180-58-045, filed 12/13/71.]

WAC 180-58-055 Vocational education programs, secondary schools (grades 9 through 12)—Operational requisites. Programs will operate in compliance with the criteria for vocational education as established by the superintendent of public instruction subject to the approval of the state board of education, such criteria being established in accordance with the definition for vocational education and with the state plan for vocational education. The criteria will include, but not be limited to, the following:

(1) **Establishment of need.** Each school district making application for authorization of a program pursuant to this chapter shall submit an endorsement from the appropriate advisory committee evidencing the fact that the program to be offered in the particular job market area is or will be needed by the industry located therein or that there is evidence of available employment elsewhere in the industry for those with requisite vocational skills.

(2) **Facilities and equipment.** The operating school district shall provide such facilities and equipment adequate for the satisfactory maintenance of acceptable educational standards. Furthermore, such facilities and equipment shall meet the necessary safety codes as established by the state department of labor and industries.

(3) **Programs.** Vocational education programs shall:

(a) Provide for the vocational interest of students and the need of industry for a skilled work force by seeking out a balance of realistic student interest (through guidance and counseling) with identified industry need as attested to by the best available forecast of short- and long-range manpower requirements.

(b) Be determined by needs, aptitudes, interests and abilities of individual students.

(c) Be designed to develop skills, understanding and attitudes needed by a worker in his occupation.

(4) Administration and instruction.

(a) There shall be satisfactory evidence that the school district will provide adequate administration and supervision as well as competent instructional and counseling personnel to insure maintenance of acceptable educational standards.

(b) Instructors shall be occupationally competent and vocationally certified in the area in which they are to teach. Furthermore, all instructors shall be required to demonstrate proficiency in instruction of safety and hygiene pertinent to their respective courses pursuant to those standards established by the state department of labor and industries.

(5) Guidance and counseling. Provision shall be made for effective vocational guidance which shall include but not be limited to occupational information and counseling.

(6) Class size. The maximum number of students per class shall be determined by the number of training stations, safety factors and individual instructional requirements of the specific occupation or trade being taught.

(7) Conformity with state plan for vocational education. Vocational education and occupational exploration programs shall, as a minimum, be consistent with the Washington state plan for vocational education as adopted by the coordinating council for occupational education, pursuant to pertinent provisions of chapter 28B.50 RCW.

[Order 10-71, § 180-58-055, filed 12/13/71.]

WAC 180-58-065 Vocational-technical institute programs—Operational requisites. (1) **Establishment of need.** Each school district making application for authorization of a program pursuant to this chapter shall submit an endorsement from the appropriate advisory committee evidencing the fact that the program to be offered in the particular job market area is or will be needed by the industry located therein, or that there is evidence of available employment elsewhere in the industry for those with requisite vocational skills.

(2) **Facilities and equipment.** The vocational-technical institute shall be housed in a separate building and the operating school district shall provide such a facility and equipment comparable to those used in the occupation and that are adequate for the satisfactory maintenance of acceptable educational standards. Furthermore, such facilities and equipment shall meet the necessary safety codes as established by the state department of labor and industries.

(3) **Programs.** Vocational-technical school programs shall:

(a) Provide for the vocational interest of the students and the need of industry for a skilled work force.

(b) Be directly related to employment opportunities to provide flexibility that will adapt to time, location, demand and condition.

(c) Be determined by needs, aptitudes, interests and abilities of individual students.

(d) Be designed to develop skills, understanding and attitudes needed by a worker in his occupation.

(e) Provide opportunities for persons desiring to prepare for employment and for the upgrading and updating of skills and knowledge of employed workers.

(f) Shall be designed for continuous enrollment where applicable.

(4) Guidance and counseling. Provisions shall be made for effective vocational guidance for youth and adults which shall include but not be limited to occupational information, counseling, placement and follow-up.

(5) Administration and instruction.

(a) Satisfactory evidence shall be submitted that the vocational-technical school will provide adequate administration and supervision to insure the maintenance of acceptable educational standards.

(b) Instructors shall be occupationally competent and vocationally certified in the area in which they are to teach. Furthermore, all instructors shall be required to demonstrate proficiency in instruction of safety and hygiene pertinent to their respective courses pursuant to those standards established by the state department of labor and industries.

(6) Class size. The maximum number of students per class shall be determined by the number of training stations, safety factors and individual instructional requirements of the specific occupation or trade being taught.

(7) Conformity with state plan for vocational education. Vocational education programs shall be, as a minimum, consistent with the Washington state plan for vocational education as adopted by the coordinating council for occupational education pursuant to pertinent provisions of chapter 28B.50 RCW.

[Order 10-71, § 180-58-065, filed 12/13/71.]

WAC 180-58-075 Interdistrict cooperation vocational education programs—Operational requisites. Those rules and regulations as promulgated and set forth by the superintendent of public instruction in chapter 192-15 WAC pursuant to authority under RCW 28A.225.250 shall control for purposes of this chapter.

[Statutory Authority: 1990 c 33. 90-17-009, § 180-58-075, filed 8/6/90, effective 9/6/90; Order 10-71, § 180-58-075, filed 12/13/71.]

WAC 180-58-085 Establishment of program, application for processing. (1) The board of directors of a school district desiring to establish and operate a vocational education program under the provisions of section 1, chapter 285, Laws of 1971 ex. sess., and acts amendatory thereto, shall submit an application therefor to the superintendent of public instruction. The application shall state such information as may be necessary to a determination of eligibility for approval in accordance with pertinent rules and regulations hereinbefore in this chapter set forth and the Washington state plan for vocational education.

(2) All applications for approval to establish and operate vocational education programs shall be evaluated by the appropriate staff as designated by the executive officer of the state board of education for compliance with the pertinent policies, rules and regulations as herein set forth in this

chapter, as well as the provisions of the Washington state plan for vocational education. Reports of the findings of such evaluations shall be submitted to the superintendent of public instruction for consideration and recommendation to the state board of education.

[Order 10-71, § 180-58-085, filed 12/13/71.]

WAC 180-58-090 Establishment of program, application for processing—Approval of programs—Conditions. (1) **Initial and continued approval.** The initial approval of an application and authorization to a school district to establish and operate a vocational education program shall be effective for a stated period of time with the proviso that approval thereafter shall be continuous upon evidence of compliance with requirements hereinbefore in this chapter set forth.

(2) **Approval of additional courses.** The superintendent of public instruction hereby is authorized to establish the necessary procedures for the approval of applications for additional courses.

[Order 10-71, § 180-58-090, filed 12/13/71.]

**Chapter 180-59 WAC
PRESCHOOL ACCREDITATION**

WAC

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WAC 180-59-005 Authority. The authority for this chapter is RCW 28A.215.320 which directs the state board of education to establish standards and procedures for voluntary accreditation of all public and nonpublic preschools.

[Statutory Authority: 1990 c 33. 90-17-009, § 180-59-005, filed 8/6/90, effective 9/6/90. Statutory Authority: RCW 28A.34.120. 89-09-044 (Order 9-89), § 180-59-005, filed 4/17/89.]

WAC 180-59-010 Purpose. The purpose of this chapter is to set forth standards and procedures for voluntary accreditation of public and nonpublic preschools by the state board of education.

[Statutory Authority: RCW 28A.34.120. 89-09-044 (Order 9-89), § 180-59-010, filed 4/17/89.]

WAC 180-59-015 Public policy purpose. The public policy purposes of preschool accreditation are:

- (1) Give parents and other consumers of preschool programs an indicator of the quality of preschool programs;
- (2) Promote the establishment of quality preschool programs;
- (3) Improve the quality of existing preschool programs; and
- (4) Give recognition to existing quality preschool programs.

[Statutory Authority: RCW 28A.34.120. 89-09-044 (Order 9-89), § 180-59-015, filed 4/17/89.]

WAC 180-59-020 Preschool—Definition. As used in this chapter, the term "preschool" means educational programs that emphasize readiness skills where children of preschool age are enrolled on a regular basis for four hours per day or less.

[Statutory Authority: RCW 28A.34.120. 89-09-044 (Order 9-89), § 180-59-020, filed 4/17/89.]

WAC 180-59-025 Accredited preschool—Definition. As used in this chapter, the term "accredited preschool" shall mean a preschool which has been accredited by the state board of education in accordance with the standards for accreditation as prescribed in this chapter.

[Statutory Authority: RCW 28A.34.120. 89-09-044 (Order 9-89), § 180-59-025, filed 4/17/89.]

WAC 180-59-030 Readiness skills—Definition. As used in this chapter, the term "readiness skills" shall mean the cognitive, communicative, emotional, physical, aesthetic, creative, and social skills which are appropriate to the child's developmental level.

[Statutory Authority: RCW 28A.34.120. 89-09-044 (Order 9-89), § 180-59-030, filed 4/17/89.]

WAC 180-59-032 Preschool age—Definition. As used in this chapter, the term "preschool age" shall mean a child who has not yet entered kindergarten.

[Statutory Authority: RCW 28A.34.120. 89-09-044 (Order 9-89), § 180-59-032, filed 4/17/89.]

WAC 180-59-035 Public schools—Definition. As used in this chapter, the term "public schools" shall mean those schools maintained at public expense as defined in RCW 28A.150.010 and 28A.150.020.

[Statutory Authority: 1990 c 33. 90-17-009, § 180-59-035, filed 8/6/90, effective 9/6/90. Statutory Authority: RCW 28A.34.120. 89-09-044 (Order 9-89), § 180-59-035, filed 4/17/89.]

WAC 180-59-037 Nonpublic preschools—Definition. As used in this chapter, the term "nonpublic preschools" shall mean preschools not maintained at public expense, including, but not limited to, private or independent preschools carrying out a program for preschool.

[Statutory Authority: RCW 28A.34.120. 89-09-044 (Order 9-89), § 180-59-037, filed 4/17/89.]

WAC 180-59-040 Instructional staff—Definition. As used in this chapter, the term "instructional staff" shall mean certificated and noncertificated employees who are responsible for carrying out the instructional component of the preschool program.

[Statutory Authority: RCW 28A.34.120. 89-09-044 (Order 9-89), § 180-59-040, filed 4/17/89.]

WAC 180-59-045 General supervision—Definition. As used in this chapter, the term "general supervision" means that one instructional staff person or administrator as defined in WAC 180-59-055 shall be available at the preschool site to observe and advise the instructional staff.

[Statutory Authority: RCW 28A.34.120. 89-09-044 (Order 9-89), § 180-59-045, filed 4/17/89.]

WAC 180-59-047 Validation—Definition. As used in this chapter, the term "validation" shall mean the process of substantiating or verifying the information provided by the preschool applying for accreditation.

[Statutory Authority: RCW 28A.34.120. 89-09-044 (Order 9-89), § 180-59-047, filed 4/17/89.]

WAC 180-59-050 Basic standard—Health and safety. In order to be accredited, a public or nonpublic preschool must meet applicable federal, state, and local health and fire safety requirements. Nonpublic preschools not located in approved private schools, as defined in WAC 180-90-112 through 180-90-115, must meet current department of social and health services child daycare licensing requirements.

[Statutory Authority: RCW 28A.34.120. 89-09-044 (Order 9-89), § 180-59-050, filed 4/17/89.]

WAC 180-59-055 Basic standard—Instructional personnel. In order to be an accredited preschool, the instructional staff must meet the following qualifications:

(1) One instructional staff person must hold a valid Washington state teaching certificate or educational staff associate certificate with at least one of the following:

(a) An early childhood education endorsement pursuant to WAC 180-79-340 or 180-79-342, or if issued prior to August 31, 1987, otherwise eligible for such endorsement.

(b) "Substantial professional training" in special education and/or "successful prior experience" as a special education teacher as defined in WAC 392-171-701.

(c) One year of full-time employment or equivalent—i.e., one thousand hours of employment—as a teacher in grades P-3.

(2) For each twenty-five students or fraction thereof enrolled in the preschool, there must be instructional staff who meet one of the following:

(a) The requirements of the instructional staff person as specified in subsection (1) of this section.

(b) An associate or higher degree in early childhood education from a regionally accredited institution of higher education.

(c) A certificate in early childhood education from a vocational-technical institute which reflects a minimum of one thousand clock hours of training.

(d) An associate or higher degree from a regionally accredited institution of higher education, and a certificate of early childhood education from a postsecondary institution, that represents at least one thousand clock hours of training for which a regionally accredited institution of higher education will grant credit.

(3) All other instructional staff, including associates or teaching aides, for the purpose of compliance with the instructional staff ratios in WAC 180-59-065, must meet one of the following:

(a) A child development associate credential recognized by the council for early childhood professional recognition, Washington, D.C.

(b) Completion of an OSPI approved secondary vocational program designed to prepare entry level early childhood personnel.

(c) Completed a training program consisting of forty or more clock hours within thirty calendar days of employment under the direct supervision of the instructional staff person specified in subsection (1) of this section or another person who meets the requirements of such instructional staff person.

[Statutory Authority: RCW 28A.34.120. 89-09-044 (Order 9-89), § 180-59-055, filed 4/17/89.]

WAC 180-59-060 Basic standard—Special education—Nonpublic preschools. Nonpublic preschools may also apply, pursuant to WAC 392-171-496, for status as approved nonpublic agencies for the education of preschool handicapped children.

[Statutory Authority: RCW 28A.34.120. 89-09-044 (Order 9-89), § 180-59-060, filed 4/17/89.]

WAC 180-59-065 Basic standard—Instructional staff-child ratio. At no time shall the instructional staff-child ratio fall below the following limits:

(1) Ages birth through 11 months: One instructional staff person (as defined in WAC 180-59-040) to every 4 children;

(2) Ages 12 through 29 months: One instructional staff person to every 6 children;

(3) Ages 30 through 47 months: One instructional staff person to every 8 children; and

(4) Ages 48 months and above: One instructional staff person to every 10 children;

(5) In multiage or family groupings, ages 30 to 60 months: One instructional staff person to every 10 children;

(6) At least two adults shall be present at all times to ensure that one adult is available to respond to an emergency while the other continues oversight of other children.

[Statutory Authority: RCW 28A.34.120. 89-09-044 (Order 9-89), § 180-59-065, filed 4/17/89.]

WAC 180-59-070 Basic standard—General staff qualifications. To be accredited, a preschool shall be staffed by persons who:

(1) Demonstrate appropriate personal characteristics for working with young children as defined in WAC 180-75-081; and

(2) Have undergone a background check through the Washington state patrol criminal identification system, including fingerprinting, as provided in chapter 486, Laws of 1987. The background check shall not be made at the expense of the state.

[Statutory Authority: RCW 28A.34.120. 89-09-044 (Order 9-89), § 180-59-070, filed 4/17/89.]

WAC 180-59-075 Basic standard—Noncertificated instructional staff training. To be accredited, a preschool program which employs noncertificated instructional staff shall employ staff who meet the conditions in WAC 180-59-055 (2) and (3), and:

(1) Have at least ten clock hours annually of inservice training in early childhood education.

(2) Must be at least sixteen years of age.

(3) Meet the character requirements in WAC 180-59-070 and 180-75-081.

[Statutory Authority: RCW 28A.34.120. 89-09-044 (Order 9-89), § 180-59-075, filed 4/17/89.]

WAC 180-59-080 Basic standard—Staff-parent communication. To be accredited, a preschool shall:

(1) Provide initial written information concerning the school's program, philosophy, and procedures to parent(s) or primary care provider(s) of children enrolled;

(2) Provide for an initial meeting with parent(s) or primary care provider(s) of enrollees to discuss parent/staff expectations and to allow the parent(s) or primary care provider(s) to share any special information about the child; and

(3) Provide meaningful regular reports to the parent(s) or primary care provider(s) on at least a monthly basis, verbally or in writing containing pertinent information about the child's activities, development, problems, etc., in the preschool program.

[Statutory Authority: RCW 28A.34.120. 89-09-044 (Order 9-89), § 180-59-080, filed 4/17/89.]

WAC 180-59-090 Basic standard—Activities and curriculum. In order to be accredited, preschools must meet the following basic standards:

(1) Preschool activities and curriculum shall be designed to be developmentally appropriate and meet the specific

needs of the children enrolled in the area of the children's physical, social, emotional, aesthetic, creative, communicative, and cognitive growth.

(2) Materials, equipment, and environment of the preschool shall be appropriate to the ages of the children enrolled and meet the specific needs of those children.

[Statutory Authority: RCW 28A.34.120. 89-09-044 (Order 9-89), § 180-59-090, filed 4/17/89.]

WAC 180-59-095 Basic standard—Records. In order to be accredited, a preschool shall, at a minimum, keep the following records, which shall be available upon request to the superintendent of public instruction:

(1) For each child, necessary family information, emergency information, attendance, health status, and school progress;

(2) For each staff member, current job description, compensation level, experience educational qualifications, training, health information, and evaluation of work performance;

(3) Written policies and procedures for operation, statement of philosophy and program description including school calendar, hours of operation, fees, parent responsibilities, personnel policies, and school guidance and disciplinary policies for children;

(4) Fiscal records including documentation of income, expenditures, budgeting and financial planning, liability insurance for the program and facility, and accident protection and insurance coverage maintained for children and staff; and

(5) Measures have been taken to safeguard all permanent records in a confidential manner and protect against loss or damage through either the storage of such records in fire-resistant containers or facilities, or the retention of duplicates in a separate and distinct area.

[Statutory Authority: RCW 28A.34.120. 89-09-044 (Order 9-89), § 180-59-095, filed 4/17/89.]

WAC 180-59-100 Basic standard—Validator qualifications. In order to be an on-site validator, a person shall meet one of the following qualifications:

(1) Possess a valid teaching certificate which bears an early childhood education endorsement (grades P-3) pursuant to WAC 180-79-340, or have completed a two-year or four-year degree program in early childhood education.

(2) Have at least three years (2160 contact hours) working directly with children ages five years or younger in group programs, and one year (720 hours) administering group programs for children.

(3) Have been trained as an assessor or validator by a state or national early childhood education training program or by a professional organization of early childhood educators.

[Statutory Authority: RCW 28A.34.120. 89-09-044 (Order 9-89), § 180-59-100, filed 4/17/89.]

WAC 180-59-105 Accreditation procedures. Accreditation of preschool programs shall be granted by the state board of education upon successful completion of the procedure described below:

(1) The forms developed by the superintendent of public instruction shall be used by the applying preschool for self-study regarding basic standards described in this chapter. The self-study forms shall be completed prior to an on-site visit by the accreditation validator(s).

(2) The superintendent of public instruction validation forms shall be used for the on-site visit by the accreditation validator(s).

(3) Review and clarify, with the on-site program administrator, the validation results at the conclusion of the on-site visit.

(4) Following the on-site validation visit, the validator shall submit to the superintendent of public instruction the following:

- (a) Self-study from the applying preschool; and
- (b) The signed statement of assurances in WAC 180-59-150; and
- (c) The validation report prepared by the on-site validator.

(5) After reviewing the self-study, statement of assurances, and additional documents submitted by the validator, the superintendent of public instruction shall:

(a) Recommend to the state board of education that the preschool receive accreditation;

(b) Recommend to the state board of education that the preschool receive conditional accreditation based upon conditions stated in WAC 180-59-150;

(c) Issue a report to the preschool seeking accreditation outlining conditions which, if corrected within sixty days and verified by the superintendent of public instruction, shall result in a positive recommendation to the state board of education and that, if not corrected, shall result in a recommendation for denial of accreditation; or

(d) Recommend to the state board of education that the preschool be denied accreditation.

[Statutory Authority: RCW 28A.34.120. 89-09-044 (Order 9-89), § 180-59-105, filed 4/17/89.]

WAC 180-59-110 Responsibility for on-site validation of preschool programs. The preschool applicant shall have the responsibility of obtaining on-site validator(s) to conduct an on-site validation of the preschool program for purposes of determining eligibility for accreditation under this chapter. It is the responsibility of the preschool to meet the following conditions:

(1) The length of the validation shall be at least one day.

(2) The validator(s) shall meet the qualifications described in WAC 180-59-100.

(3) Fees, if any, charged for the on-site validation shall be the responsibility of the applying preschool.

[Statutory Authority: RCW 28A.34.120. 89-09-044 (Order 9-89), § 180-59-110, filed 4/17/89.]

WAC 180-59-115 Preparation for accreditation on-site validation. In order to be accredited, a preschool must meet the following conditions:

(1) Prior to an on-site validation, preschool staff shall complete the self-study using the standards in WAC 180-59-050 through 180-59-095 and shall return completed self-study forms to the superintendent of public instruction.

(2) After reviewing the self-study forms, the superintendent of public instruction shall notify the applying preschool of permission to proceed with the on-site review.

(3) The validator(s) chosen for the on-site visit shall review the completed forms and establish with the preschool a mutually agreeable date for the visit.

(4) The validator(s) shall provide the preschool with a written confirmation of the on-site validation date and a proposed schedule of activities.

[Statutory Authority: RCW 28A.34.120. 89-09-044 (Order 9-89), § 180-59-115, filed 4/17/89.]

WAC 180-59-120 Alternate procedure for validation for accreditation. As an alternative to the validation procedures outlined in WAC 180-59-100 through 180-59-115, a preschool may, at its discretion and expense, choose to apply to the National Academy of Early Childhood Programs for accreditation validation. Successful completion of such process shall be accepted by the superintendent of public instruction as validation for accreditation under this chapter. A copy of the NAEYC accreditation certificate and the statement of assurances in WAC 180-59-150 shall be submitted to the superintendent of public instruction by the applying preschool.

[Statutory Authority: RCW 28A.34.120. 89-09-044 (Order 9-89), § 180-59-120, filed 4/17/89.]

WAC 180-59-125 Issuance of accreditation by the state board of education. Upon completion of the review of the preschool self-study, validator's report, if applicable, and signed statement of assurances in WAC 180-59-150, a recommendation shall be submitted by the superintendent of public instruction to the state board of education on forms provided for such purpose. On the basis of this recommendation the state board of education shall approve or deny accreditation to the applicant preschool.

(1) The state board of education shall issue a certificate of accreditation to a qualifying preschool upon receipt of a positive recommendation by the reviewing agency. Said accreditation shall be effective for three years from date of issuance.

(2) The state board of education shall send a written denial of accreditation, including the specific basis for denial, to a preschool for which a recommendation for accreditation has been denied by the reviewing agency: *Provided*, That such preschool shall be eligible for an accreditation validation six months from the date the state board received the recommendation for denial of accreditation.

[Statutory Authority: RCW 28A.34.120. 89-09-044 (Order 9-89), § 180-59-125, filed 4/17/89.]

WAC 180-59-130 Annual statement of assurances. On or before September 30th, each accredited preschool shall file with the superintendent of public instruction, in accordance with procedures established by the superintendent of public instruction, an annual statement of assurances in the form and substance set forth in WAC 180-59-150. Failure to file this statement will result in a suspension in the accreditation of the preschool until the statement of assurances is received by the superintendent of public instruction.

[Statutory Authority: RCW 28A.34.120. 89-09-044 (Order 9-89), § 180-59-130, filed 4/17/89.]

WAC 180-59-135 Loss of accreditation of a nonoperating preschool. An accredited preschool which does not have students enrolled for six consecutive calendar months and which fails to provide evidence of student enrollment upon request of the superintendent of public instruction for the said period of time shall lose its accreditation status.

[Statutory Authority: RCW 28A.34.120. 89-09-044 (Order 9-89), § 180-59-135, filed 4/17/89.]

WAC 180-59-140 Accreditation—Annual statement of assurances and initial application—Exception. Any preschool which is unable to file its application on September 30th may in any event request that the superintendent of public instruction review the application and that the superintendent's findings and recommendations be submitted to the state board of education. This request shall be granted if the superintendent finds that the preschool was not sufficiently developed prior to the September 30th due date to enable it to comply with that requirement. The superintendent of public instruction shall have the discretion to grant the request in other exceptional circumstances. If said request is granted, the review shall be completed within sixty days and the findings and recommendations presented to the state board of education.

[Statutory Authority: RCW 28A.34.120. 89-09-044 (Order 9-89), § 180-59-140, filed 4/17/89.]

WAC 180-59-145 Appeals. Pursuant to RCW 28A.215.320 any preschool may appeal the actions of the superintendent of public instruction or state board of education as provided in chapter 34.05 RCW and chapter 180-08 WAC.

[Statutory Authority: 1990 c 33. 90-17-009, § 180-59-145, filed 8/6/90, effective 9/6/90. Statutory Authority: RCW 28A.34.120. 89-09-044 (Order 9-89), § 180-59-145, filed 4/17/89.]

WAC 180-59-150 Annual statement of assurances form. The annual certificate required by WAC 180-59-130 shall be in substantial compliance with the form and substance of the following:

ASSURANCE OF COMPLIANCE
WITH STATE STANDARDS

Preschool
Address

I,, do hereby certify that I am the chief administrator of the above named school; that said school is located at the address listed above, and conducts a preschool program with a projected enrollment of; and that said school is scheduled to meet from to, the following standards with the exception only of such deviations, if any, as are set forth in an attachment to this certificate of compliance.

On each school day, children enrolled in the preschool are provided the opportunity to be engaged in educational activity planned by and under direction of the staff; as directed by the administration and/or governing board; and

that children are provided a program offering as described in WAC 180-59-090.

(1)(a) At least one teacher who meets the requirements set forth in WAC 180-59-055 is on the instructional staff of the preschool;

(b) The supervisory person is available for consultation with instructional staff, as required by WAC 180-59-045; and

(c) Each child's progress is evaluated by the supervisory person.

(2) Measures have been taken to safeguard all permanent records in a confidential manner and protect against loss or damage through either the storage of such records in fire-resistant containers or facilities, or the retention of duplicates in a separate and distinct area, as required by WAC 180-59-095;

(3) The physical facilities of the school are adequate to meet the program offered, and all school facilities and practices are in compliance with health and fire safety standards in WAC 180-59-050, as substantiated by inspection reports of appropriate health and fire safety officials which are on file in the chief administrator's office.

(4) The school does not engage in a policy of segregation or discrimination against persons on basis of race, physical disability etc.

(5) The governing authority of this preschool has been apprised of the requirements of WAC 180-59-005 through 180-59-165 relating to the requirements for accreditation of preschools and such governing authority has further been apprised of all deviations from the rules and regulations of the state board of education and the standards contained in this chapter. I have reported all such deviations herewith.

(6) The self-study forms of the superintendent of public instruction have been validated by an on-site visit by a qualified validator as described in WAC 180-59-100 through 180-59-115; or through the alternate procedure in WAC 180-59-120.

DATED this day of, 19. . .

.....
(signed)

.....
(title)

.....
(phone number)

[Statutory Authority: RCW 28A.34.120. 89-09-044 (Order 9-89), § 180-59-150, filed 4/17/89.]

WAC 180-59-155 Effective period of accreditation. Accreditation of a preschool under this chapter shall be effective for three years from the date on which the preschool is accredited by the state board of education.

[Statutory Authority: RCW 28A.34.120. 89-09-044 (Order 9-89), § 180-59-155, filed 4/17/89.]

WAC 180-59-160 Renewal of accreditation. Three months prior to the end of each three-year accreditation period, an accredited preschool shall complete an application for a three-year renewal of accreditation on forms provided by the superintendent of public instruction. Renewal shall be

granted upon successful completion of the procedures outlined in WAC 180-59-100 through 180-59-120.

[Statutory Authority: RCW 28A.34.120. 89-09-044 (Order 9-89), § 180-59-160, filed 4/17/89.]

WAC 180-59-165 Change of ownership or management. An accredited preschool which changes ownership or management subsequent to receiving accreditation and prior to time for renewal shall, within thirty days, submit a new statement of assurances to the superintendent of public instruction. Upon receipt of the statement of assurances, the superintendent of public instruction may require additional information.

[Statutory Authority: RCW 28A.34.120. 89-09-044 (Order 9-89), § 180-59-165, filed 4/17/89.]

Chapter 180-72 WAC ADULT EDUCATION

WAC

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| 180-72-040 | Purpose—Cooperation policy. |
| 180-72-045 | Authority—Regulatory provisions recognize intent of specific acts. |
| 180-72-050 | Adult education defined. |
| 180-72-055 | Adult high school completion education—Policy. |
| 180-72-060 | Adult high school completion education—Community college and common school district participation. |
| 180-72-065 | Community college high school diploma programs. |
| 180-72-070 | Federal programs for adult education. |

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

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| 180-72-010 | Policy statement. [Filed 5/3/66, effective 6/3/66; Filed 3/25/64, effective 4/25/64; Rules (part), filed 3/24/60, adopted 9/25/59.] Repealed by Order 5-70, filed 4/28/70. |
| 180-72-011 | Adult education defined. [SBE 72-2-1, filed 3/25/64, effective 4/25/64.] Repealed by Order 5-70, filed 4/28/70. |
| 180-72-012 | Purpose. [SBE 72-2-2, filed 3/25/64, effective 4/25/64.] Repealed by Order 5-70, filed 4/28/70. |
| 180-72-015 | Regulations governing adult evening school classes. [Rules (part), filed 12/21/60; Rules (part), filed 3/24/60.] Repealed by Order, filed 3/25/64, effective 4/25/64. |
| 180-72-020 | Categories of objectives to govern approval of adult education courses for apportionment purposes. [Rules (part), filed 3/24/60.] Repealed by Order, filed 3/25/64, effective 4/25/64. |
| 180-72-021 | General adult education—Basic policy relating to post-high school programs. [SBE 72-4-10, filed 3/25/64, effective 4/25/64.] Repealed by Order 5-70, filed 4/28/70. |
| 180-72-022 | General adult education—State support—Generally. [SBE 72-4-11, filed 3/25/64, effective 4/25/64.] Repealed by Order 5-70, filed 4/28/70. |
| 180-72-023 | General adult education—State support—Eligible and ineligible courses—Goals—Class requirements—Staff. [SBE 72-4-2, 72-4-200, 72-4-201, 72-4-21, 72-4-22, 72-4-260 and 72-4-261, filed 3/25/64, effective 4/25/64; Rules (part), filed 3/24/60.] Repealed by Order 5-70, filed 4/28/70. |
| 180-72-024 | General adult education—State support—Application to conduct program. [SBE 72-4-3, filed 3/25/64, effective 4/25/64.] Repealed by Order 5-70, filed 4/28/70. |
| 180-72-025 | Adult education courses disapproved for apportionment credit. [Rules (part), filed 3/24/60.] Repealed by Order, filed 3/25/64, effective 4/25/64. |
| 180-72-026 | General adult education—State support—Approval of program—Excepted classes. [SBE 72-4-4, 72-4-50, 72-4-51 and 72-4-52, filed 3/25/64, effective 4/25/64.] Repealed by Order 5-70, filed 4/28/70. |

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| 180-72-030 | Adult elementary and high school education. [SBE section 72-6, filed 10/29/64; adopted 10/23/64.] Repealed by Order 5-70, filed 4/28/70. |
| 180-72-075 | Certificate of educational competence program. [Order 5-70, § 180-72-075, filed 4/28/70.] Repealed by Order 1-74, filed 3/19/74. |

WAC 180-72-040 Purpose—Cooperation policy.

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

The several statutes relating to adult education have vested authority and responsibility for conduct of adult education programs in the community 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 educa-

tion" 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 180-72-055 Adult high school completion education—Policy. Every effort should be made to provide adequate opportunities for adults to pursue a course of study leading to the completion of a high school program: *Provided*, That discretion be exercised so that no inducement exists by means of which youth drop out of regularly established school programs.

[Order 5-70, § 180-72-055, filed 4/28/70.]

WAC 180-72-060 Adult high school completion education—Community college and common school district participation. (1) **Program authorization.** A community 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 discharged by the adult and other evidences of educational attainment.

(d) A high school diploma shall be granted to each individual who satisfactorily meets the requirements for high school completion herein and hereinbefore in subsection (1) set forth, the said diploma to be issued by the appropriate school district, 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 of education 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.

[Title 180 WAC—page 152]

[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 180-75 WAC

PROFESSIONAL CERTIFICATION—GENERAL PROVISIONS

WAC

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DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

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| 180-75-015 | Equivalency of standards. [Statutory Authority: RCW 28A.70.005. 87-09-010 (Order 2-87), § 180-75-015, filed 4/3/87. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW. 78-09-095 (Order 10-78), § 180-75-015, filed 9/1/78.] Repealed by 88-01-085 (Order 14-87), filed 12/21/87. Statutory Authority: RCW 28A.70.005. |
| 180-75-018 | Written notice of denial, lapsing, or revocation by superintendent of public instruction. [Statutory Authority: RCW 34.05.220(A) [34.05.220 (1)(a)] and 34.05.250. 89-22-010, § 180-75-018, filed 10/20/89, effective 11/20/89. Statutory Authority: RCW 28A.70.005. 87-09-010 (Order 2-87), § 180-75-018, filed 4/3/87.] Repealed by 90-02-073, filed 1/2/90, effective 2/2/90. Statutory Authority: RCW 28A.70.005. |
| 180-75-019 | Investigatory files—Establishment, security, disclosure, retention, and destruction. [Statutory Authority: RCW 34.05.220(A) [34.05.220 (1)(a)] and 34.05.250. 89-22-010, § 180-75-019, filed 10/20/89, effective 11/20/89. Statutory Authority: RCW 28A.70.005. 87-09-010 (Order 2-87), § 180-75-019, filed 4/3/87.] Repealed by 90-02-073, filed 1/2/90, effective 2/2/90. Statutory Authority: RCW 28A.70.005. |
| 180-75-020 | Appeal—General. [Statutory Authority: RCW 34.05.220(A) [34.05.220 (1)(a)] and 34.05.250. 89-22-010, § 180-75-020, filed 10/20/89, effective 11/20/89. Statutory Authority: RCW 28A.70.005. 86-13-016 (Order 6-86), § 180-75-020, filed 6/10/86. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW. 78-09-095 (Order 10-78), § 180-75-020, filed 9/1/78.] |

- Repealed by 90-02-073, filed 1/2/90, effective 2/2/90. Statutory Authority: RCW 28A.70.005.
- 180-75-025 Appeal procedure—Informal SPI review. [Statutory Authority: RCW 34.05.220(A) [34.05.220 (1)(a)] and 34.05.250. 89-22-010, § 180-75-025, filed 10/20/89, effective 11/20/89. Statutory Authority: RCW 28A.70.005. 87-09-010 (Order 2-87), § 180-75-025, filed 4/3/87; 86-13-016 (Order 6-86), § 180-75-025, filed 6/10/86. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW. 78-09-095 (Order 10-78), § 180-75-025, filed 9/1/78.] Repealed by 90-02-073, filed 1/2/90, effective 2/2/90. Statutory Authority: RCW 28A.70.005.
- 180-75-026 Agreement not to continue or accept educational employment. [Statutory Authority: RCW 34.05.220(A) [34.05.220 (1)(a)] and 34.05.250. 89-22-010, § 180-75-026, filed 10/20/89, effective 11/20/89. Statutory Authority: RCW 28A.70.005. 87-09-010 (Order 2-87), § 180-75-026, filed 4/3/87.] Repealed by 90-02-073, filed 1/2/90, effective 2/2/90. Statutory Authority: RCW 28A.70.005.
- 180-75-027 Waiver of requirement for timely appeal. [Statutory Authority: RCW 34.05.220(A) [34.05.220 (1)(a)] and 34.05.250. 89-22-010, § 180-75-027, filed 10/20/89, effective 11/20/89. Statutory Authority: RCW 28A.70.005. 86-13-016 (Order 6-86), § 180-75-027, filed 6/10/86.] Repealed by 90-02-073, filed 1/2/90, effective 2/2/90. Statutory Authority: RCW 28A.70.005.
- 180-75-030 Appeal procedure—Formal SPI review process. [Statutory Authority: RCW 34.05.220(A) [34.05.220 (1)(a)] and 34.05.250. 89-22-010, § 180-75-030, filed 10/20/89, effective 11/20/89. Statutory Authority: RCW 28A.70.005. 86-13-016 (Order 6-86), § 180-75-030, filed 6/10/86. Statutory Authority: RCW 28A.04.120 (1), (2) and (3). 80-06-129 (Order 8-80), § 180-75-030, filed 6/2/80. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW. 78-09-095 (Order 10-78), § 180-75-030, filed 9/1/78.] Repealed by 90-02-073, filed 1/2/90, effective 2/2/90. Statutory Authority: RCW 28A.70.005.
- 180-75-033 Appeal procedure to SBE. [Statutory Authority: RCW 34.05.220(A) [34.05.220 (1)(a)] and 34.05.250. 89-22-010, § 180-75-033, filed 10/20/89, effective 11/20/89. Statutory Authority: RCW 28A.70.005. 86-13-016 (Order 6-86), § 180-75-033, filed 6/10/86.] Repealed by 90-02-073, filed 1/2/90, effective 2/2/90. Statutory Authority: RCW 28A.70.005.
- 180-75-034 Certificate revocation—Initiation of proceedings. [Statutory Authority: RCW 34.05.220(A) [34.05.220 (1)(a)] and 34.05.250. 89-22-010, § 180-75-034, filed 10/20/89, effective 11/20/89. Statutory Authority: RCW 28A.70.005. 87-09-010 (Order 2-87), § 180-75-034, filed 4/3/87.] Repealed by 90-02-073, filed 1/2/90, effective 2/2/90. Statutory Authority: RCW 28A.70.005.
- 180-75-035 Certificate revocation and subsequent reinstatement. [Statutory Authority: RCW 34.05.220(A) [34.05.220 (1)(a)] and 34.05.250. 89-22-010, § 180-75-035, filed 10/20/89, effective 11/20/89. Statutory Authority: RCW 28A.70.005. 87-09-010 (Order 2-87), § 180-75-035, filed 4/3/87; 86-13-016 (Order 6-86), § 180-75-035, filed 6/10/86. Statutory Authority: RCW 28A.04.120 (1), (2) and (3). 79-06-049 (Order 5-79), § 180-75-035, filed 5/22/79. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW. 78-09-095 (Order 10-78), § 180-75-035, filed 9/1/78.] Repealed by 90-02-073, filed 1/2/90, effective 2/2/90. Statutory Authority: RCW 28A.70.005.
- 180-75-037 Certificate revocation—Grounds for revocation. [Statutory Authority: RCW 34.05.220(A) [34.05.220 (1)(a)] and 34.05.250. 89-22-010, § 180-75-037, filed 10/20/89, effective 11/20/89. Statutory Authority: RCW 28A.70.005. 87-09-010 (Order 2-87), § 180-75-037, filed 4/3/87.] Repealed by 90-02-073, filed 1/2/90, effective 2/2/90. Statutory Authority: RCW 28A.70.005.
- 180-75-038 Duty of educational service district superintendent to investigate complaints. [Statutory Authority: RCW 34.05.220(A) [34.05.220 (1)(a)] and 34.05.250. 89-22-010, § 180-75-038, filed 10/20/89, effective 11/20/89. Statutory Authority: RCW 28A.70.005. 87-09-010 (Order 2-87), § 180-75-038, filed 4/3/87.] Repealed by 90-02-073, filed 1/2/90, effective 2/2/90. Statutory Authority: RCW 28A.70.005.
- 180-75-039 Duty of ESD superintendent, district superintendent and private school administrator to file complaints. [Statutory Authority: RCW 34.05.220(A) [34.05.220 (1)(a)] and 34.05.250. 89-22-010, § 180-75-039, filed 10/20/89, effective 11/20/89. Statutory Authority: RCW 28A.70.005. 87-09-010 (Order 2-87), § 180-75-039, filed 4/3/87.] Repealed by 90-02-073, filed 1/2/90, effective 2/2/90. Statutory Authority: RCW 28A.70.005.
- 180-75-040 Notification of denial, surrender, lapsing, or revocation of certificates. [Statutory Authority: RCW 34.05.220(A) [34.05.220 (1)(a)] and 34.05.250. 89-22-010, § 180-75-040, filed 10/20/89, effective 11/20/89. Statutory Authority: RCW 28A.70.005. 87-09-010 (Order 2-87), § 180-75-040, filed 4/3/87; 86-13-016 (Order 6-86), § 180-75-040, filed 6/10/86. Statutory Authority: RCW 28A.04.120 (1), (2) and (3). 80-06-129 (Order 8-80), § 180-75-040, filed 6/2/80. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW. 78-09-095 (Order 10-78), § 180-75-040, filed 9/1/78.] Repealed by 90-02-073, filed 1/2/90, effective 2/2/90. Statutory Authority: RCW 28A.70.005.
- 180-75-042 Emergency suspension of certificate. [Statutory Authority: RCW 34.05.220(A) [34.05.220 (1)(a)] and 34.05.250. 89-22-010, § 180-75-042, filed 10/20/89, effective 11/20/89. Statutory Authority: RCW 28A.70.005. 87-09-010 (Order 2-87), § 180-75-042, filed 4/3/87.] Repealed by 90-02-073, filed 1/2/90, effective 2/2/90. Statutory Authority: RCW 28A.70.005.
- 180-75-043 Unprofessional conduct for failure to file a complaint. [Statutory Authority: RCW 34.05.220(A) [34.05.220 (1)(a)] and 34.05.250. 89-22-010, § 180-75-043, filed 10/20/89, effective 11/20/89. Statutory Authority: RCW 28A.70.005. 87-09-010 (Order 2-87), § 180-75-043, filed 4/3/87.] Repealed by 90-02-073, filed 1/2/90, effective 2/2/90. Statutory Authority: RCW 28A.70.005.
- 180-75-044 Unprofessional conduct for misrepresentation of facts. [Statutory Authority: RCW 34.05.220(A) [34.05.220 (1)(a)] and 34.05.250. 89-22-010, § 180-75-044, filed 10/20/89, effective 11/20/89. Statutory Authority: RCW 28A.70.005. 88-01-085 (Order 14-87), § 180-75-044, filed 12/21/87; 87-09-010 (Order 2-87), § 180-75-044, filed 4/3/87.] Repealed by 90-02-073, filed 1/2/90, effective 2/2/90. Statutory Authority: RCW 28A.70.005.
- 180-75-075 Educational experience acceptable for certification. [Statutory Authority: RCW 28A.70.005. 87-09-010 (Order 2-87), § 180-75-075, filed 4/3/87. Statutory Authority: RCW 28A.04.120 (1), (2) and (3). 80-06-129 (Order 8-80), § 180-75-075, filed 6/2/80. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW. 78-09-095 (Order 10-78), § 180-75-075, filed 9/1/78.] Repealed by 88-01-085 (Order 14-87), filed 12/21/87. Statutory Authority: RCW 28A.70.005.
- 180-75-080 Citizenship requirements—Exceptions. [Statutory Authority: RCW 34.05.220(A) [34.05.220 (1)(a)] and 34.05.250. 89-22-010, § 180-75-080, filed 10/20/89, effective 11/20/89. Statutory Authority: RCW 28A.70.005. 87-09-010 (Order 2-87), § 180-75-080, filed 4/3/87. Statutory Authority: RCW 28A.04.120 (1), (2) and (3). 79-06-049 (Order 5-79), § 180-75-080, filed 5/22/79. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW. 78-09-095 (Order 10-78), § 180-75-080, filed 9/1/78.] Repealed by 92-04-044, filed 1/31/92, effective 3/2/92. Statutory Authority: RCW 28A.410.010.
- 180-75-084 Good moral character, personal fitness, and unprofessional conduct—Burden and standard of proof. [Statutory Authority: RCW 34.05.220(A) [34.05.220 (1)(a)] and 34.05.250. 89-22-010, § 180-75-084, filed 10/20/89, effective 11/20/89. Statutory Authority: RCW 28A.70.005. 87-09-010 (Order 2-87), § 180-75-084, filed 4/3/87.] Repealed by 90-02-073, filed 1/2/90, effective 2/2/90. Statutory Authority: RCW 28A.70.005.

180-75-086 Voluntary surrender of certificates. [Statutory Authority: RCW 34.05.220(A) [34.05.220 (1)(a)] and 34.05.250. 89-22-010, § 180-75-086, filed 10/20/89, effective 11/20/89. Statutory Authority: RCW 28A.70.005. 87-09-010 (Order 2-87), § 180-75-086, filed 4/3/87.] Repealed by 90-02-073, filed 1/2/90, effective 2/2/90. Statutory Authority: RCW 28A.70.005.

180-75-199 Code of professional responsibility for certificated educational professionals. [Statutory Authority: RCW 34.05.220(A) [34.05.220 (1)(a)] and 34.05.250. 89-22-010, § 180-75-199, filed 10/20/89, effective 11/20/89. Statutory Authority: RCW 28A.70.005. 87-09-010 (Order 2-87), § 180-75-199, filed 4/3/87.] Repealed by 90-02-073, filed 1/2/90, effective 2/2/90. Statutory Authority: RCW 28A.70.005.

WAC 180-75-003 Authority. The authority for this chapter is RCW 28A.410.010 which authorizes the state board of education to establish, publish, and enforce rules and regulations determining eligibility for and certification of personnel employed in the common schools of this state. (Note: RCW 28A.195.010 (3)(a) requires most private school classroom teachers to hold appropriate Washington state certification with few exceptions.)

[Statutory Authority: 1990 c 33. 90-17-009, § 180-75-003, filed 8/6/90, effective 9/6/90. Statutory Authority: RCW 34.05.220(A) [34.05.220 (1)(a)] and 34.05.250. 89-22-010, § 180-75-003, filed 10/20/89, effective 11/20/89. Statutory Authority: RCW 28A.70.005. 86-13-016 (Order 6-86), § 180-75-003, filed 6/10/86.]

WAC 180-75-005 Purpose. The purpose of this chapter is to incorporate into one chapter the general certification requirements applicable to all permits and certificates.

[Statutory Authority: RCW 28A.70.005. 90-02-073, § 180-75-005, filed 1/2/90, effective 2/2/90. Statutory Authority: RCW 34.05.220(A) [34.05.220 (1)(a)] and 34.05.250. 89-22-010, § 180-75-005, filed 10/20/89, effective 11/20/89. Statutory Authority: RCW 28A.70.005. 87-12-042 (Order 11-87), § 180-75-005, filed 6/1/87. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW. 78-09-095 (Order 10-78), § 180-75-005, filed 9/1/78.]

WAC 180-75-016 Equivalency of standards. Reasonable flexibility in interpretation of the requirements contained in this chapter and in chapters 180-77, 180-78 and 180-79 WAC may be applied consistent with the intent and spirit of the requirements of the appropriate chapter. For example, advanced degrees in the same or related fields may be substituted for required lesser degrees. An annual report of the use of this rule shall be submitted to the state board of education by the superintendent of public instruction.

[Statutory Authority: RCW 28A.410.010. 94-24-037, § 180-75-016, filed 12/2/94, effective 1/2/95; 92-04-044, § 180-75-016, filed 1/31/92, effective 3/2/92.]

WAC 180-75-017 Denial of recommendation for certification or endorsement by approved professional preparation training institutions. Any person whose application for certification or for an endorsement is denied for recommendation to the superintendent of public instruction by an institution of higher education within the state with an approved professional preparation program, after exhausting any appeal procedures established by such institution, may apply directly to the superintendent of public instruction for such certificate or endorsement.

[Statutory Authority: RCW 34.05.220(A) [34.05.220 (1)(a)] and 34.05.250. 89-22-010, § 180-75-017, filed 10/20/89, effective 11/20/89. Statutory Authority: RCW 28A.70.005. 89-01-040 (Order 25-88), § 180-75-017, filed 12/14/88; 86-13-016 (Order 6-86), § 180-75-017, filed 6/10/86.]

WAC 180-75-045 Certificate validity. Any certificate issued pursuant to chapters 180-77 or 180-79 WAC or previous standards of the state board of education shall entitle the holder thereof to be employed by a public or nonpublic school for the performance of duties encompassed by the type of certificate as specified in WAC 180-75-055, if such certification is required by statute or rules of the state board of education, unless such certificate is under suspension or until such certificate expires, lapses, or is revoked.

[Statutory Authority: RCW 28A.70.005. 90-02-073, § 180-75-045, filed 1/2/90, effective 2/2/90. Statutory Authority: RCW 34.05.220(A) [34.05.220 (1)(a)] and 34.05.250. 89-22-010, § 180-75-045, filed 10/20/89, effective 11/20/89. Statutory Authority: RCW 28A.70.005. 88-01-085 (Order 14-87), § 180-75-045, filed 12/21/87; 86-13-016 (Order 6-86), § 180-75-045, filed 6/10/86. Statutory Authority: RCW 28A.04.120 (1), (2) and (3). 80-06-129 (Order 8-80), § 180-75-045, filed 6/2/80. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW. 78-09-095 (Order 10-78), § 180-75-045, filed 9/1/78.]

WAC 180-75-047 Uniform expiration date. All certificates issued for one or more stated years shall expire on August 31 of the stated year and shall be calculated as follows:

(1) Certificates issued prior to October 1 of a calendar year shall have the expiration date of the certificate calculated on the basis such certificate was issued on September 1 of the same calendar year regardless of the date of issuance.

(2) Certificates issued October 1 or later in the calendar year shall have the expiration date of the certificate calculated on the basis such certificate was issued on September 1 of the next calendar year regardless of the date of issuance.

(3) All such certificates issued prior to the effective date of this section and scheduled to expire prior to August 31 of a given year, regardless of such stated expiration date, shall be valid until August 31 of the stated year of expiration.

[Statutory Authority: RCW 34.05.220(A) [34.05.220 (1)(a)] and 34.05.250. 89-22-010, § 180-75-047, filed 10/20/89, effective 11/20/89. Statutory Authority: RCW 28A.70.005. 89-01-040 (Order 25-88), § 180-75-047, filed 12/14/88.]

WAC 180-75-048 Validity date. The validity date of a certificate or permit shall be the actual date of issuance.

[Statutory Authority: RCW 34.05.220(A) [34.05.220 (1)(a)] and 34.05.250. 89-22-010, § 180-75-048, filed 10/20/89, effective 11/20/89. Statutory Authority: RCW 28A.70.005. 89-01-040 (Order 25-88), § 180-75-048, filed 12/14/88.]

WAC 180-75-050 Certificate required. Persons serving as teachers in public or private schools or as principals or educational staff associates in public schools and in vocational positions as established by chapter 180-77 WAC shall hold certificates authorized by the state board of education for service in the respective roles.

[Statutory Authority: RCW 34.05.220(A) [34.05.220 (1)(a)] and 34.05.250. 89-22-010, § 180-75-050, filed 10/20/89, effective 11/20/89. Statutory Authority: RCW 28A.04.120 (1), (2) and (3). 80-06-129 (Order 8-80), § 180-75-050, filed 6/2/80. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW. 78-09-095 (Order 10-78), § 180-75-050, filed 9/1/78.]

WAC 180-75-055 Types of certificates. Four types of certificates shall be issued:

(1) **Teacher.** The teacher certificate, including teacher exchange permits as provided in WAC 180-75-089, authorizes service as a classroom teacher.

(2) **Administrator.**

(a) The administrator certificate endorsed "principal" authorizes services as a building administrator or vice-principal.

(b) The administrator certificates endorsed "superintendent" or "program administrator" will be issued to persons who meet state board of education certification standards for service in the roles of superintendent or program administrator.

(3) **Educational staff associate.** The educational staff associate certificate authorizes service in endorsed roles of communication disorders specialists, counselors, school nurses, occupational therapists, physical therapists, psychologists, social workers, and reading resource specialists: *Provided*, That nothing within chapter 180-79 WAC authorizes professional practice by an educational staff associate which is otherwise prohibited or restricted by any other law, including licensure statutes and rules and regulations promulgated by the appropriate licensure board or agency.

(4) **Vocational.** The vocational certificate authorizes service in vocational instruction in accordance with the provisions of chapter 180-77 WAC.

[Statutory Authority: RCW 28A.410.010. 92-04-044, § 180-75-055, filed 1/31/92, effective 3/2/92. Statutory Authority: RCW 34.05.220(A) [34.05.220 (1)(a)] and 34.05.250. 89-22-010, § 180-75-055, filed 10/20/89, effective 11/20/89. Statutory Authority: RCW 28A.70.005. 89-01-040 (Order 25-88), § 180-75-055, filed 12/14/88; 86-13-016 (Order 6-86), § 180-75-055, filed 6/10/86. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW. 78-09-095 (Order 10-78), § 180-75-055, filed 9/1/78.]

WAC 180-75-060 Certificate replacement. The superintendent of public instruction shall issue a replacement certificate to any person who files an application, pays the appropriate certification fee, and verifies by signature that the original certificate has been lost or destroyed or that a legal name change has occurred.

[Statutory Authority: RCW 34.05.220(A) [34.05.220 (1)(a)] and 34.05.250. 89-22-010, § 180-75-060, filed 10/20/89, effective 11/20/89. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW. 78-09-095 (Order 10-78), § 180-75-060, filed 9/1/78.]

WAC 180-75-061 Application for certification. An individual who applies for a Washington state certificate, unless seeking reinstatement pursuant to WAC 180-75-087 or renewal pursuant to WAC 180-75-088, must meet the standards in effect at the time of application.

[Statutory Authority: RCW 28A.410.010. 94-24-037, § 180-75-061, filed 12/2/94, effective 1/2/95. Statutory Authority: RCW 28A.04.120 (1), (2) and (3) and 28A.70.005. 90-12-121, § 180-75-061, filed 6/6/90, effective 7/7/90. Statutory Authority: RCW 34.05.220(A) [34.05.220 (1)(a)] and 34.05.250. 89-22-010, § 180-75-061, filed 10/20/89, effective 11/20/89. Statutory Authority: RCW 28A.70.005. 89-01-040 (Order 25-88), § 180-75-061, filed 12/14/88. Statutory Authority: RCW 28A.04.120 (1), (2) and (3). 80-06-129 (Order 8-80), § 180-75-061, filed 6/2/80.]

WAC 180-75-065 Fee for certification. (1) In accordance with provisions of RCW 28A.410.060 and

28A.415.010, the fee for certificates which are valid for more than one year, issued by authority of the state of Washington and authorizing the holder to serve in the common schools of the state, shall be as follows:

(a) The continuing certificate is seventy dollars;

(b) The reinstatement, additional endorsement on the teaching certificate, duplicate certificates, substitute certificates, and certificates issued for the purpose of showing a name change is fifteen dollars; and

(c) Any other certificate or credential or any renewal thereof shall be five dollars for each year of validity;

(d) *Provided*, That the fee for all vocational certificates shall be one dollar.

(2) The fee for any other certificate/credential, or for any renewal thereof, issued by the authority of the state of Washington and authorizing the holder to serve in the common schools of the state, shall be five dollars.

(3) Officials authorized to collect certification fees are educational service district superintendents, local school district superintendents, deans and directors of education at colleges and universities, and designees of program units. The fee must accompany the application for a certificate and shall be transmitted by the receiving district, college or university, or program unit designee at least quarterly to the educational service district within which the application is filed for disposition in accordance with provisions of RCW 28A.410.060. The fee shall not be refunded unless the application is withdrawn before it is finally considered (i.e., the issuance of a certificate or a written communication denying such issuance) by the superintendent of public instruction or his or her designee. Fees not refunded shall apply as a credit to a reapplication for the same or one or more other certificates if such applicant reapplies within twenty-four months of the date of denial. Moneys accrued from certification fees within the boundaries of an educational service district shall be divided in the following manner:

(a) Local school districts employing more than one hundred teachers and other professional staff and collecting certification fees may retain one dollar of each fee in order to hold a professional training institute. If such district does not hold an institute all such moneys shall be placed to the credit of the educational service district.

(b) No less than fifty percent of the funds accruing within the boundaries of an educational service district shall be used to support program activities related to state-wide precertification professional preparation and evaluation.

(c) The remaining funds shall be used to support professional inservice training programs and evaluations thereof.

[Statutory Authority: RCW 28A.410.010. 92-04-044, § 180-75-065, filed 1/31/92, effective 3/2/92. Statutory Authority: 1990 c 33. 90-17-009, § 180-75-065, filed 8/6/90, effective 9/6/90. Statutory Authority: RCW 34.05.220(A) [34.05.220 (1)(a)] and 34.05.250. 89-22-010, § 180-75-065, filed 10/20/89, effective 11/20/89. Statutory Authority: RCW 28A.70.005. 87-09-010 (Order 2-87), § 180-75-065, filed 4/3/87. Statutory Authority: RCW 28A.04.120. 85-16-020 (Order 15-85), § 180-75-065, filed 7/29/85; 85-01-015 (Order 16-84), § 180-75-065, filed 12/10/84. Statutory Authority: RCW 28A.04.120 (1), (2) and (3). 80-06-129 (Order 8-80), § 180-75-065, filed 6/2/80. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW. 78-09-095 (Order 10-78), § 180-75-065, filed 9/1/78.]

WAC 180-75-070 Use of fee for certification. (1) Certification fees will be used solely for precertification professional preparation, professional inservice training programs, teachers' institutes and/or workshops, and evaluations thereof in accordance with this chapter.

(2) Precertification professional preparation:

(a) A subcommittee of the state professional education advisory committee as established in WAC 180-78-015 shall assist the superintendent of public instruction in administration of precertification program funds by annually establishing priorities and procedures for distribution of funds available for precertification activities. The primary utilization shall be to support collaborative efforts essential to program development, program evaluation, and assessment of candidates' entry and exit competency.

(b) Funds set aside for precertification shall not supplant funds already available to any participating agency.

(c) A single educational service district shall be designated to administer the funds allocated for precertification programs. The designated educational service district shall be permitted to retain up to five percent of the precertification fees for costs related to administering these funds.

(d) Each quarter every educational service district shall forward the moneys designated for precertification programs to the educational service district designated to administer such programs.

(3) Professional inservice training programs and teachers' institutes and/or workshops:

(a) Each educational service district, or cooperative thereof as specified in subparagraph (d) of this subsection, shall establish an inservice committee composed of an educational service district representative; at least one district superintendent; one principal; one educational staff associate; one elementary, one junior high and one senior high teacher; one representative from the elementary or secondary level of private schools within the educational service district; and one representative selected by the chief administrative officer responsible for professional education from a college/university having a state board of education approved teacher education program. Teacher representatives shall be selected by agreement among the presidents of the local education associations within the respective educational service district or cooperative thereof.

(b) The educational service district representative shall serve as chairperson of the inservice committee and provide liaison with the superintendent of public instruction and the state board of education.

(c) The inservice committee will be responsible for coordinating inservice/staff development model programs within the educational service district and shall submit to the superintendent of public instruction and the state board of education a plan for soliciting and selecting model programs which shall include procedures for conducting needs assessments, determining priorities and carrying out program evaluation.

(d) Cooperative agreements may be made among educational service districts to provide quality inservice education programs.

(e) Funds designated for inservice programs shall not supplant funds already available for such programs.

(4) Allowable expenditures. Funds may be used to support costs related to training, such as the payment of

professional contractual services, per diem, travel costs, materials, printing, or released time. Nonallowable costs are college/university tuition and fees.

(5) Annual reporting. The superintendent of public instruction shall prepare and present to the state board of education an annual report concerning the use of certification fees for precertification and inservice activities.

[Statutory Authority: RCW 34.05.220(A) [34.05.220 (1)(a)] and 34.05.250. 89-22-010, § 180-75-070, filed 10/20/89, effective 11/20/89. Statutory Authority: RCW 28A.70.005. 87-09-010 (Order 2-87), § 180-75-070, filed 4/3/87. Statutory Authority: RCW 28A.04.120 (1), (2) and (3). 80-06-129 (Order 8-80), § 180-75-070, filed 6/2/80; 79-06-049 (Order 5-79), § 180-75-070, filed 5/22/79. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW. 78-09-095 (Order 10-78), § 180-75-070, filed 9/1/78.]

WAC 180-75-081 Good moral character and personal fitness—Definition. As used in this chapter, the terms "good moral character and personal fitness" means character and personal fitness necessary to serve as a certificated employee in schools in the state of Washington, including character and personal fitness to have contact with, to teach, and to perform supervision of children. Good moral character and personal fitness includes, but is not limited to, the following:

(1) No conviction of any felony crime involving:

(a) The physical neglect of a child under chapter 9A.42 RCW;

(b) The physical injury or death of a child under chapter 9A.32 or 9A.36 RCW, excepting motor vehicle violations under chapter 46.61 RCW;

(c) The sexual exploitation of a child under chapter 9.68A RCW;

(d) Sexual offenses where a child is the victim under chapter 9A.44 RCW;

(e) The promotion of prostitution of a child under chapter 9A.88 RCW;

(f) The sale or purchase of a child under RCW 9A.64.030;

(g) *Provided*, That the general classes of felony crimes referenced within this subsection shall include equivalent federal and crimes in other states committed against a child;

(h) *Provided further*, That for the purpose of this subsection "child" means a minor as defined by the applicable state or federal law;

(i) *Provided further*, That for the purpose of this subsection "conviction" shall include a guilty plea.

(2) No conviction of any crime within the last ten years, including motor vehicle violations, which would materially and substantially impair the individual's worthiness and ability to serve as a professional within the public and private schools of the state. In determining whether a particular conviction would materially and substantially impair the individual's worthiness and ability to practice, the following and any other relevant considerations shall be weighed:

(a) Age and maturity at the time the criminal act was committed;

(b) The degree of culpability required for conviction of the crime and any mitigating factors, including motive for commission of the crime;

(c) The classification of the criminal act and the seriousness of the actual and potential harm to persons or property;

(d) Criminal history and the likelihood that criminal conduct will be repeated;

(e) The permissibility of service as a professional educator within the terms of any parole or probation;

(f) Proximity or remoteness in time of the criminal conviction;

(g) Any evidence offered which would support good moral character and personal fitness;

(h) If this subsection is applied to a person certified under the laws of the state of Washington in a suspension or revocation action, the effect on the education profession, including any chilling effect, shall be weighed; and

(i) In order to establish good moral character and personal fitness despite the criminal conviction, the applicant or certificate holder has the duty to provide available evidence relative to the above considerations. The superintendent of public instruction has the right to gather and present additional evidence which may corroborate or negate that provided by the applicant or certificate holder.

(3) No behavioral problem which endangers the educational welfare or personal safety of students, teachers, or other colleagues within the educational setting.

(4) No practice within the state of Washington within the previous five school years with an expired, lapsed, surrendered, or revoked certificate in a professional position for which certification is required under the rules of the state board of education.

[Statutory Authority: RCW 18A.410.010 [28A.410.010] and 28A.70.005. 92-01-127, § 180-75-081, filed 12/19/91, effective 1/19/92. Statutory Authority: RCW 28A.70.005. 90-02-073, § 180-75-081, filed 1/2/90, effective 2/2/90. Statutory Authority: RCW 34.05.220(A) [34.05.220 (1)(a)] and 34.05.250. 89-22-010, § 180-75-081, filed 10/20/89, effective 11/20/89. Statutory Authority: RCW 28A.70.005. 87-09-010 (Order 2-87), § 180-75-081, filed 4/3/87.]

WAC 180-75-082 Good moral character and personal fitness—Necessary supporting evidence by applicants. All applicants for certification shall submit the following:

(1) An affidavit from the applicant indicating that he or she has not been convicted of any crime or a complete disclosure of all arrests and subsequent dispositions of such arrests. In the event of a conviction for any arrest, the applicant shall state reasons why such conviction does not reflect adversely on the requirement to possess good moral character and be personally fit.

(2) An affidavit from the applicant that he or she has no history of serious behavioral problems or a complete disclosure of the nature and status of all such problems, including the names and addresses of health practitioners who have treated the applicant within the past ten years and an executed consent form permitting the superintendent of public instruction to contact and consult with such health practitioners and for such health practitioners to fully disclose medical information related to such behavioral problems.

(3) An affidavit from the dean of the college or school of education or one or more officials designated by such dean, or, if none, by the college or university president,

where the applicant completed his or her approved preparation program, that indicates that a designated college or university official has contacted several faculty members who personally know or knew the applicant and has no knowledge that the applicant has been convicted of any crime and has no knowledge that the applicant has a history of any serious behavioral problems or a statement from such affiant of the reasons why it is not possible to make such an affidavit.

(4) Provided, that, if the affidavit described in subsection (3) of this section is impossible or impractical to obtain, the applicant shall submit to the superintendent of public instruction the following:

(a) A statement as to why it is impossible or impractical to secure the affidavit required by subsection (3) of this section;

(b) A complete employment history, including the names, addresses, and phone numbers of the immediate supervisor of such applicant when an employee; and

(c) The names, addresses, and phone numbers of three character references who are not related to the applicant.

(5) If the applicant holds or has held a professional certificate in any other state, such applicant shall prepare one of the following affidavits for each such state:

(a) An affidavit that such certificate has not been suspended, surrendered, or revoked. Such affidavit shall be forwarded to the licensing agency in such state with a request that such affidavit be verified and forwarded directly to the superintendent of public instruction.

(b) An affidavit which shall fully disclose the reasons for the suspension, surrender, or revocation of the certificate. Such affidavit shall be submitted directly to the superintendent of public instruction.

[Statutory Authority: RCW 34.05.220(A) [34.05.220 (1)(a)] and 34.05.250. 89-22-010, § 180-75-082, filed 10/20/89, effective 11/20/89. Statutory Authority: RCW 28A.70.005. 87-09-010 (Order 2-87), § 180-75-082, filed 4/3/87.]

WAC 180-75-083 Good moral character and personal fitness—Continuing requirement. The good moral character and personal fitness requirement of applicants for certification under the laws of the state of Washington is a continuing requirement for holding a professional educational certificate under regulations of the state board of education.

[Statutory Authority: RCW 34.05.220(A) [34.05.220 (1)(a)] and 34.05.250. 89-22-010, § 180-75-083, filed 10/20/89, effective 11/20/89. Statutory Authority: RCW 28A.70.005. 87-09-010 (Order 2-87), § 180-75-083, filed 4/3/87.]

WAC 180-75-085 General requirements—Teachers, administrators, educational staff associates. The following requirements are to be met by candidates for certification as teachers, administrators, or educational staff associates:

(1) Age. No person who is less than eighteen years of age shall receive a certificate to serve in the public or nonpublic schools of Washington state.

(2) Character. Applicants for certificates in Washington state who are not holders of a valid Washington state teacher's, administrator's, educational staff associate's, or vocational certificate must give evidence of good moral character and personal fitness as specified in WAC 180-75-

082 and must complete a record check through the Washington state patrol criminal identification system and through the Federal Bureau of Investigation at the applicant's expense as required by RCW 28A.410.010; such record check shall include a fingerprint check using a Washington state patrol approved fingerprint card: *Provided*, That the superintendent of public instruction may waive the record check for an applicant who has had a record check within the two years prior to application.

(3) **Academic.** A candidate for certification shall have successfully completed a state approved college/university professional preparation program and hold appropriate degrees, licenses, and additional course work as prescribed in chapter 180-79 WAC or have qualified under WAC 180-79-245: *Provided*, That this section shall not apply to vocational, limited, internship, or instructional specialists certificates.

[Statutory Authority: RCW 28A.410.010 and 1992 c 141. 92-20-083, § 180-75-085, filed 10/6/92, effective 11/6/92. Statutory Authority: RCW 28A.410.010. 92-04-044, § 180-75-085, filed 1/31/92, effective 3/2/92. Statutory Authority: 1990 c 33. 90-17-009, § 180-75-085, filed 8/6/90, effective 9/6/90. Statutory Authority: RCW 34.05.220(A) [34.05.220 (1)(a)] and 34.05.250. 89-22-010, § 180-75-085, filed 10/20/89, effective 11/20/89. Statutory Authority: RCW 28A.70.005. 89-12-025 (Order 11-89), § 180-75-085, filed 5/31/89; 88-13-009 (Order 14-88), § 180-75-085, filed 6/6/88; 88-01-085 (Order 14-87), § 180-75-085, filed 12/21/87; 87-09-010 (Order 2-87), § 180-75-085, filed 4/3/87. Statutory Authority: RCW 28A.04.120 (1), (2) and (3). 79-06-049 (Order 5-79), § 180-75-085, filed 5/22/79. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW. 78-09-095 (Order 10-78), § 180-75-085, filed 9/1/78.]

WAC 180-75-087 Reinstatement of certificates.

Only a continuing certificate may be reinstated. A holder of a lapsed, surrendered, or revoked continuing professional certificate at the time of application for reinstatement of such certificate must submit the following:

(1) Character evidence as required by WAC 180-75-085(2) for candidates for certification.

(2) In accordance with RCW 28A.410.110, a revoked certificate may not be reinstated within one calendar year from the date of revocation.

(3) *Provided*, That no certificate may be reinstated if more than five calendar years has passed since the date of lapsing, surrender, or revocation; however, such applicants may apply pursuant to WAC 180-75-061 for a new certificate under standards in effect at the time of application.

[Statutory Authority: RCW 28A.410.010. 92-04-044, § 180-75-087, filed 1/31/92, effective 3/2/92. Statutory Authority: 1990 c 33. 90-17-009, § 180-75-087, filed 8/6/90, effective 9/6/90. Statutory Authority: RCW 34.05.220(A) [34.05.220 (1)(a)] and 34.05.250. 89-22-010, § 180-75-087, filed 10/20/89, effective 11/20/89. Statutory Authority: RCW 28A.70.005. 89-01-040 (Order 25-88), § 180-75-087, filed 12/14/88; 87-09-010 (Order 2-87), § 180-75-087, filed 4/3/87; 86-13-016 (Order 6-86), § 180-75-087, filed 6/10/86.]

WAC 180-75-088 Renewal of certificate. A holder of a certificate subject to expiration may renew such certificate subject to the rules in effect at the time of such renewal. If such certificate has expired, the candidate may apply for a new certificate pursuant to WAC 180-75-061.

[Statutory Authority: RCW 34.05.220(A) [34.05.220 (1)(a)] and 34.05.250. 89-22-010, § 180-75-088, filed 10/20/89, effective 11/20/89. Statutory Authority: RCW 28A.70.005. 89-01-040 (Order 25-88), § 180-75-088, filed 12/14/88.]

WAC 180-75-089 Teacher exchange permits.

Teacher exchange permits may be issued by the superintendent of public instruction to an individual admitted to the United States for the purpose of serving as an exchange teacher. Such teacher exchange permit shall be valid for one year and may be renewed once.

[Statutory Authority: RCW 28A.410.010. 92-04-044, § 180-75-089, filed 1/31/92, effective 3/2/92.]

WAC 180-75-090 Temporary permits. Temporary permits may be issued by the superintendent of public instruction and designated agents under the following conditions:

(1) Temporary permits may be issued under this section to those persons who have filed an application for a certificate; who, based on available documentation, including affidavits or other evidence that appears reliable which substantiates the existence of missing documentation, appear to have completed all requirements for certification; and who do not disclose any information which indicates that such applicant fails to meet the character requirement of WAC 180-75-085(2).

(2) An individual may apply for a permit directly to the superintendent of public instruction or designated agents—i.e., educational service districts or Washington state institutions of higher education.

(3) A permit entitles the holder to serve as a teacher, educational staff associate or administrator consistent with the endorsement(s) on his/her permit.

(4) A permit is valid for one hundred twenty consecutive calendar days unless prior to the expiration date the superintendent of public instruction determines the applicant is ineligible to receive a valid certificate or endorsement. In such cases, the temporary permit shall expire on the date notice of cancellation is received by the applicant and/or the employer.

(5) The temporary permit may be reissued only upon demonstration that the applicant has made a good faith effort to secure the missing documentation.

(6) Issuing authority. The superintendent of public instruction either directly or through a designated agent shall issue all permits and shall provide institutions of higher education and educational service districts with forms and instructions relevant to application for a permit.

[Statutory Authority: RCW 28A.410.010. 92-04-044, § 180-75-090, filed 1/31/92, effective 3/2/92. Statutory Authority: RCW 28A.04.120 (1), (2) and (3) and 28A.70.005. 90-12-121, § 180-75-090, filed 6/6/90, effective 7/7/90. Statutory Authority: RCW 34.05.220(A) [34.05.220 (1)(a)] and 34.05.250. 89-22-010, § 180-75-090, filed 10/20/89, effective 11/20/89. Statutory Authority: RCW 28A.70.005. 89-01-040 (Order 25-88), § 180-75-090, filed 12/14/88; 88-01-085 (Order 14-87), § 180-75-090, filed 12/21/87; 86-13-016 (Order 6-86), § 180-75-090, filed 6/10/86. Statutory Authority: RCW 28A.04.120 (1), (2) and (3). 80-06-129 (Order 8-80), § 180-75-090, filed 6/2/80. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW. 78-09-095 (Order 10-78), § 180-75-090, filed 9/1/78.]

WAC 180-75-091 Affidavits from applicants. An individual's application for certification shall be signed under oath that the statements therein are true and correct. The application if not notarized by a notary public must conform with the formalities prescribed in RCW 9A.72.085. In addition, the application shall state that any knowingly false

statement therein is punishable under perjury laws of the state of Washington.

[Statutory Authority: RCW 34.05.220(A) [34.05.220 (1)(a)] and 34.05.250. 89-22-010, § 180-75-091, filed 10/20/89, effective 11/20/89. Statutory Authority: RCW 28A.70.005. 88-01-085 (Order 14-87), § 180-75-091, filed 12/21/87.]

WAC 180-75-092 Other affidavits from applicants and certificate holders. Whenever this chapter requires an applicant or certificate holder to file an affidavit, it shall be in the same form as required by WAC 180-75-091.

[Statutory Authority: RCW 34.05.220(A) [34.05.220 (1)(a)] and 34.05.250. 89-22-010, § 180-75-092, filed 10/20/89, effective 11/20/89. Statutory Authority: RCW 28A.70.005. 88-01-085 (Order 14-87), § 180-75-092, filed 12/21/87.]

WAC 180-75-100 Certification of out-of-state trained educational personnel—Interstate educational personnel contracts. The superintendent of public instruction is authorized to enter into interstate educational personnel contracts with states party to the interstate agreement on qualifications of educational personnel in accordance with provisions of RCW 28A.690.010 and 28A.690.020 which authorize on an interstate basis Washington state certification of persons of other states having preparation and qualifications comparable even though not identical to Washington state board of education standards.

[Statutory Authority: 1990 c 33, 90-17-009, § 180-75-100, filed 8/6/90, effective 9/6/90. Statutory Authority: RCW 34.05.220(A) [34.05.220 (1)(a)] and 34.05.250. 89-22-010, § 180-75-100, filed 10/20/89, effective 11/20/89. Statutory Authority: RCW 28A.04.120 (1), (2) and (3). 80-06-129 (Order 8-80), § 180-75-100, filed 6/2/80. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW. 78-09-095 (Order 10-78), § 180-75-100, filed 9/1/78.]

WAC 180-75-110 Study of educational staff associate certification. Recognizing that the educational staff associate endorsements, established approximately twenty years ago, need to be reviewed to determine if they continue to meet the emerging needs of today's children, the state board of education and the superintendent of public instruction will establish an advisory committee to study ESA certification. The advisory committee, described below, shall have the responsibility to study the roles, responsibilities, and professional standards for existing and potential education staff associate endorsements. The advisory committee shall recognize the ultimate responsibility of school districts to provide for the very best service to children and to meet their needs. A progress report and preliminary recommendations for changes shall be submitted to the state board of education no later than December 1993. The advisory committee shall seek broad involvement of the state's professional staff in the development of these recommendations.

Between December 1991 and the completion of this study in 1994, the admission to practice examination shall be waived for existing ESAs. Also, any existing educational staff associate professional education advisory board may request a waiver of an existing state standard for program approval. The waiver may be approved by the state board of education if the requesting educational staff associate

professional education advisory board can show how the intent of the standard can be met in another manner.

The advisory committee shall consist of one ESA from each of the existing eight endorsement categories to be recommended by their professional association, two teachers to be recommended by their professional association, two school administrators to be recommended by their professional association, two school superintendents to be recommended by their professional association, two parents, who are not school district employees, to be recommended by the special education coalition, one school director to be recommended by his/her professional association, the state special education director or his designee, one university training representative from each ESA category cooperatively selected through the respective institutions, and two representatives from "related and interested" organizations to be recommended by the WEA-ESA commission.

[Statutory Authority: RCW 28A.410.010. 92-04-044, § 180-75-110, filed 1/31/92, effective 3/2/92.]

Chapter 180-77 WAC

STANDARDS FOR VOCATIONAL CERTIFICATION

WAC

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WAC 180-77-003 Definitions. The following definitions shall apply to terms used in this chapter:

(1) "Approved program for training vocational teachers and vocational counselors" shall be defined as any program approved by the state board of education which complies with chapter 180-78 WAC.

(2) "Approved vocational teacher training" shall mean those vocational programs, courses, seminars and workshops approved by the state board of education for the purpose of vocational certification of persons entering vocational education from business and industry, or for renewal of vocational certificates.

(3) "First aid requirements" shall include a valid first aid certificate issued by the Washington state department of labor and industries, United States bureau of mines or the American Red Cross in accordance with their rules and regulations. In addition, training in cardiopulmonary resuscitation is required.

(4) "Gainful employment" shall mean being paid in accordance with the laws of the state of Washington for work in a particular occupation.

(5) "General safety and industrial hygiene requirements" shall mean course work approved by the state board of education that is designed to provide skill and knowledge common to all vocational instructors in safety and industrial hygiene. This course work shall include, but not be limited to, the following:

- (a) Growth of the safety movement;
- (b) Cost of accidents;
- (c) Seeing and recognizing job hazards;
- (d) Elements of an accident;
- (e) Measuring safety performance;
- (f) Promoting safe workmanship;
- (g) Employee health and industrial hygiene;
- (h) Protective equipment and safe dress;
- (i) Housekeeping;
- (j) Materials, handling and storage;
- (k) Guarding machines and mechanisms;
- (l) Hand and portable tools and appliances;
- (m) Fire prevention and control.

(6) "Home economics related occupations (gainful)" is a vocational education program which prepares persons for being paid in accordance with the laws of the state of Washington to work in an occupation.

(7) "Home and family life education (useful)" is a vocational education program which prepares persons for the occupation of homemaking.

(8) "Learning period" shall mean the amount of time required prior to becoming gainfully employed at the journeyman or equivalent level in the occupation being taught. In any case, this shall be no less than one year.

(9) "Management experience" shall mean work as a supervisor, foreman or manager in the occupational area in which the person will instruct.

(10) "Specially supported programs" shall mean home and family life education programs conducted in vocational-technical institutes to include, but not limited to, the following: Family relationships, child development and parent education.

(11) "Occupational experience" shall mean work experience in the job to be taught.

(12) "One year of work experience" shall equal two thousand hours of employment.

(13) "Professional education" shall mean those programs, courses, seminars and workshops that are designed to improve teaching ability.

(14) "Professional experience" shall mean employment in vocational education in the discipline and/or specialty for which the application has been submitted.

(15) "Quarter hours or the equivalent" shall mean one quarter credit, two-thirds semester credit, ten clock hours or one hundred hours of work experience.

(16) "Specific safety and industrial hygiene requirements" shall mean completion of course work approved by the state board of education which is designed to provide the vocational instructor with the specific skill and knowledge of safety and industrial hygiene for the occupation he or she is to teach.

(17) "Supervised work experience" shall mean employment which is supervised by a vocational teacher educator and the employer.

(18) "Supplementary class" shall mean those classes designed to upgrade and advance the knowledge and skills for persons who are or have been employed in a given occupation.

(19) "Teaching/coordination" shall mean professional experience in the discipline and/or specialty for which the applicant has been vocationally certificated.

(20) "Technical education/upgrading" shall mean those vocational programs, courses, seminars and workshops which are designed to improve the skills and/or knowledges in the discipline in which the application is being made.

(21) "Useful employment" applies solely to the occupation of homemaking and means unpaid work in the home.

[Statutory Authority: RCW 28A.70.005. 78-10-003 (Order 11-78), § 180-77-003, filed 9/7/78.]

WAC 180-77-005 Types of vocational certificates. Seven types of certificates shall be issued:

(1) Teacher. The teacher certificate authorizes teaching in the classroom and laboratory (shop);

(2) Director. The director certificate authorizes service as a vocational director in the school district;

(3) Assistant director. The assistant director certificate authorizes service as an assistant vocational director in the school district;

(4) Supervisor. The supervisor certificate authorizes service as a program supervisor in a local school district;

(5) Counselor. The vocational counselor authorizes service in the role of vocational guidance and counseling;

(6) Occupational information specialist. The occupational information specialist authorizes service in the role as an information specialist;

(7) Teacher trainer. The teacher trainer authorizes service as an instructor teaching course work that is used for vocational teacher training.

[Statutory Authority: RCW 28A.70.005. 78-10-003 (Order 11-78), § 180-77-005, filed 9/7/78.]

WAC 180-77-010 Levels of vocational certificates. Four levels of certificates may be issued:

(1) One-year probationary. The one-year probationary certificate is authorized for those who do not meet education or occupational requirements, but have submitted a training plan that is approved by the state board of education;

(2) One-year. The one-year certificate allows the holder to assume independent responsibility for working with students in vocational programs;

(3) Three-year. The three-year certificate allows the holder to assume independent responsibility for working with students in vocational programs;

(4) Five-year. The five-year certificate allows the holder to assume independent responsibility for working with students in vocational programs.

[Statutory Authority: RCW 28A.70.005. 78-10-003 (Order 11-78), § 180-77-010, filed 9/7/78.]

WAC 180-77-015 Certificate validity and renewal.

(1) The probationary certificate is valid for one year and is renewable one time.

(2) The one-year certificate is valid for one year and may be renewed two times in accordance with WAC 180-77-050.

(3) The three-year certificate is valid for three years and may be renewed one time in accordance with WAC 180-77-050.

(4) The five-year certificate is valid for five years and may be renewed every five years in accordance with WAC 180-77-050.

[Statutory Authority: RCW 28A.70.005. 78-10-003 (Order 11-78), § 180-77-015, filed 9/7/78.]

WAC 180-77-020 Certificate required. Persons serving as vocational instructors, vocational directors and assistant directors, vocational supervisors, vocational counselors, occupational information specialists and vocational teacher trainers shall hold certificates authorized by the state board of education for service in the respective roles and be recommended by the local school district vocational education administrator for original certificates and renewal. Instructors must be endorsed by a local vocational advisory committee related to the subject matter to be taught for renewal and preceding certificates.

[Statutory Authority: RCW 28A.70.005. 78-10-003 (Order 11-78), § 180-77-020, filed 9/7/78.]

WAC 180-77-025 Personnel assignment. Vocational teachers teaching other secondary school subjects and vocational counselors serving in addition as general counselors need to hold a valid certificate as provided for in chapter 180-79 WAC, Professional preparation certification requirements.

[Statutory Authority: RCW 28A.70.005. 78-10-003 (Order 11-78), § 180-77-025, filed 9/7/78.]

WAC 180-77-030 General requirements for vocational certification of instructors with bachelor's degrees. Instructors in agriculture, business and office, community resource training program coordinators (CRT), distributive education, diversified occupations, home and family life (useful), home economics related occupations (gainful),

home economics subject matter specialist (useful), home economics subject matter specialist (gainful), and industrial co-op education (ICE) must meet the following requirements:

(1) The requirements for a one-year certificate, except home economics subject matter specialist (useful and gainful) are as follows:

(a) Bachelor's degree related to the field to be taught as determined by the state program director of the state board of education from an approved program for training vocational education teachers; except instructors of diversified occupations, CRT and ICE need only a bachelor's degree from an institution of higher education;

(b) The following course requirements must be completed:

(i) Methods of teaching in the subject matter to be taught except CRT;

(ii) Student teaching in the subject matter to be taught; except CRT and ICE which do not require student teaching and diversified occupations which only requires student teaching in any subject matter;

(iii) Course study in the objectives, principles and philosophies of vocational education; except business and office; and

(iv) Instructors assigned to vocational programs that involve cooperative education methods must complete three quarter credits or the equivalent in instructor-coordinator techniques for cooperative education or have equivalent experience as evaluated by the state program director of the appropriate field before employment.

(c) Meet the general and specific safety and industrial hygiene and first aid requirements;

(d) Instructors must meet the following work experience requirements:

Two years of occupational experience in the field to be taught, one of which must have been in gainful employment within the last six years; except:

(i) Instructors in business and office must possess one year of gainful employment within the last six years in occupations included in the business and office subject matter;

(ii) Instructors in home and family life (useful) require no work experience; and

(iii) Instructors of home economics related occupations (gainful) require a minimum of one year of occupational experience in a home economics related occupation in the last five years as a paid worker or as a volunteer worker in a supervised work project.

(e) Instructors of home economics subject matter specialist (useful) for nongraded or alternative or specially supported programs require the following:

(i) A bachelor's degree in the area or related area for which training is to be given;

(ii) Training in the specialty area to be taught and have knowledge and methods of communication to students or clients within the discipline; and

(iii) Meet the general and specific safety and industrial hygiene and first aid requirements.

(f) Instructors of home economics subject matter specialist (gainful) must possess the following:

(i) Bachelor's degree in the area for which the training is to be given which will include the following:

(A) One year of occupational experience in this area in the last five years as a paid worker or as a volunteer worker or in a supervised work project;

(B) Completed course work in methods of teaching and curriculum building which are for training for employment either before initial employment or prior to application for first renewal.

(ii) Instructors assigned to vocational programs which involve cooperative education methods must complete three quarter credits or the equivalent of instructor-coordinator techniques for cooperative education or have equivalent experience as evaluated by the state program director of the appropriate field before employment; and

(iii) Home economics subject matter specialist (gainful) instructors must meet the general and specific safety and industrial hygiene and first aid requirements.

(2) The requirements for a three-year certificate are as follows:

(a) All instructors must have possessed a one-year vocational certificate within the past two years;

(b) Instructors are required to have one year of teaching/coordination in the subject matter certified to teach; except home and family life (useful), home economics related occupations (gainful), and home economics subject matter specialist (useful and gainful) which require only teaching experience during the life of the certificate;

(c) Three quarter credits or the equivalent of prior approved vocational teacher training in the subject matter certified to teach/coordinate since the previous certificate is required of all instructors; except instructors of home and family life (useful) and home economics related occupations (gainful) do not require additional course work prior to the three-year certificate;

(d) Instructors must possess a valid first aid certificate.

(3) The requirements for a five-year certificate are as follows:

(a) Instructors must possess two years of teaching/coordination in the subject matter certified to teach during the previous three-year vocational certificate; except:

(i) Home and family life (useful) and home economics related occupations (gainful) which require:

(A) Possession of a one-year or a three-year vocational certificate within the preceding two years; and

(B) One year of teaching home and family life education during the life of the previous vocational certificate.

(ii) Home economics subject matter specialist (useful and gainful) require:

(A) Possession of a three-year vocational certificate within the preceding two years; and

(B) Teaching experience in the home economics specialty area or in a home economics related occupation.

(b) Instructors must possess six quarter credits or the equivalent of approved vocational teacher training in the subject matter certified to teach/coordinate since the previous certificate;

(c) Instructors must possess a valid first aid certificate.

[Statutory Authority: RCW 28A.70.005, 78-10-003 (Order 11-78), § 180-77-030, filed 9/7/78.]

WAC 180-77-035 Specific requirements for vocational certification of instructors with bachelor's degrees. Specific requirements are as follows:

(1) Those areas having specific requirements in addition to the general certification requirements for the one-year certificate are as follows:

(a) CRT teachers must attend a state board of education approved CRT management and supervision workshop;

(b) Diversified occupations and ICE teacher/coordinators are required to have a course in occupational analysis;

(c) Home and family life (useful) and home economics related occupations (gainful) instructors are required to have:

(i) Course work in program planning and evaluation;

(ii) Meet certification requirements in the state of Washington for general and professional education in the occupation of homemaking;

(iii) Completed directed student teaching in an approved program for training vocational teachers of home economics education supervised by a vocationally qualified home economics teacher educator;

(iv) Sixty quarter credits or the equivalent of home economics courses, including laboratory experiences and the principles of safety in all areas of the home economics curriculum with credit hours divided as follows:

(A) Family economics, including consumer education, home management with practical experience with differing socio-economics groups - eight quarter credits;

(B) Housing, home furnishing and equipment - eight quarter credits;

(C) Foods and nutrition - eight quarter credits;

(D) Clothing and textiles - eight quarter credits;

(E) Family relationships, parent education and child development, including experiences with young children - twelve quarter credits;

(F) Home economics electives - sixteen quarter credits to allow for concentration as needed by the individual teacher candidate.

(v) The candidate from a nonapproved, four-year home economics program must have an evaluation made by an institution which has an approved program in accordance with chapter 180-78 WAC which includes evaluation of the candidate's teaching performance. Course work in home economics methods, including the vocational aspects of a home and family life program from an approved program for training vocational teachers needs to be completed; and the candidate must have a plan for completion of requirements and be recommended by an institution approved in accordance with chapter 180-78 WAC.

(d) Agriculture education instructors are required to have forty-five semester hours of credit in agriculture including, but not limited to university requirements in agriculture economics, agriculture mechanics, animal science, agronomy, soils, entomology, horticulture, plant pathology and forestry;

(e) Business and office instructors are required to have thirty-five quarter credits of courses which have content included in the program sequences of clerical, secretarial and/or accounting;

(f) Distributive education instructors are required to have thirty-five quarter credits or the equivalent of distributive education subjects to include salesmanship, retailing, sales promotion and marketing.

(2) The specific requirement for the three-year certificate for business and office is course study in the objectives, principles and philosophy of vocational education.

[Statutory Authority: RCW 28A.70.005. 78-10-003 (Order 11-78), § 180-77-035, filed 9/7/78.]

WAC 180-77-040 General requirements for vocational certification of instructors from business and industry. Prior to employment in an approved vocational program, a vocational instructor must be qualified to hold a credential in one of the designated program areas of: Agriculture, business, health occupations, trade and industrial occupations, home economics related occupations, marketing, and diversified occupations must meet the following requirements:

(1) To qualify for a credential in one of the program areas, an instructor must provide documentation of one of the following:

(a) Completion of an apprenticeship program receiving journey level according to rules and regulations established by the Washington state apprenticeship and training council.

(b) A valid license by the state of Washington to practice a particular occupation or profession.

(c) An associate degree or diploma issued by a community or technical college, which indicates the completion of a program for the same occupation as the program area credential.

(d) A recommendation by the local vocational education program advisory committee that the candidate possesses required knowledge and skills in a specific occupation which was determined following a review of the candidates credentials.

(2) The requirements for the two-year certificate are as follows:

(a) Each instructor shall have an individual professional growth plan which covers the time interval of the current certificate and which has been developed in consultation with and approved by the vocational director/administrator and/or designee. The plan shall be designed to meet program and instructor needs and be reviewed by the program advisory committee for recommendation. The individual professional growth plan shall list college credit, clock hour credit, gainful industry employment, and internships deemed appropriate to maintain and improve occupational and teaching competencies. The vocational director/administrator and/or designee shall maintain a file of all such plans. Such plans shall be reviewed annually by the vocational director/administrator and/or designee.

(b) Instructors must meet occupational experience as defined in WAC 180-77-003.

(i) The minimum occupational experience is three years (6000 hours) of gainful employment provided that one year (2000 hours) of that experience shall have been within the five years prior to application for the initial certificate.

(ii) Instructors may meet gainful employment requirements in selected occupations through work skill competency performance related to subject area as identified by vocational educators and specialists in the field and by verification of one year (2000 hours) of gainful work experience within the five years prior to application for the initial certificate. The instructors work skill competencies are evaluated by a

business and/or industrial employer utilizing the check list of competencies identified for the subject area occupation and be recommended by the local vocational education program advisory committee.

(c) Completion of three quarter credits or 30 clock hours in methods of teaching vocational subjects.

(d) An additional thirty-two quarter credits or 320 clock hours, or a combination thereof of provider approved professional education, professional experience, and/or technical/education upgrading as defined in WAC 180-77-003 (13), (14), and (20). One hundred hours of occupational experience after the minimum requirement as defined in WAC 180-77-003(15) is approved for one quarter credit of approved teacher training.

(e) Instructors assigned to vocational programs which involve cooperative education methods must complete three quarter credits or 30 clock hours in coordination techniques for cooperative education.

(f) Instructors are required to meet the general safety and industrial hygiene and first-aid/CPR requirements.

(g) For the purposes of WAC 392-121-245 (4)(a) and 392-121-272 (4)(b) the minimum vocational certification requirements of a person meeting the vocational certification requirements of (a) through (f) of this subsection shall be deemed to have been met when the minimum occupational experience requirement of (b) of this subsection was met.

(3) The requirements for the three-year certificate are as follows:

(a) Each instructor shall have an individual professional growth plan as described in subsection (2)(a) of this section.

(b) Instructors are required to have an additional fifty quarter credits or 500 clock hours, or a combination thereof, of provider approved professional education, professional experience, and/or technical/education upgrading as defined in WAC 180-77-003 (13), (14), and (20) which must include the following courses offered for three quarter credits or 30 clock hours each:

(i) Occupational analysis introduction to competency based curriculum;

(ii) Course organization;

(iii) Philosophy of vocational education;

(iv) Advanced competency based curriculum;

(v) Leadership techniques.

The above course offerings shall include concepts for developing competencies in working with special populations and equity issues. One hundred hours of gainful work experience in the subject area being taught is equivalent to technical upgrade of one quarter credit or 10 clock hours.

(c) Instructors assigned to vocational programs which involve cooperative education methods must complete three quarter credits or 30 clock hours in coordination techniques for cooperative education.

(d) Instructors must possess a valid first-aid/CPR certificate.

(4) The three-year certificate may be renewed two times in the following manner:

(a) The first three-year renewal shall consist of:

(i) Each instructor shall have an individual professional growth plan as described in subsection (2)(a) of this section.

(ii) Instructors are required to have an additional twenty-five quarter credits or 250 clock hours or a combination thereof, of provider approved professional education,

professional experience, and/or technical/education upgrading as defined in WAC 180-77-003 (13), (14), and (20) since the issuance of the previous three-year certificate. One hundred hours of gainful work experience in the subject area being taught is equivalent to technical upgrade of one quarter credit or 10 clock hours.

(iii) Vocational teaching experience of one year under the previous certificate is required.

(iv) Instructors assigned to vocational programs which involve cooperative education methods must complete three quarter credits or 30 clock hours in coordination techniques for cooperative education.

(v) Instructors must possess a valid first-aid/CPR certificate.

(b) The second three-year renewal shall consist of:

(i) Each instructor shall have an individual professional growth plan as described in subsection (2)(a) of this section.

(ii) Instructors are required to have an additional twenty-five quarter credits or 250 clock hours or a combination thereof, of provider approved professional education, professional experience, and/or technical/education upgrading as defined in WAC 180-77-003 (13), (14), and (20) since the issuance of the previous three-year certificate. One hundred hours of gainful work experience in the subject area being taught is equivalent to technical upgrade of one quarter credit or 10 clock hours.

(iii) Vocational teaching experience of one year under the previous certificate is required.

(iv) Instructors assigned to vocational programs which involve cooperative education methods must complete three quarter credits or 30 clock hours in coordination techniques for cooperative education.

(v) Instructors must possess a valid first-aid/CPR certificate.

(5) The requirements for a five-year certificate are as follows:

(a) Each instructor shall have an individual professional growth plan as described in subsection (2)(a) of this section.

(b) Instructors must have completed the requirements for the two-year, three-year, or three-year renewal certificates.

(c) Within the last five years, instructors must have completed additional nine quarter credits or 90 clock hours or a combination thereof, of provider approved professional education, professional experience, and/or technical/education upgrading as defined in WAC 180-77-003 (13), (14), and (20). One hundred hours of gainful work experience in the subject area since the previous certificate is equivalent to technical upgrade of one quarter credit or ten clock hours. A maximum of 600 hours of gainful work experience in the occupation certified may be substituted for six of the nine quarter credits.

(d) Satisfactory completion of the one hundred thirty-five quarter credits and/or equivalency credits for placement on the MA+0 column of the state-wide salary allocation schedule.

(e) Vocational teaching experience of one year under the previous certificate is required.

(f) Instructors assigned to vocational programs which involve cooperative education methods must complete three quarter credits or 30 clock hours in coordination techniques for cooperative education.

(g) Instructors must possess a valid first-aid/CPR certificate.

(6) The five-year certificate may be renewed every five years if the following criteria are met.

(a) Each instructor shall have an individual professional growth plan as described in subsection (2)(a) of this section.

(b) Within the last five years, instructors must have completed nine quarter credits or 90 clock hours or a combination thereof, of provider approved professional education, professional experience, and/or technical/education upgrading as defined in WAC 180-77-003 (13), (14), and (20). One hundred hours of gainful work experience in the subject area since the previous certificate is equivalent to technical upgrade of one quarter credit or 10 clock hours. A maximum of 600 hours of gainful work experience in the occupation certified may be substituted for six of the nine quarter credits.

(c) Vocational teaching experience of not less than two years is required during the life of the previous five-year certificate.

(d) Instructors assigned to vocational programs which involve cooperative education methods must complete three quarter credits or 30 clock hours in coordination techniques for cooperative education.

(e) Instructors must possess a valid first-aid/CPR certificate.

[Statutory Authority: RCW 28A.410.050(2). 92-05-039, § 180-77-040, filed 2/12/92, effective 3/14/92. Statutory Authority: RCW 28A.70.005. 78-10-003 (Order 11-78), § 180-77-040, filed 9/7/78.]

WAC 180-77-045 Specific requirements for vocational certification of instructors from business and industry.

(1) Each instructor shall have an individual professional growth plan which covers the time interval of the current certificate and which has been developed in consultation with and approved by the vocational director/administrator and/or designee. The plan shall be designed to meet program and instructor needs and be reviewed by the program advisory committee for recommendation.

(2) The minimum occupational work experience of 6000 hours shall determine the specific program subject matter that the instructor is qualified to teach.

[Statutory Authority: RCW 28A.410.050(2). 92-05-039, § 180-77-045, filed 2/12/92, effective 3/14/92. Statutory Authority: RCW 28A.70.005. 78-10-003 (Order 11-78), § 180-77-045, filed 9/7/78.]

WAC 180-77-050 Renewal of vocational certification for instructors.

Instructors in agriculture, business and office, community resource training program coordinators (CRT), distributive education, distributive education—cooperative preparatory and preparatory specialist, diversified occupations, home and family life (useful), home economics related occupations (gainful), home economics subject matter specialist (useful), home economics subject matter specialist (gainful), home economics related occupations, industrial co-op education (ICE), and trade and industrial, technical and health occupations must meet the following requirements for certification renewal:

(1) Instructors with a bachelor's degree must meet the following general requirements for certification renewal:

(a) The one-year certificate may be renewed two times;
 (b) The three-year certificate may be renewed one time provided the instructor has:

(i) One year of teaching experience in the field certified to teach during the life of the previous certificate; except:

(A) Home and family life (useful), and home economics related occupations (gainful) which do not require teaching experience;

(B) Home economics subject matter specialist (useful and gainful) require vocational teaching experience during the life of the previous certificate in the home economics specialty area or the home economics related occupation.

(ii) Three quarter credits or the equivalent of approved vocational teacher training in the field certified to teach since the initial three-year certificate; except:

Home and family life (useful) and home economics related occupations (gainful) which do not require additional teacher training.

(iii) Instructors must possess a valid first aid certificate.

(c) The five-year certificate may be renewed every five years provided the following conditions are met; except home and family life (useful) and home economics related occupation (gainful):

(i) Two years of professional experience in the field certified to teach during the life of the five-year vocational certificate; except home economics subject matter specialist (useful and gainful) require teaching experience in the home and family life specialty or in the home economics related occupation during the life of the previous certificate;

(ii) Six quarter credits or the equivalent of approved vocational teacher training which may include three quarter credits or the equivalent of technical upgrading or equivalent work experience prior approved by the state board of education since the previous certificate;

(iii) Instructors must possess a valid first aid certificate.

(d) Home and family life (useful) and home economics related occupations (gainful) require the following of the instructors for first renewal of the five-year vocational certificate:

(i) Forty-five quarter credits of state board of education approved professional and technical studies which include at least six quarter credits in home economics subject matter and/or home economics education beyond the requirements for the first five-year certificate; and

(ii) Vocational home and family life education teaching experience during the life of the preceding certificate.

(e) Home and family life (useful) and home economics related occupations (gainful) require the following of the instructors for second and subsequent renewals of the five-year vocational certificate:

(i) Within the five-year period immediately preceding the request for renewal, the instructor must have had teaching experience in home and family life education subjects or in the home economics related occupation (gainful);

(ii) Six quarter credits or the equivalent of professional education, including home economics and/or home economics education; and

(iii) Instructors must possess a valid first aid certificate.

(2) Instructors with a bachelor's degree must meet the following specific requirements in addition to the general requirements for certification renewal:

Those areas having specific requirements for renewal of the one-year certificate are as follows:

(a) Home economics subject matter specialist (useful and gainful) require that the one-year certificate may be renewed two times in the following manner:

(i) Instructors must have a course in principles and objectives of vocational education for the first renewal; and

(ii) Instructors are required to have three quarter credits or the equivalent of professional education in the discipline to be taught.

(b) Business and office instructors are required to have a course in objectives, principles and philosophies of vocational education in order that the one-year certificate be renewed.

(3) Instructors from business and industry must meet the following general requirements for certification renewal:

(a) The three-year certificate may be renewed two times in the following manner:

(i) The first three-year renewal shall consist of:

(A) Each instructor shall have an individual professional growth plan as described in WAC 180-77-040 (2)(a).

(B) Instructors are required to have an additional twenty-five quarter credits or 250 clock hours or a combination thereof, of provider approved professional education, professional experience, and/or technical/education upgrading as defined in WAC 180-77-003 (13), (14), and (20) since the issuance of the previous three-year certificate. One hundred hours of gainful work experience in the subject area being taught is equivalent to technical upgrade of one quarter credit or 10 clock hours.

(C) Instructors must possess vocational teaching experience of one year in the occupation certified to teach during the life of the previous certificate.

(D) Instructors assigned to vocational program which involve cooperative education methods must complete three quarter credits or 30 clock hours in coordination techniques for cooperative education.

(E) Possession of a valid first-aid/CPR certificate.

(ii) The second three-year renewal shall consist of:

(A) Each instructor shall have an individual professional growth plan as described in WAC 180-77-040 (2)(a).

(B) Instructors are required to have an additional twenty-five quarter credits or 250 clock hours or a combination thereof, of provider approved professional education, professional experience, and/or technical/education upgrading as defined in WAC 180-77-003 (13), (14), and (20) since the issuance of the previous three-year certificate. One hundred hours of gainful work experience in the subject area being taught is equivalent to technical upgrade of one quarter credit or 10 clock hours.

(C) Instructors must possess vocational teaching experience of one year in the occupation certified to teach during the life of the previous certificate.

(D) Instructors assigned to vocational program which involve cooperative education methods must complete three quarter credits or 30 clock hours in coordination techniques for cooperative education.

(E) Possession of a valid first-aid/CPR certificate.

(b) The five-year certificate may be renewed every five years if the following criteria are met:

(i) Each instructor shall have an individual professional growth plan as described in WAC 180-77-040 (2)(a).

(ii) Within the last five years instructors must have completed nine quarter credits or 90 clock hours or a combination thereof, of provider approved professional education, professional experience, and/or technical/education upgrading as defined in WAC 180-77-003 (13), (14), and (20). One hundred hours of gainful work experience in the subject area since the previous certificate is equivalent to technical upgrade of one quarter credit or ten clock hours. A maximum of 600 hours of gainful work experience in the occupation certified may be substituted for six of the nine quarter credits.

(iii) Instructors must possess vocational teaching experience of not less than two years during the life of the previous five-year certificate.

(iv) Instructors assigned to vocational programs which involve cooperative education methods must complete three quarter credits or 30 clock hours in coordination techniques for cooperative education.

(v) Possession of a valid first-aid/CPR certificate.

[Statutory Authority: RCW 28A.410.050(2). 92-05-039, § 180-77-050, filed 2/12/92, effective 3/14/92. Statutory Authority: RCW 28A.70.005. 78-10-003 (Order 11-78), § 180-77-050, filed 9/7/78.]

WAC 180-77-055 Specific requirements for certification of instructors teaching programs designed to prepare students to enter advanced training. Instructors of vocational industrial arts must meet the following requirements:

(1) The requirements for a one-year certificate are as follows:

(a) Bachelor's degree with a major in industrial arts/industrial education;

(b) The following professional education course requirements must be completed:

(i) Methods of teaching industrial arts/industrial education;

(ii) Course in objectives, principles and philosophy of vocational education;

(iii) Introduction to community and industrial resources (one quarter credit or equivalent); and

(iv) Meet the general and specific safety and industrial hygiene and first aid requirements.

(c) Two years of gainful employment, which shall not include classroom teaching or educational administration. This shall include a minimum of eight hundred hours of industrial employment within the past six years.

(2) The requirements for a three-year certificate are as follows:

(a) All instructors must possess a one-year certificate within the past two years;

(b) Instructors are required to have one year of teaching experience under the previous one-year certificate;

(c) Completion of a professional development plan designed to maintain and improve teaching and occupational competency. The plan must be approved by the local certificated vocational director or the state program supervisor. A copy of the plan shall be kept available for review at the employing school district and shall include:

(i) Identified professional and occupational needs of the teacher and a description of the program designed to meet these needs; and

(ii) A detailed record of activities and hours kept by the instructor.

(d) Possession of a valid first aid certificate.

(3) The requirements for a five-year certificate are as follows:

(a) Possession of a three-year certificate within the preceding two years;

(b) Instructors are required to have two years of teaching experience under the previous three-year certificate;

(c) Completion of a professional development plan designed to maintain and improve teaching and occupational competency. The plan must be approved by the local certificated vocational director or the state program supervisor. A copy of the plan shall be kept available for review at the employing school district and shall include:

(i) Identified professional and occupational needs of the teacher and a description of the program designed to meet these needs; and

(ii) A detailed record of activities and hours kept by the instructor.

(d) Instructors must possess a valid first aid certificate;

(e) Completion of four hundred hours of gainful industrial employment since the one-year certificate in the field to be taught.

[Statutory Authority: RCW 28A.70.005. 78-10-003 (Order 11-78), § 180-77-055, filed 9/7/78.]

WAC 180-77-060 Renewal of certificates of instructors teaching programs designed to prepare students to enter advanced training. Instructors of vocational industrial arts must meet the following requirements for certification renewal:

(1) The three-year certificate may be renewed one time upon:

(a) Completion of a professional development plan designed to maintain and improve teaching and occupational competency. The plan must be approved by the local certificated vocational director or state program supervisor. A copy of the plan shall be kept available for review at the employing school district and shall include:

(i) A detailed record of activities and hours kept by the instructor; and

(ii) Identified professional and occupational needs of the teacher and a description of the program designed to meet these needs.

(b) Possession of a valid first aid certificate;

(c) Completion of two hundred hours of gainful industrial employment.

(2) The five-year certificate may be renewed every five years provided the following conditions are met:

(a) Two years of teaching experience under the previous five-year certificate;

(b) Possession of a valid first aid certificate;

(c) Completion of a professional development plan designed to maintain and improve teaching and occupational competencies. The plan must be approved by the local certificated vocational director or the state program supervisor. A copy of the plan shall be kept available for review at the employing school district and shall include:

(i) A detailed record of activities and hours kept by the instructor; and

(ii) Identified professional and occupational needs of the teacher and a description of the program to meet these needs.

(d) Completion of four hundred hours of additional gainful industrial employment. This gainful employment shall be obtained within the preceding five years.

[Statutory Authority: RCW 28A.70.005. 78-10-003 (Order 11-78), § 180-77-060, filed 9/7/78.]

WAC 180-77-065 Vocational certification reinstatement requirements for extended absence from subject area of vocational education for six years or more. Instructors in agriculture, business and office, CRT, distributive education, diversified occupations, home economics related occupations (gainful), ICE and trade and industrial, technical and health occupations are required to meet the following:

Teachers returning to the profession need a minimum of three quarter credits or the equivalent of approved teacher training in the program area within the last five years to reinstate the vocational certificate last held, except home and family life (useful) which requires candidates who have completed an approved program for training vocational teachers and have not taught for ten years or more must complete a total of twelve quarter credits or the equivalent including home economics education and subject matter courses to qualify for the five-year vocational certificate. A one-year certificate can be issued upon completion of three quarter credits of the above requirements.

[Statutory Authority: RCW 28A.410.050(2). 92-05-039, § 180-77-065, filed 2/12/92, effective 4/14/92. Statutory Authority: RCW 28A.70.005. 78-10-003 (Order 11-78), § 180-77-065, filed 9/7/78.]

WAC 180-77-070 Specific standards for certification of local vocational administrative and supervisory personnel. (1) The local director and local assistant director of vocational-technical education must be eligible for a five-year vocational certificate in one of the vocational program areas for vocational education for initial certification as a director and must meet the following:

(a) The director must have educational requirements which are satisfactory to the local board of education;

(b) The director must have thirty quarter credits or the equivalent of state board of education approved vocational-technical education training including a course in supervision and administration of vocational education, or equivalent experience as evaluated by the state board of education;

(c) The director must have had three years of experience as a certificated vocational supervisor, vocational instructor, vocational counselor or occupational information specialist.

(2) In order to renew the local director and local assistant director of vocational-technical education certificates, six quarter credits or the equivalent of state board of education approved professional education or course work in vocational supervisory or managerial subjects, or equivalent professional experience as evaluated by the state board of education, is required.

(3) The local supervisor of vocational-technical education must be eligible for a five-year vocational certificate in one of the vocational program areas of vocational education for initial certification as a supervisor and must meet the

following requirements; except home and family life (useful) and home economics related occupations (gainful):

(a) Supervisor must have a professional training course in vocational supervision; except distributive education and trade and industrial, technical and health occupations which require a course in vocational supervision or three years of additional management experience in the occupation certified to teach and in addition, supervisors of trade and industrial, technical and health occupations must possess professional in-service education of thirty quarter credits or the equivalent of state board of education approved vocational education courses;

(b) Supervisors of home and family life (useful) are required to have the following:

(i) A bachelor's degree from an institution with an approved program to prepare vocational home and family life teachers or have met the requirements and been recommended by an institution with an approved program approved in accordance with chapter 180-78 WAC; and

(ii) Professional training to acquaint the candidate with current developments in home economics and home economics education with some course work in supervision and curriculum.

(c) Supervisors of home economics related occupations (gainful) require the following:

(i) A bachelor's degree in home economics or home economics education and one year of occupational experience or three years of gainful employment in a profession requiring expertise in a home economics related occupation; and

(ii) One year of experience in organizing preparatory or supplemental classes for home economics related occupations.

(4) For a renewal certificate, supervisors are required to have six quarter credits or the equivalent of professional education since the last certificate as approved by the local certificated vocational director or the state program director from the occupation certified to teach.

[Statutory Authority: RCW 28A.70.005. 78-10-003 (Order 11-78), § 180-77-070, filed 9/7/78.]

WAC 180-77-075 Specific standards for certification of local vocational counselors. Vocational counselors are required to meet the following:

(1) Counselors are required to possess a valid educational staff associate—counselor certificate as provided in WAC 180-79-180, at the initial level in counseling and/or graduated from an institution of higher education in a counselor education program which includes study in such subjects as economics, sociology, psychology, political science and sources of occupational information in order to obtain a one-year certificate. All vocational counselors must have completed courses in the following or equivalent experiences as evaluated by the state board of education:

(a) Techniques of counseling or counseling theory to include individual and/or group;

(b) Tests and measurements and/or individual mental measurement and/or psychological evaluation;

(c) Counseling practice;

(d) Principles, objectives and/or philosophy of vocational education;

(e) Counselors must have had two years of varied work experience in the last ten years other than teaching or counseling experience;

(f) Experience is suggested in dealing with employment and personnel problems and with placement and evaluation of workers in business, industry, agriculture, education and/or government service.

(2) The requirements for a three-year certificate are as follows:

(a) The counselor must have possessed a one-year certificate in the past two years;

(b) Counselors must have had one year of vocational counseling;

(c) Counselors must have three quarter credits or the equivalent of state board of education approved professional education since the previous certificate.

(3) The requirements for a five-year certificate are as follows:

(a) Counselors must have had two years of vocational counseling during the previous three-year certificate;

(b) Counselors are required to have had six quarter credits or the equivalent of state board of education approved training in vocational counseling and/or vocational education since the previous certificate.

(4) To renew a counselor certificate the following is required:

(a) The one-year certificate may be renewed two times on the recommendation of the state board of education;

(b) The three-year certificate may be renewed one time provided:

(i) The counselor has had one year of vocational counseling during the life of the previous certificate; and

(ii) The counselor has had three quarter credits or the equivalent of state board of education approved training in vocational counseling and/or vocational education since the previous certificate.

(c) The five-year certificate may be renewed every five years provided:

(i) The counselor has had two years of vocational counseling during the previous five-year vocational certificate; and

(ii) The counselor has had six quarter credits or the equivalent of vocational training and/or equivalent experience prior approved by the state board of education.

[Statutory Authority: RCW 28A.70.005. 78-10-003 (Order 11-78), § 180-77-075, filed 9/7/78.]

WAC 180-77-080 Specific standards for certification of occupational information specialist. Occupational information specialists must meet the following requirements:

(1) Requirements for a one-year certificate for occupational information specialist are three years of full-time gainful employment of which two years shall have been in the last six years, dealing with employment or personnel problems and with placement and evaluation of workers; or two years of vocational teaching experience in an approved vocational program under the state plan for vocational education;

(2) Requirements for a three-year certificate are as follows:

(a) The occupational information specialist must possess a one-year certificate within the preceding two years and must have one hundred twenty hours of professional experience during the life of the previous certificate;

(b) The occupational information specialist must have a total of nine quarter credits or the equivalent of state board of education approved professional education;

(c) The occupational information specialist is required to have three quarter credits or the equivalent of state board of education approved professional education since the last certificate.

(3) Requirements for a five-year certificate are as follows:

(a) Possession of a three-year vocational certificate within the preceding two years;

(b) Vocational occupational information specialist experience of two years during the life of the previous certificate;

(c) A total of eighteen quarter credits or the equivalent of professional education as approved by the state board of education.

(4) To renew an occupational information specialist certificate the following are required:

(a) The one-year certificate may be renewed two times;

(b) The three-year certificate may be renewed one time when the following are met:

(i) Professional experience of one hundred twenty hours as an occupational information specialist during the life of the previous certificate; and

(ii) Three quarter credits or the equivalent of professional education and/or equivalent experience since the previous certificate as approved by the state board of education.

[Statutory Authority: RCW 28A.70.005. 78-10-003 (Order 11-78), § 180-77-080, filed 9/7/78.]

WAC 180-77-085 Specific standards for certification of local vocational teacher trainers. All local vocational teacher trainers must meet the following three-year certificate requirements:

(1) The teacher trainer must have had three years of experience as a certificated vocational instructor in one of the program areas;

(2) The teacher trainer must have had thirty quarter credits or the equivalent of state board of education approved vocational training in subjects related to instruction and supervision of vocational education;

(3) The teacher trainer must be recommended by the local certificated vocational director;

(4) The certificated local vocational directors and supervisors shall qualify as local vocational teacher trainers;

(5) The teacher trainer certificate may be renewed upon recommendation of the state board of education.

[Statutory Authority: RCW 28A.70.005. 78-10-003 (Order 11-78), § 180-77-085, filed 9/7/78.]

WAC 180-77-090 General standards for certification of vocational instructors, counselors, occupational information specialists, teacher trainers and administrative and supervisory personnel with a probationary certificate. In extraordinary instances, when a local vocational administrator feels a potential full-time person has the

necessary competency, but does not meet the educational or occupational requirements for a vocational certificate, a one-year probationary certificate may be authorized provided a written training plan with documentation which states the work experiences, educational and other pertinent experiences and accomplishments of the applicant is provided and a plan is submitted telling how the deficiencies will be overcome. The training plan must be approved by the state board of education. This one-year probationary certificate is renewable one time.

[Statutory Authority: RCW 28A.70.005. 78-10-003 (Order 11-78), § 180-77-090, filed 9/7/78.]

WAC 180-77-095 General requirements for certification of vocational instructors of supplementary classes. Instructors must be eligible for a one-year vocational certificate in one of the vocational program areas or specialized instructors for supplementary classes will be issued one-year renewable vocational certificates to teach in their specialty field upon documentation that they possess the skills and knowledge related to the subject matter taught.

When a local vocational administrator cannot employ a part-time vocational instructor for a supplementary class who meets the educational and occupational requirements, a one-year probationary certificate which is renewable is authorized for the part-time instructor, provided the person is endorsed by the local advisory committee and the work experience and professional education are documented and have been approved by the state board of education.

[Statutory Authority: RCW 28A.70.005. 78-10-003 (Order 11-78), § 180-77-095, filed 9/7/78.]

WAC 180-77-100 Part-time vocational certificate for instructors from business and industry. Notwithstanding other requirements prescribed in this chapter for eligibility for vocational certification in the state of Washington, the part-time vocational certificate shall be issued under specific circumstances set forth below for limited service:

(1) The issuance of the part-time certificate is limited to:

(a) Persons whose contract is no greater than .5 of a full-time equivalent instructor.

(b) Persons highly qualified and experienced in the knowledge and occupational skills of the vocational program to be certified.

(c) Persons who meet the general requirements for vocational certification from business and industry pursuant to WAC 180-77-040 (1)(a) through (d) and (2)(f).

(d) Persons who are employed in a vocationally approved program.

(2) The certificate is issued to individuals who are screened by the local vocational director/administrator and school district superintendent or designee. The local vocational director/administrator or superintendent will verify that the following criteria have been met when requesting the part-time vocational certificate:

(a) No person with vocational certification in the field is available as verified by the local vocational director/administrator or superintendent;

(b) The individual is being certified for a limited assignment and responsibility in a specified vocational program area;

(c) Personnel so certificated will be oriented and prepared for the specific assignment and will be apprised of any legal liability, the lines of authority and the duration of the assignment;

(d) The vocational director/administrator and local program advisory committee will indicate the basis on which he/she has determined that the individual is competent for the assignment and will verify that general requirements for certification as set forth in WAC 180-75-085 (1) and (2) have been met; and

(e) A written work and/or educational experience training plan has been provided.

(3) The certificate is valid for one year and only for the teaching area specified on the certificate. The certificate may be reissued on application and evidence that requirements continue to be met.

[Statutory Authority: RCW 28A.410.050(2). 92-05-039, § 180-77-100, filed 2/12/92, effective 3/14/92.]

WAC 180-77-105 Grandfather clause for current vocational certified teachers from business and industry. Any person who holds a current vocational certificate under chapter 180-77 WAC prior to August 31, 1992, has the option to continue being vocationally certified under chapter 180-77 WAC adopted September 7, 1978, or follow the new WAC 180-77-040 revised January 1992 by the state board of education. Any person who allows their certificate to lapse as defined in WAC 180-85-040, must renew the certificate under the current chapter 180-77 WAC in effect at time of reapplication.

[Statutory Authority: RCW 28A.410.050(2). 92-05-039, § 180-77-105, filed 2/12/92, effective 3/14/92.]

WAC 180-77-110 Vocational instructor certification reciprocity. The superintendent of public instruction will recognize community and technical college instructors certified under WAC 131-16-091 through 131-16-095 when these individuals provide instruction to high school students. These instructors must maintain their certification in good standing and, if teaching students sixteen years of age or younger, shall be required to have completed and have on file a background check at the applicant's expense through the Washington state patrol criminal identification system.

[Statutory Authority: RCW 28A.410.050(2). 92-05-039, § 180-77-110, filed 2/12/92, effective 3/14/92.]

Chapter 180-78 WAC

PROFESSIONAL CERTIFICATION—APPROVED PREPARATION PROGRAMS BY COLLEGES AND UNIVERSITIES

WAC

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| 180-78-020 | Equivalency of standards. [Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW. 78-06-069 (Order 5-78), § 180-78-020, filed 5/26/78.] Repealed by 78-09-096 (Order 12-78), filed 9/1/78. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW. |
| 180-78-027 | Appeal—General. [Statutory Authority: RCW 28A.04.120 and 28A.70.005. 81-12-024 (Order 6-81), § 180-78-027, filed 6/1/81.] Repealed by 88-07-002 (Order 7-88), filed 3/3/88. Statutory Authority: RCW 28A.70.005. |
| 180-78-030 | Agencies to be involved in program development. [Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW. 78-06-069 (Order 5-78), § 180-78-030, filed 5/26/78.] Repealed by 88-07-002 (Order 7-88), filed 3/3/88. Statutory Authority: RCW 28A.70.005. |
| 180-78-035 | Program approval process. [Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW. 78-06-069 (Order 5-78), § 180-78-035, filed 5/26/78.] Repealed by 88-07-002 (Order 7-88), filed 3/3/88. Statutory Authority: RCW 28A.70.005. |
| 180-78-040 | Program approval—Procedures for site visits. [Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW. 78-06-069 (Order 5-78), § 180-78-040, filed 5/26/78.] Repealed by 88-07-002 (Order 7-88), filed 3/3/88. Statutory Authority: RCW 28A.70.005. |
| 180-78-045 | Annual reports. [Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW. 78-06-069 (Order 5-78), § 180-78-045, filed 5/26/78.] Repealed by 89-01-041 (Order 26-88), filed 12/14/88. Statutory Authority: RCW 28A.70.005 and 28A.04.120 (1)(2). |
| 180-78-050 | Program approval standards and criteria. [Statutory Authority: RCW 28A.04.120. 85-04-010 (Order 4-85), § |

- 180-78-050, filed 1/25/85. Statutory Authority: RCW 28A.04.120 and 28A.70.005. 81-12-024 (Order 6-81), § 180-78-050, filed 6/1/81. Statutory Authority: RCW 28A.04.120 (1), (2), and (3). 79-06-050 (Order 6-79), § 180-78-050, filed 5/22/79. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW. 78-06-069 (Order 5-78), § 180-78-050, filed 5/26/78.] Repealed by 88-07-002 (Order 7-88), filed 3/3/88. Statutory Authority: RCW 28A.70.005.
- 180-78-055 Program approval—Length of approval. [Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW. 78-06-069 (Order 5-78), § 180-78-055, filed 5/26/78.] Repealed by 88-07-002 (Order 7-88), filed 3/3/88. Statutory Authority: RCW 28A.70.005.
- 180-78-085 Professional education advisory board for ESA, CDS. [Statutory Authority: RCW 28A.70.005. 88-07-002 (Order 7-88), § 180-78-085, filed 3/3/88.] Repealed by 94-24-038, filed 12/2/94, effective 1/2/95. Statutory Authority: RCW 28A.410.010, 28A.305.130 (1), (2) and (3).
- 180-78-095 Professional education advisory board for ESA, reading resource specialist. [Statutory Authority: RCW 28A.70.005. 88-07-002 (Order 7-88), § 180-78-095, filed 3/3/88.] Repealed by 94-24-038, filed 12/2/94, effective 1/2/95. Statutory Authority: RCW 28A.410.010, 28A.305.130 (1), (2) and (3).
- 180-78-110 Professional education advisory board for ESA, school nurse. [Statutory Authority: RCW 28A.70.005. 88-07-002 (Order 7-88), § 180-78-110, filed 3/3/88.] Repealed by 94-24-038, filed 12/2/94, effective 1/2/95. Statutory Authority: RCW 28A.410.010, 28A.305.130 (1), (2) and (3).
- 180-78-115 Professional education advisory board for ESA, school physical therapist. [Statutory Authority: RCW 28A.70.005. 88-07-002 (Order 7-88), § 180-78-115, filed 3/3/88.] Repealed by 94-24-038, filed 12/2/94, effective 1/2/95. Statutory Authority: RCW 28A.410.010, 28A.305.130 (1), (2) and (3).
- 180-78-120 Professional education advisory board for ESA, school occupational therapist. [Statutory Authority: RCW 28A.70.005. 88-07-002 (Order 7-88), § 180-78-120, filed 3/3/88.] Repealed by 94-24-038, filed 12/2/94, effective 1/2/95. Statutory Authority: RCW 28A.410.010, 28A.305.130 (1), (2) and (3).
- 180-78-125 Responsibilities of professional education advisory boards. [Statutory Authority: RCW 28A.70.005 and 28A.04.120 (1)(2). 89-01-041 (Order 26-88), § 180-78-125, filed 12/14/88. Statutory Authority: RCW 28A.70.005. 88-07-002 (Order 7-88), § 180-78-125, filed 3/3/88.] Repealed by 92-01-127, filed 12/19/91, effective 1/19/92. Statutory Authority: RCW 18A.410.010 [28A.410.010] and 28A.70.005.
- 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.
- 180-78-192 Exit examination requirement—Panel of examiners. [Statutory Authority: RCW 28A.70.005. 87-09-011 (Order 3-87), § 180-78-192, filed 4/3/87.] Repealed by 90-02-074 and 90-02-104, filed 1/2/90 and 1/3/90, effective 2/2/90 and 2/3/90. Statutory Authority: RCW 28A.70.005.
- 180-78-193 Exit examination requirement—Mandatory topics. [Statutory Authority: RCW 28A.70.005 and 28A.04.120 (1)(2). 89-01-041 (Order 26-88), § 180-78-193, filed 12/14/88. Statutory Authority: RCW 28A.70.005. 88-07-002 (Order 7-88), § 180-78-193, filed 3/3/88; 87-09-011 (Order 3-87), § 180-78-193, filed 4/3/87.] Repealed by 90-02-074 and 90-02-104, filed 1/2/90 and 1/3/90, effective 2/2/90 and 2/3/90. Statutory Authority: RCW 28A.70.005.
- 180-78-194 Exit examination requirements—Mandatory parts for certification. [Statutory Authority: RCW 28A.70.005. 88-07-002 (Order 7-88), § 180-78-194, filed 3/3/88; 87-09-011 (Order 3-87), § 180-78-194, filed 4/3/87.] Repealed by 90-02-074 and 90-02-104, filed 1/2/90 and 1/3/90, effective 2/2/90 and 2/3/90. Statutory Authority: RCW 28A.70.005.
- 180-78-195 Exit examination requirement—Standards for administration. [Statutory Authority: RCW 28A.70.005. 87-09-011 (Order 3-87), § 180-78-195, filed 4/3/87.] Repealed by 90-02-074 and 90-02-104, filed 1/2/90 and 1/3/90, effective 2/2/90 and 2/3/90. Statutory Authority: RCW 28A.70.005.
- 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.
- 180-78-197 Exit examination requirements—Pilot programming. [Statutory Authority: RCW 28A.70.005. 87-09-011 (Order 3-87), § 180-78-197, filed 4/3/87.] Repealed by 90-02-074 and 90-02-104, filed 1/2/90 and 1/3/90, effective 2/2/90 and 2/3/90. Statutory Authority: RCW 28A.70.005.
- 180-78-198 Revision of generic standards. [Statutory Authority: RCW 28A.70.005. 87-09-011 (Order 3-87), § 180-78-198, filed 4/3/87.] Repealed by 90-02-074 and 90-02-104, filed 1/2/90 and 1/3/90, effective 2/2/90 and 2/3/90. Statutory Authority: RCW 28A.70.005.
- 180-78-199 Uniform admission to practice examination. [Statutory Authority: RCW 28A.70.005. 88-07-002 (Order 7-88), § 180-78-199, filed 3/3/88; 87-09-011 (Order 3-87), § 180-78-199, filed 4/3/87.] Repealed by 90-02-074 and 90-02-104, filed 1/2/90 and 1/3/90, effective 2/2/90 and 2/3/90. Statutory Authority: RCW 28A.70.005.
- 180-78-290 Program approval requirement—Specific knowledge and skills for ESA, CDS. [Statutory Authority: RCW 28A.70.005. 88-07-002 (Order 7-88), § 180-78-290, filed 3/3/88.] Repealed by 94-24-038, filed 12/2/94, effective 1/2/95. Statutory Authority: RCW 28A.410.010, 28A.305.130 (1), (2) and (3).
- 180-78-300 Program approval requirement—Specific knowledge and skills ESA, school occupational therapist. [Statutory Authority: RCW 28A.70.005. 88-07-002 (Order 7-88), § 180-78-300, filed 3/3/88.] Repealed by 94-24-038, filed 12/2/94, effective 1/2/95. Statutory Authority: RCW 28A.410.010, 28A.305.130 (1), (2) and (3).
- 180-78-305 Program approval requirement—Specific knowledge and skills for ESA, school physical therapist. [Statutory Authority: RCW 28A.70.005. 88-07-002 (Order 7-88), § 180-78-305, filed 3/3/88.] Repealed by 94-24-038, filed 12/2/94, effective 1/2/95. Statutory Authority: RCW 28A.410.010, 28A.305.130 (1), (2) and (3).
- 180-78-315 Program approval requirement—Specific knowledge and skills for ESA, reading resource specialist. [Statutory Authority: RCW 28A.70.005. 88-07-002 (Order 7-88), § 180-78-315, filed 3/3/88.] Repealed by 94-24-038, filed 12/2/94, effective 1/2/95. Statutory Authority: RCW 28A.410.010, 28A.305.130 (1), (2) and (3).
- 180-78-320 Program approval requirement—Specific knowledge and skills for ESA, school nurse. [Statutory Authority: RCW 28A.70.005. 88-07-002 (Order 7-88), § 180-78-320, filed 3/3/88.] Repealed by 94-24-038, filed 12/2/94, effective 1/2/95. Statutory Authority: RCW 28A.410.010, 28A.305.130 (1), (2) and (3).

WAC 180-78-003 Authority. The authority for this chapter is RCW 28A.410.010 which authorizes the state board of education to establish, publish, and enforce rules and regulations determining eligibility and certification of personnel employed in the common schools of this state. This authority is supplemented by RCW 28A.305.130 (1) and (2) which authorizes the state board of education to

approve professional preparation programs in institutions of higher education.

[Statutory Authority: 1990 c 33, 90-17-009, § 180-78-003, filed 8/6/90, effective 9/6/90. Statutory Authority: RCW 28A.70.005, 87-09-011 (Order 3-87), § 180-78-003, filed 4/3/87.]

WAC 180-78-005 Purpose. The purposes of this chapter are to establish the procedures, standards, and criteria to be used in the development and approval of preparation programs offered by institutions of higher education in Washington state leading to teacher, administrator, and educational staff associates certification.

[Statutory Authority: RCW 28A.70.005 and 28A.04.120 (1)(2), 89-01-041 (Order 26-88), § 180-78-005, filed 12/14/88. Statutory Authority: RCW 28A.70.005, 87-09-011 (Order 3-87), § 180-78-005, filed 4/3/87. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW, 78-06-069 (Order 5-78), § 180-78-005, filed 5/26/78.]

WAC 180-78-007 Intent of state standards. All state standards prescribed in this chapter for the approval of professional preparation programs are minimal standards for state approval. Colleges or universities may and are encouraged to develop program standards which exceed the minimums herein prescribed.

[Statutory Authority: RCW 28A.70.005, 88-07-002 (Order 7-88), § 180-78-007, filed 3/3/88.]

WAC 180-78-008 Public policy purposes of SBE approval of professional preparation program. The public policy purposes of state board of education approval of professional preparation programs are:

(1) To ensure that representatives of recognized professional associations and local school districts regularly participate in decisions related to professional preparation programs.

(2) To ensure that responsibilities for the management of the professional preparation program are clearly assigned and that an organizational structure exists that defines the accountability for decision making regarding the professional preparation program by the college or university.

(3) To ensure that the resources necessary to develop and maintain quality professional preparation programs are available and being used appropriately.

(4) To ensure that procedures for selecting and retaining candidates for the professional preparation program are consistent with the goals and objectives of the state board of education.

(5) To ensure that all candidates in the professional preparation program complete a planned program and demonstrate the knowledge and skills described in the state board of education's standards.

(6) To ensure that all candidates in the professional preparation program have ongoing opportunities to participate in school-based learning activities throughout their professional preparation program.

(7) To ensure that the professional preparation program is based on a theoretical and research-based framework, reviewed regularly, and revised on the basis of the evaluation of the program and relevant new knowledge in the field.

[Statutory Authority: RCW 28A.70.005 and 28A.04.120 (1)(2), 89-01-041 (Order 26-88), § 180-78-008, filed 12/14/88. Statutory Authority: RCW 28A.70.005, 88-07-002 (Order 7-88), § 180-78-008, filed 3/3/88.]

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 180-78-015 Professional education advisory committee. (1) The state board of education shall establish a professional education advisory committee to serve as the working committee of the board on matters pertaining to the preparation and certification of school personnel. The committee shall give advice and make recommendations to the board and the state superintendent about educator preparation and certification matters and participate in the review of preparation programs. The size of the committee shall be determined by the board but membership shall be comprised of regular members representing colleges and universities, specialized and general professional associations, school district administrators, school district boards of directors, nonpublic schools, other business and lay organizations having interest in the preparation and certification of school personnel, and three members of the state board of education.

(2) The advisory committee shall have a four-member executive committee comprised of one member of the state board, one member representing higher education, one member representing certificated staff practitioners, and one member from among the other groups represented on the advisory committee. The chair of the advisory committee shall rotate at least every two years among the nonboard members of the executive committee.

(3) The executive committee shall have the authority to work with member groups, as necessary, to assure to the extent possible that the combined membership of the advisory committee reflects the racial, ethnic, geographic and gender diversity of the state.

(4) The advisory committee shall be responsible for adopting written operating procedures.

[Statutory Authority: RCW 28A.410.010, 94-24-042, § 180-78-015, filed 12/2/94, effective 1/2/95. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW, 78-06-069 (Order 5-78), § 180-78-015, filed 5/26/78.]

WAC 180-78-025 Program approval. All programs leading to certification offered in Washington state to prepare teachers, principals, program administrators, superintendents, school counselors, school psychologists, and school social workers shall be approved pursuant to the requirements of this chapter.

[Statutory Authority: RCW 28A.410.010, 28A.305.130 (1), (2) and (3), 94-24-038, § 180-78-025, filed 12/2/94, effective 1/2/95. Statutory Authority: RCW 28A.70.005, 87-09-011 (Order 3-87), § 180-78-025, filed 4/3/87. Statutory Authority: RCW 28A.04.120 and 28A.70.005, 81-12-024 (Order 6-81), § 180-78-025, filed 6/1/81. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW, 78-06-069 (Order 5-78), § 180-78-025, filed 5/26/78.]

WAC 180-78-026 Existing approved programs. Professional preparation programs approved prior to January 1, 1989, shall continue to be approved until such college or university seeks reapproval pursuant to WAC 180-78-029 which, upon request to the superintendent of public instruction, may be delayed until the 1990-91 academic year.

[Statutory Authority: RCW 28A.70.005, 88-07-002 (Order 7-88), § 180-78-026, filed 3/3/88.]

WAC 180-78-028 Procedures for initial approval of a professional preparation program. Each college or university desiring to establish a professional preparation program shall comply with the following:

(1) Advise the superintendent of public instruction of the desire to establish the professional preparation program.

(2) Establish, pursuant to WAC 180-78-065, the appropriate professional education advisory board.

(3) Develop, with the assistance of the professional education advisory board and designated officials of the superintendent of public instruction, a written plan which provides timelines for the implementation of all applicable program approval standards during the first year of the professional preparation program and submit such report to the superintendent of public instruction for review and comment and, if requested, resubmit such plan to the superintendent of public instruction.

(4) Present the written plan to the state board of education which shall approve such written plan and grant

initial approval status if the state board of education is satisfied that the college or university intends to meet all program approval standards in accordance with reasonable and practical timelines and that the college or university has made the needed commitments, specifically personnel and other resources, to implement the plan: *Provided*, That prior to making a judgment on the college or university's request for approval, the state board of education shall review, if provided, written and oral evidence presented by the following:

(a) The designated college or university official.

(b) The superintendent of public instruction.

(c) The chair of the applicable professional education advisory board.

(d) Any other official deemed by the state board of education to have a legitimate interest in the approval status of the college or university.

[Statutory Authority: RCW 28A.70.005 and 28A.04.120 (1)(2), 89-01-041 (Order 26-88), § 180-78-028, filed 12/14/88. Statutory Authority: RCW 28A.70.005, 88-07-002 (Order 7-88), § 180-78-028, filed 3/3/88.]

WAC 180-78-029 Annual reapproval process. Colleges and universities with professional preparation programs approved by the state board of education shall request reapproval on an annual basis. Such reapproval shall be granted if the college or university provides the superintendent of public instruction with the following:

(1) An affidavit from the dean or director of the college, school, or other designation of the administrative unit required by WAC 180-78-150(5) that he or she has determined, to the best of his or her knowledge, that the professional preparation program is in compliance with the program approval rules for the professional preparation program or that the college or university has adopted a compliance plan which, in the opinion of the superintendent of public instruction, will bring the program into compliance as soon as reasonably practicable.

(2) The annual report as required by WAC 180-78-047.

(3) *Provided*, That if the college or university is unable to provide the assurances required in subsection (1) of this section or if the superintendent of public instruction—after notice to the affected college or university and a reasonable opportunity for such college or university to resubmit— notifies the state board of education that the report required by WAC 180-78-047 is not in compliance, such college or university may make its request for reapproval directly to the state board of education. The state board of education shall make its determination regarding approval or disapproval on the basis of written and oral evidence, if provided, presented by the following:

(a) The designated official of the college or university.

(b) The superintendent of public instruction.

(c) The chair of the affected professional education advisory board.

(d) Any other official deemed by the state board of education to have a legitimate interest in the approval status of the college or university.

[Statutory Authority: RCW 28A.70.005 and 28A.04.120 (1)(2), 89-01-041 (Order 26-88), § 180-78-029, filed 12/14/88. Statutory Authority: RCW 28A.70.005, 88-07-002 (Order 7-88), § 180-78-029, filed 3/3/88.]

WAC 180-78-033 Probationary status. Colleges and universities with approved professional preparation programs shall not lose official approval status until the superintendent of public instruction formally notifies the college or university that the state board of education has taken final action to disapprove the professional preparation program: *Provided*, That colleges or universities shall be permitted for the current and one additional academic year following receipt of the formal notice of disapproval to continue as an approved professional preparation program on probationary status for the sole purpose of completing the professional preparation program for those candidates for certification currently enrolled in the professional preparation program and who are scheduled to complete such professional preparation program within such academic years and for the purpose, if elected, to regain state board of education approval.

[Statutory Authority: RCW 28A.70.005 and 28A.04.120 (1)(2). 89-01-041 (Order 26-88), § 180-78-033, filed 12/14/88. Statutory Authority: RCW 28A.70.005. 88-07-002 (Order 7-88), § 180-78-033, filed 3/3/88.]

WAC 180-78-036 SPI compliance review of professional preparation programs. The superintendent of public instruction, upon receipt of a complaint from any source or upon his or her own initiative, may review all or any part of a professional preparation program for compliance with the provisions of this chapter. Such review is mandatory in the second year of operation of any new professional preparation program. If deviations are found, the superintendent of public instruction is authorized to negotiate with the college or university a compliance agreement which will bring the professional preparation program into compliance as soon as reasonably practicable but no later than the commencement of the succeeding academic year or six calendar months, whichever is later. If a compliance agreement is not negotiated, the superintendent of public instruction shall report such deviations to the state board of education which shall review the approval status of the college or university and make a determination whether the college or university is in compliance. If noncompliance is found by the state board of education, the professional preparation program shall be placed on probationary status and the probationary status provision of WAC 180-78-033 shall apply: *Provided*, That prior to making a judgment regarding compliance the state board of education shall review, if provided, written and oral evidence presented by the following:

- (1) The designated college or university official.
- (2) The superintendent of public instruction.
- (3) The chair of the affected professional education advisory board.

(4) Any other official deemed by the state board of education to have a legitimate interest in the approval status of the college or university.

[Statutory Authority: RCW 28A.70.005. 88-07-002 (Order 7-88), § 180-78-036, filed 3/3/88.]

WAC 180-78-037 Procedures for reestablishment of approval status for a professional preparation program. The procedures for the reestablishment of state board of education approval of a professional preparation program shall be the same as the procedure for initial approval as

provided in WAC 180-78-028 except that, if the professional preparation program continues to operate pursuant to the probationary status provision of WAC 180-78-033, the superintendent of public instruction may limit the content of the written plan required by WAC 180-78-028(3) to program standards determined by the superintendent of public instruction to be the cause of the college or university's probationary status.

[Statutory Authority: RCW 28A.70.005. 88-07-002 (Order 7-88), § 180-78-037, filed 3/3/88.]

WAC 180-78-047 Annual report by colleges and universities. Each college or university offering an approved professional preparation program shall submit by July 31 of each year, an annual report covering the period from July 1 of the previous year to June 30 of the current year, containing the following:

- (1) The minutes of each professional education advisory board.
- (2) The number of candidates recommended for initial and continuing certificates by type of certificate and endorsement areas.
- (3) Other material related to the professional preparation programs requested by the superintendent of public instruction.

[Statutory Authority: RCW 18A.410.010 [28A.410.010] and 28A.70.005. 92-01-127, § 180-78-047, filed 12/19/91, effective 1/19/92. Statutory Authority: RCW 28A.70.005 and 28A.04.120 (1)(2). 89-01-041 (Order 26-88), § 180-78-047, filed 12/14/88. Statutory Authority: RCW 28A.70.005. 88-07-002 (Order 7-88), § 180-78-047, filed 3/3/88.]

WAC 180-78-057 Approval of preparation program offered by an out-of-state college or university within the state applicable to certification. No out-of-state college or university shall offer a program of courses within Washington state for purposes of Washington state certification without meeting all program approval requirements set forth in this chapter.

[Statutory Authority: RCW 28A.04.120 and 28A.70.005. 90-12-073, § 180-78-057, filed 6/1/90, effective 7/2/90. Statutory Authority: RCW 28A.70.005 and 28A.04.120 (1)(2). 89-01-041 (Order 26-88), § 180-78-057, filed 12/14/88. Statutory Authority: RCW 28A.70.005. 88-07-002 (Order 7-88), § 180-78-057, filed 3/3/88. Statutory Authority: RCW 28A.04.120 and 28A.70.005. 81-12-024 (Order 6-81), § 180-78-057, filed 6/1/81.]

WAC 180-78-060 Preparation of superintendents. In accordance with RCW 28B.10.140, the only public institutions authorized to recommend an endorsement for superintendents shall be the University of Washington and Washington State University.

[Statutory Authority: RCW 28A.70.005. 88-07-002 (Order 7-88), § 180-78-060, filed 3/3/88. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW. 78-09-096 (Order 12-78), § 180-78-060, filed 9/1/78.]

WAC 180-78-063 Responsibilities of deans, directors, or other designated administrator. Each college or university operating an approved professional preparation program shall require the dean, director, or other designee of the administrative unit required by WAC 180-78-150(5) to

coordinate the following college or university responsibilities:

- (1) Formation of professional education advisory boards.
- (2) Management of operations and resources for each professional preparation program.
- (3) Filing of affidavits and reports required by this chapter and chapter 180-75 WAC.
- (4) Dissemination of information relative to initial and continuing certification procedures and requirements.
- (5) The application process for professional certification.
- (6) Establishing and administering a process to counsel and assist applicants in the processing of applications for initial and continuing certificates and endorsements thereon: *Provided*, That colleges and universities need not provide such assistance to applicants who have completed less than fifteen quarter (ten semester) hours of course work at the respective college or university.

[Statutory Authority: RCW 28A.70.005 and 28A.04.120 (1)(2). 89-01-041 (Order 26-88), § 180-78-063, filed 12/14/88. Statutory Authority: RCW 28A.70.005. 88-07-002 (Order 7-88), § 180-78-063, filed 3/3/88.]

WAC 180-78-065 Required professional education advisory board. Colleges and universities seeking approval by the state board of education as an approved professional preparation program and in order to maintain such approval status shall establish a professional education advisory board for each of the following program areas for which the college or university seeks approval or maintains an approved preparation program:

- (1) Teacher.
- (2) Administrator.
- (3) Educational staff associate, school counselor.
- (4) Educational staff associate, school psychologist.
- (5) Educational staff associate, school social worker.
- (6) *Provided*, That a college or university may combine any or all professional education advisory boards for educational staff associate professional preparation programs as long as the membership thereof consists of the following:
 - (a) One or more educational staff associates appointed by the president of the respective professional association specified in WAC 180-78-085 through 180-78-120 for each professional preparation program within the college or university and that such membership by educational staff associates constitutes one-half or more of the membership on the combined educational staff associate professional education advisory board.
 - (b) One or more classroom teachers appointed by the president of the Washington education association.
 - (c) One or more principals appointed by the president of the association of Washington school principals.
 - (d) One or more administrators appointed by the president of the Washington association of school administrators.
 - (e) The chief administrator of each professional preparation program as designated by the college or university president. The college or university president also shall appoint one of such chief administrators as the executive officer of such combined board who shall be responsible for administering all combined board activities, including liaison with the faculty: *Provided*, That if the college or university elects to have such chief administrators serve as nonvoting

members of the combined board, such membership shall not count for the purpose of compliance with (a) of this subsection.

(7) *Provided, Further*, That the failure of a designated organization, as specified in WAC 180-78-075 through 180-78-120 to make appointments to the designated board, or to make such appointments in a timely manner, shall not cause the approved professional preparation program to lose its approval status.

[Statutory Authority: RCW 28A.410.010, 28A.305.130 (1), (2) and (3). 94-24-038, § 180-78-065, filed 12/2/94, effective 1/2/95. Statutory Authority: RCW 28A.70.005. 88-07-002 (Order 7-88), § 180-78-065, filed 3/3/88.]

WAC 180-78-068 Joint professional education advisory board. Any two or more colleges and/or universities may agree to have the same professional education advisory board for their respective professional preparation program at such college or university.

[Statutory Authority: RCW 28A.70.005. 88-07-002 (Order 7-88), § 180-78-068, filed 3/3/88.]

WAC 180-78-070 Terms of service for professional education advisory board members. Terms of service on professional education advisory boards shall be designated in the bylaws of such boards.

[Statutory Authority: RCW 28A.70.005. 88-07-002 (Order 7-88), § 180-78-070, filed 3/3/88.]

WAC 180-78-073 Qualification to be appointed to professional education advisory boards. Except as otherwise provided in WAC 180-78-074, appointees to service on professional education advisory boards from required agencies, other than the designee of the college or university president, at the time of their appointment must be employed in or reside in a school district with which the college or university has a current written agreement to provide field experiences for students involved in the professional preparation program for which the professional education advisory board has responsibility. The purpose of this section is to ensure that the interest of such districts are considered in the deliberative process of the respective professional education advisory board.

[Statutory Authority: RCW 28A.70.005 and 28A.04.120 (1)(2). 89-01-041 (Order 26-88), § 180-78-073, filed 12/14/88. Statutory Authority: RCW 28A.70.005. 88-07-002 (Order 7-88), § 180-78-073, filed 3/3/88.]

WAC 180-78-074 Additional membership on professional education advisory boards. Once established in accordance with the membership requirements of this chapter, professional education advisory boards may authorize the appointment of additional representatives from other school districts or other public and private agencies as long as one-half or more of the members of the professional education advisory board consist of representatives from the role for which the professional education advisory board has responsibility. If any professional education advisory board receives a written request from other school districts or other public or private agencies for representation on such professional education advisory board, the current members of such professional education advisory board shall vote on such request at the next regular meeting of such board:

Provided, That a college or university may elect to add private school representatives to a professional education advisory board without adding to the representation from the role for which the professional education advisory board has responsibility if the professional education advisory board authorizes such action by a majority vote.

[Statutory Authority: RCW 28A.70.005. 88-07-002 (Order 7-88), § 180-78-074, filed 3/3/88.]

WAC 180-78-075 Professional education advisory board for teacher preparation programs. The professional education advisory board for the teacher preparation program shall consist of the following:

(1) One-half or more of classroom teachers appointed by the president of the Washington education association from nominations submitted by the presidents of local units of the association: *Provided*, That a private college or university that has placed more than fifty percent of its graduates of the teacher certification program within the previous three academic years in private schools may appoint up to one-half of the classroom teachers required by this subsection from nominations from faculties of private schools in which the college or universities places student teachers or teachers.

(2) One or more principals appointed by the president of the association of Washington school principals.

(3) One or more administrators appointed by the president of the Washington association of school administrators.

(4) One or more college or university faculty or administrators appointed by the college or university president including the chief administrator for the teacher preparation program at the college or university, as designated by the college or university president. Such chief administrator shall serve as the executive officer of the board and shall be responsible for administering all board activities, including liaison with faculty: *Provided*, That if the college or university elects to have such chief administrator or faculty or administrators serve as a nonvoting member, such membership shall not count for the purpose of compliance with subsection (1) of this section.

[Statutory Authority: RCW 28A.70.005 and 28A.04.120 (1)(2). 89-01-041 (Order 26-88), § 180-78-075, filed 12/14/88. Statutory Authority: RCW 28A.70.005. 88-07-002 (Order 7-88), § 180-78-075, filed 3/3/88.]

WAC 180-78-080 Professional education advisory board for administrator preparation program. The professional education advisory board for the administrator preparation program shall consist of the following:

(1) One-half or more of administrators, one-half appointed by the president of the Washington association of school administrators of which at least one appointee shall be a program administrator and one-half appointed by the president of the association of Washington school principals.

(2) One or more classroom teachers appointed by the president of the Washington education association.

(3) One or more college or university faculty or administrators appointed by the college or university president including the chief administrator for the administrator preparation program at the college or university, as designated by the college or university president. Such chief administrator shall serve as the executive officer of the board

and shall be responsible for administering all board activities, including liaison with the faculty: *Provided*, That if the college or university elects to have such chief administrator or faculty or administrators serve as a nonvoting member, such membership shall not count for the purpose of compliance with subsection (1) of this section.

[Statutory Authority: RCW 28A.70.005. 88-07-002 (Order 7-88), § 180-78-080, filed 3/3/88.]

WAC 180-78-090 Professional education advisory board for ESA, school counselor. The professional education advisory board for the educational staff associate professional preparation program for school counselors shall consist of the following:

(1) One-half or more of school counselors appointed by the president of the Washington school counselors association.

(2) One or more classroom teachers appointed by the president of the Washington education association.

(3) One or more principals appointed by the president of the association of Washington school principals.

(4) One or more administrators appointed by the president of the Washington association of school administrators.

(5) One or more college or university faculty or administrators appointed by the college or university president including the chief administrator of the school counselor preparation program, as designated by the college or university president. Such chief administrator shall serve as the executive officer of the board and shall be responsible for administering all board activities, including liaison with the faculty: *Provided*, That if the college or university elects to have such chief administrator or faculty or administrators serve as a nonvoting member, such membership shall not count for the purpose of compliance with subsection (1) of this section.

[Statutory Authority: RCW 28A.70.005. 88-07-002 (Order 7-88), § 180-78-090, filed 3/3/88.]

WAC 180-78-100 Professional education advisory board for ESA, school psychologist. The professional education advisory board for the educational staff associate professional preparation program for school psychologist shall consist of the following:

(1) One-half or more of school psychologists appointed by the president of the Washington association of school psychologists.

(2) One or more classroom teachers appointed by the president of the Washington education association.

(3) One or more principals appointed by the president of the association of Washington school principals.

(4) One or more administrators appointed by the president of the Washington association of school administrators.

(5) One or more college or university faculty or administrators appointed by the college or university president including the chief administrator of the school psychologist preparation program, as designated by the college or university president. Such chief administrator shall serve as the executive officer of the board and shall be responsible for administering all board activities, including liaison with the

faculty: *Provided*, That if the college or university elects to have such chief administrator or faculty or administrators serve as a nonvoting member, such membership shall not count for the purpose of compliance with subsection (1) of this section.

[Statutory Authority: RCW 28A.70.005. 88-07-002 (Order 7-88), § 180-78-100, filed 3/3/88.]

WAC 180-78-105 Professional education advisory board for ESA, school social worker. The professional education advisory board for the educational staff associate professional preparation program for school social workers shall consist of the following:

(1) One-half or more of school social workers appointed by the president of the Washington association of school social workers.

(2) One or more classroom teachers appointed by the president of the Washington education association.

(3) One or more principals appointed by the president of the association of Washington school principals.

(4) One or more administrators appointed by the president of the Washington association of school administrators.

(5) One or more college or university faculty or administrators appointed by the college or university president including the chief administrator of the school social workers preparation program, as designated by the college or university president. Such chief administrator shall serve as the executive officer of the board and shall be responsible for administering all board activities, including liaison with the faculty: *Provided*, That if the college or university elects to have such chief administrator or faculty or administrators serve as a nonvoting member, such membership shall not count for the purpose of compliance with subsection (1) of this section.

[Statutory Authority: RCW 28A.70.005. 88-07-002 (Order 7-88), § 180-78-105, filed 3/3/88.]

WAC 180-78-130 Substitute pay for members of professional education advisory boards. Service on professional education advisory boards by certificated employees is deemed by the state board of education as a committee formed for the purpose of furthering education within the state; and, the superintendent of public instruction, in conformance with the provisions of RCW 28A.160.220, shall make payments to school districts for needed substitutes.

[Statutory Authority: 1990 c 33. 90-17-009, § 180-78-130, filed 8/6/90, effective 9/6/90. Statutory Authority: RCW 28A.70.005. 88-07-002 (Order 7-88), § 180-78-130, filed 3/3/88.]

WAC 180-78-140 Program approval standards for approved preparation programs. The program approval standards for an approved preparation program are as follows: *Provided*, That the state board of education may allow the substitution of the Council for Accreditation of Counseling and Related Education Program's (CACREP) or the National Association of School Psychologist's (NASP) standards for program approval standards (subsections (2) through (7) of this section) for school counselor and school psychologist program approval:

(1) **Professional education advisory boards:** The college or university, in conformance with the provision of WAC 180-78-145, has established and maintained a professional education advisory board to participate in and cooperate with the college or university on decisions related to the development, implementation, and revision of each professional preparation program—i.e., teacher, administrator, and affected educational staff associates.

(2) **Separate administrative unit:** A separate college, school, department, or other administrative unit within the college or university, in conformance with the provision of WAC 180-78-150, has been established and maintained as responsible for professional preparation programs, including development of professional preparation programs, including curriculum, admission standards, and other matters related to the professional preparation programs.

(3) **Adequate resources:** Adequate resources, in conformance with the provision of WAC 180-78-155, have been committed and are available to the professional preparation program in the areas of personnel, finance, learning resources, physical facilities, equipment, materials, and supplies that permit the offering of quality professional preparation programs.

(4) **Candidate admission and retention policies:** Policies, in conformance with the provision of WAC 180-78-160, have been established and maintained for admission to and retention in the professional preparation program.

(5) **Candidate knowledge and skills policies:** Policies, in conformance with the provision of WAC 180-78-165, have been established and maintained requiring all candidates for certification to demonstrate knowledge and skills required for the particular certificate and areas of endorsement.

(6) **Candidate field experience policies:** Policies, in conformance with the provision of WAC 180-78-170, have been established and maintained requiring all candidates for certification to complete a field experience required for the particular certificate.

(7) **Program development:** The college or university, in conformance with the provision of WAC 180-78-175, has based the components of the professional preparation program on a theoretically sound and research-based framework, has established procedures for the review of such theory and research regularly, and has made a commitment to revise the professional preparation program based on evaluation of the program and relevant new knowledge in the field.

[Statutory Authority: RCW 28A.410.010, 28A.305.130 (1), (2) and (3). 94-24-038, § 180-78-140, filed 12/2/94, effective 1/2/95. Statutory Authority: RCW 28A.70.005 and 28A.04.120 (1)(2). 89-01-041 (Order 26-88), § 180-78-140, filed 12/14/88. Statutory Authority: RCW 28A.70.005. 88-07-002 (Order 7-88), § 180-78-140, filed 3/3/88.]

WAC 180-78-141 Program completion deadline. Individuals beginning approved preparation programs for communication disorders specialist, school occupational therapist, school physical therapist, and school nurse prior to December 1994 may, until August 31, 1996, obtain the initial certificate under program and certification requirements repealed by action of the state board of education on November 18, 1994.

[Statutory Authority: RCW 28A.410.010, 28A.305.130 (1), (2) and (3). 94-24-038, § 180-78-141, filed 12/2/94, effective 1/2/95.]

WAC 180-78-145 Evidence of compliance with professional education advisory board approval standard. The following evidence shall be evaluated to determine whether each professional preparation program is in compliance with the program approval standard of WAC 180-78-140(1).

(1) The professional education advisory board has been established in accordance with WAC 180-78-075 through 180-78-120.

(2) The professional education advisory board has carried out the following responsibilities:

(a) Elect a chair of the professional education advisory board.

(b) Adopt bylaws which are consistent with the provisions of this chapter.

(c) Meet at the call of the chair of the professional education advisory board or as provided in the bylaws of the professional education advisory board which, in either case, shall be at least four meetings per calendar year.

(d) Advise the superintendent of public instruction of needed changes in the administrative code affecting the professional preparation programs for which the professional education advisory board has responsibility.

(e) Advise the quality review team as provided in WAC 180-78-190(3).

(f) Report alternative professional programs, if developed.

(3) In determining compliance with this subsection, written documentation must be available for review indicating that the following have been reviewed annually:

(a) One or more program approval standards of WAC 180-78-140 and, as needed, formally notify the college or university in writing of changes the professional education advisory board believes are necessary or required to bring the college or university into compliance with the program approval standards for the professional preparation program and, based upon such review, provide formal recommendations pursuant to subsection (2)(d) of this section.

(b) The plan to provide all candidates for certification with field experiences with ethnic, racial, and cultural populations and with special education and highly capable students.

(c) The evaluation data, including course, field experience (WAC 180-78-165(2)), and follow-up data (WAC 180-78-175 (4) and (5)).

(4) In determining compliance with this subsection, written documentation must be available indicating that the following have been reviewed at least once every three years:

(a) The policies used to develop agreements between the college/universities and agencies providing field sites for field experience.

(b) The curriculum materials and media collection.

(c) Proposed revisions in the professional preparation program to reflect local district policies related to changing demographics, curriculum, organization, and federal and state laws, including administrative rules and case law.

(d) Recent professional developments which may impact the design of the professional preparation program.

(5) Written minutes are available for each meeting of each professional education advisory board which shall include the following items for each meeting listed in the college or university's annual report (WAC 180-78-047): Attendance by individuals and the agencies they represent, agenda items, substantive issues discussed, actions taken, and a list of all recommendations for change.

(6) Documentation from the college or university is available showing that each recommendation from each professional education advisory board during each academic year has been considered and acted upon by faculty committees or administrators—depending upon college or university governance—and, if delayed, modified, or not adopted, a rationale provided to the professional education advisory board as to why a recommendation was delayed, modified, or not adopted. All recommendations from professional education advisory boards shall be forwarded to appropriate faculty committees or administrators within two months of formal receipt by the chief administrator of the professional preparation program.

[Statutory Authority: RCW 18A.410.010 [28A.410.010] and 28A.70.005. 92-01-127, § 180-78-145, filed 12/19/91, effective 1/19/92. Statutory Authority: RCW 28A.70.005 and 28A.04.120 (1)(2). 89-01-041 (Order 26-88), § 180-78-145, filed 12/14/88. Statutory Authority: RCW 28A.70.005. 88-07-002 (Order 7-88), § 180-78-145, filed 3/3/88.]

WAC 180-78-150 Evidence of compliance with separate administrative unit program approval standard. The following evidence shall be evaluated to determine whether each professional preparation program is in compliance with the separate administrative unit program approval standard of WAC 180-78-140(2):

(1) The composition and organization of the separate administrative unit is clearly described in writing, including the relationship of the unit to the total administrative and decision-making structure of the institution.

(2) The structure for maintaining effective two-way communications between the separate education unit and other affected departments within the college or university is described in writing.

(3) A clear, well-established, comprehensive set of written policies and procedures related to administration and operations exists and are made available to affected parties.

(4) Policy actions are accurately reported in the written records of the administrative unit. There is evidence that policies are reviewed, revised when necessary, implemented, and enforced.

(5) An officially designated administrator is responsible for the management of operations and resources for each professional preparation program.

(6) Specific staff members are assigned responsibility for advising applicants for certification and endorsements and for maintaining accurate certification records.

(7) The decision-making structure for the separate administrative unit ensures participation of affected professional education advisory boards, faculty, and students.

[Statutory Authority: RCW 28A.70.005 and 28A.04.120 (1)(2). 89-01-041 (Order 26-88), § 180-78-150, filed 12/14/88. Statutory Authority: RCW 28A.70.005. 88-07-002 (Order 7-88), § 180-78-150, filed 3/3/88.]

WAC 180-78-155 Evidence of compliance with adequate resources program standard. The following

evidence shall be evaluated to determine whether each professional preparation program is in compliance with the adequate resources program approval standard of WAC 180-78-140(3):

(1) Personnel assigned teaching and administrative responsibilities have masters or doctoral degrees. With the exception of school occupational therapist and school physical therapist programs, teacher, administrator, and ESA programs have at least one FTE faculty member with a doctoral degree whose primary responsibility is to that specific professional preparation program.

(2) The composition of the faculty shall evidence compliance with affirmative action policies or the college or university must allocate sufficient resources to implement an effective affirmative action program.

(3) Written policies respecting faculty loads in the professional preparation department, division, or school have been established and provide recognition for various types of assignments—e.g., teaching undergraduate or graduate classes, advising, directing seminars, supervising clinical experiences, and directing theses and dissertations. Policies shall exist defining workload equivalents for special faculty assignments, including field experiences.

(4) Financial resources are available for faculty members to support their teaching, advising, writing, research, and other responsibilities. Supporting resources shall include, but not be limited to:

(a) Direct financial assistance for research and professional travel.

(b) Allocated annual budgeted funds for library resources to support course offerings.

(c) Secretarial help and resources such as copying machines, computers, etc.

(5) All faculty who are not full time shall meet the college and university requirements for appointment to the full-time faculty and, upon initial appointment, shall be given a specially designed orientation to the professional preparation program.

(6) At least seventy-five percent of the required courses offered annually in each professional preparation program must be taught by full-time faculty or by adjunct faculty who are or will be involved annually in offering specific courses in the professional preparation program and who are invited to participate with the full-time faculty in all regular meetings related to the professional preparation program.

(7) The budget for the college and university professional preparation program's administrative unit is available for review. Information pertinent to each of the professional preparation programs is provided, including:

(a) Expenditures for administration, faculty, and support services.

(b) Income derived from tuition and fee charges.

(8) For each professional education program offered, all faculty, including adjunct faculty, have assigned space necessary to prepare for classes, conduct research and write, and meet privately with students.

(9) Facilities are accessible or alternative arrangements have been made for individuals with disabilities or handicaps.

(10) Centralized curriculum materials and media collections containing current examples of school and/or

professional texts and supporting curriculum materials are available for student use.

(11) The library budget contains specific allotments for annual purchases to support the professional preparation program.

(12) Library holdings and those holdings readily accessible from other sources are reviewed at least once every five years using, where available, model listings and guidelines of professional organizations in order to maintain an adequate collection of the scope, breadth, and currency to support each professional preparation program.

[Statutory Authority: RCW 28A.70.005. 88-07-002 (Order 7-88), § 180-78-155, filed 3/3/88.]

WAC 180-78-160 Evidence of compliance with candidate admission and retention policies program standard. The following evidence shall be evaluated to determine whether each professional preparation program is in compliance with the candidate admission and retention policies program standard of WAC 180-78-140(4):

(1) Incentives and affirmative action procedures have been established to recruit quality candidates from underrepresented groups including those from diverse economic, racial, and cultural backgrounds. Support programs are provided to assist such candidates in successfully completing the professional preparation program.

(2) Admission requirements to the professional preparation programs include:

(a) A minimum 2.5 college or university undergraduate grade point average (based upon a zero to four point scale) calculated on the basis of the most recent 45 quarter (30 semester) credits.

(b) Evidence that the candidate is competent in the basic skills required for oral and written communication and computation.

(c) A combined score of not less than the state-wide median score for the prior school year scored by all persons taking the Washington Pre-College Test (WPCT) or an equivalent standard score on the comparable portions of the Scholastic Aptitude Test (SAT) American College Test (ACT), or the Graduate Record Examination (GRE). Equivalent standard scores shall be determined by the superintendent of public instruction and affected agencies shall be notified in official bulletins of the superintendent of public instruction.

(d) *Provided*, That until June 30, 1989, college and universities with approved preparation programs may permit candidates to enter the professional preparation program with a minimum composite score of eighty or more on the verbal and quantitative subtests of the WPCT or an equivalent score on the comparable portion of the SAT, ACT, or GRE.

(e) [*Provided further*, That persons who have completed a baccalaureate or higher degree or who are twenty-one years of age or older, who have completed two or more years of college level work, and who have demonstrated in such course work, including a written essay, the competencies set forth in (b), (c), and (d) of this subsection, shall be exempted from meeting such requirements.

(f) [*Provided further*, That a candidate who does not meet one of the criteria within this subsection may be admitted on probationary status if the college or university

provides individual tutorial assistance to such candidate and the candidate is required to meet the above stated criteria prior to participation in a field experience and exiting from the approved preparation program.

(3) Criteria for the selection and retention of candidates are relevant to the attainment of program outcomes and available for review by applicants, students, and faculty. These written criteria may include, but not be limited to, faculty recommendations, evidence of demonstrated competency in academic and professional work, and written recommendations from appropriate professionals in the schools.

(4) A written process exists describing the procedures for:

(a) Counseling and advising students about progress and retention in the professional preparation program.

(b) Supervision and evaluation relative to the completion of the professional preparation program.

(c) The appeal process for decisions relative to admission or retention in the professional preparation program.

(d) Providing information to candidates regarding supply and demand conditions in the candidate's field.

(e) Admission and retention of nontraditional candidates, such as midcareer candidates who wish to enter professional preparation programs, if established.

[Statutory Authority: RCW 28A.70.005 and 28A.04.120 (1)(2). 89-01-041 (Order 26-88), § 180-78-160, filed 12/14/88. Statutory Authority: RCW 28A.04.120 and 28A.04.122. 88-21-013 (Order 18-88), § 180-78-160, filed 10/7/88. Statutory Authority: RCW 28A.70.005. 88-07-002 (Order 7-88), § 180-78-160, filed 3/3/88.]

Reviser's note: RCW 34.05.395 requires the use of underlining and deletion marks to indicate amendments to existing rules, and deems ineffectual changes not filed by the agency in this manner. The bracketed material in the above section does not appear to conform to the statutory requirement.

WAC 180-78-165 Evidence of compliance with candidate knowledge and skills policies program approval standard. The following evidence shall be evaluated to determine whether each professional preparation program is in compliance with the candidate's knowledge and skills policies program approval standard of WAC 180-78-140(5):

(1) The applicable program approval requirements of WAC 180-78-210 through 180-78-300 are incorporated into course and field experience requirements of all candidates in the professional preparation program.

(2) A written plan shall be adopted for each program to provide for ongoing evaluation of the extent to which the candidates achieve and/or demonstrate mastery of the required state standards in individual courses, sections, and field experiences. Such evaluations shall be shared annually with the appropriate professional education advisory board for its review and recommendation. The written plan for evaluation shall be documented to the state board of education.

(3) Candidates complete the professional preparation program approved by the state board of education, which must include course work on issues of abuse. 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.

(3) Candidates complete the professional preparation program approved by the state board of education.

(4) The programs of study for each endorsement area include the state's minimum essential areas of study. Any additional requirements for an endorsement are developed by using the national association of state directors of teacher education and certification (or other professional association) standards as guidelines. The recommended course of study, including alternatives, shall be available for students and evaluation pursuant to this section.

(5) Examples of test questions and answers, performance assessments, and other forms of evaluations used in courses, practica and other aspects of the program, verify the demonstration of all minimum state standards, including the respective general and role-specific minimum state standards.

(6) The required programs of study in each professional preparation program are designed to provide for individual differences in learner rate and style. The required course of study, including alternatives, for each professional preparation program—i.e., teacher, educational staff associate, and administrator—shall be available for students and evaluation pursuant to this section.

[Statutory Authority: RCW 28A.410.010 and 28A.70.005. 92-06-027, § 180-78-165, filed 2/26/92, effective 3/28/92. Statutory Authority: RCW 28A.70.005 and 28A.04.120 (1)(2). 89-01-041 (Order 26-88), § 180-78-165, filed 12/14/88. Statutory Authority: RCW 28A.70.005. 88-07-002 (Order 7-88), § 180-78-165, filed 3/3/88.]

WAC 180-78-170 Evidence of compliance with candidate field experience policies program approval standard. The following evidence shall be evaluated to determine whether each professional preparation program is in compliance with the candidate field experience policies program approval standard of WAC 180-78-140(6):

(1) Field experiences prior to student teaching, practicum, or internship requirements shall consist of no less than forty hours of structured observation of one or more professionals serving in the role for which the candidate is being prepared.

(2) Agreements exist between the college or university and the agencies providing field sites for field experiences which specify the role of the involved agencies and the responsibilities and contributions each will make to the field program.

(3) Candidates participate in structured experiences with ethnic, racial, and cultural populations and with special education and highly capable students. Such experiences provide opportunities for candidates to understand the unique contributions, similarities, differences, interdependencies, and special needs of students with particular emphasis on those from varying racial, cultural, linguistic, and socio-economic backgrounds.

(4) Field experiences integrate theory and practice and are documented by written records which describe:

(a) Specifications for selecting field sites and field personnel.

(b) Criteria for assigning students to field settings, including provisions for changes in assignments if necessary.

(c) Responsibilities of college and university supervisors and school personnel working with candidates in planning, instruction, observation, evaluation, and/or grading.

(d) Knowledge and skills relevant to the respective roles specified in WAC 180-78-205 through 180-78-325.

(5) School personnel working with candidates for the required eight weeks field experiences must have had three years experience in the role supervised (i.e., as a teacher, administrator, or ESA), have been oriented to their responsibilities, and have been given training by the college or university and/or school district in their role and responsibilities.

(6) Records of observations and conferences are maintained for each candidate in the professional preparation program. Such records shall document at least a total of twelve hours of observations by, and conferences with, a college or university supervisor.

(7) Standards for evaluating the candidate's successful completion of the required student teaching, practicum, or internship shall include the following categories:

(a) The state's minimum criteria, as set forth in chapter 392-191 WAC, for the evaluation of certificated employees, if applicable to the role.

(b) The state's general and role specific skills as set forth in WAC 180-78-205 through 180-78-325.

(c) Current research findings as reported in relevant professional publications.

[Statutory Authority: RCW 18A.410.010 [28A.410.010] and 28A.70.005. 92-01-127, § 180-78-170, filed 12/19/91, effective 1/19/92. Statutory Authority: RCW 28A.70.005 and 28A.04.120 (1)(2). 89-01-041 (Order 26-88), § 180-78-170, filed 12/14/88. Statutory Authority: RCW 28A.70.005. 88-07-002 (Order 7-88), § 180-78-170, filed 3/3/88.]

WAC 180-78-175 Evidence of compliance with program development approval standard. The following evidence shall be evaluated to determine whether each professional preparation program is in compliance with the program development approval standard as required by WAC 180-78-140(7):

(1) The program of study and field experiences are based on knowledge of professional practice, theory, and current research.

(2) Specific individuals or groups are assigned the responsibility for follow-up, evaluation, program revision, and long range planning.

(3) Placement records for all graduates are maintained and annual summaries are prepared.

(4) Follow-up studies of graduates, including data from their employers, are used to assess the quality of the professional preparation program and as a basis for revisions and improvements in the professional preparation program. Follow-up data will include information about the competence of graduates during their first year of professional service.

(5) Evaluation data on the professional preparation program, including all external program reviews, are submitted to the appropriate professional education advisory board and faculty and are available for review and analysis.

[Statutory Authority: RCW 28A.70.005. 88-07-002 (Order 7-88), § 180-78-175, filed 3/3/88.]

WAC 180-78-180 Program quality review. Each college or university authorized to conduct one or more approved professional preparation programs shall provide for a quality review of all professional preparation programs during the fourth year of initial authority to provide one or more such programs and every five years thereafter. Colleges and universities currently operating one or more approved preparation programs shall conduct a quality review prior to 1993. The report of the quality review team shall address each of the mandatory items in WAC 180-78-190 and shall contain recommendations for the improvement of each approved professional preparation program within the college or university. The report of the quality review team shall be presented to the dean or director of the college, school, or other designation of the administrative unit required by WAC 180-78-140, the college or university president, and the governing board of the college or university. Members of the quality review team shall consist of the following:

(1) The superintendent of public instruction or his or her designee who shall serve as chair of the quality review team.

(2) The president of the state board of education or his or her designee from such board.

(3) The chair of the higher education coordinating board or his or her designee from such board.

(4) The chair of the professional education advisory committee, created by WAC 180-78-015, or his or her designee.

(5) The president of the Washington education association or his or her designee.

(6) The president of the Washington school directors' association or his or her designee.

(7) The president of the Washington association of school administrators or his or her designee.

(8) The president of the association of Washington school principals or his or her designee.

(9) The president of the Washington federation of independent schools or his or her designee.

(10) The president of the following organizations or his or her designee if the college or university has an educational staff associate professional preparation program in the respective professional field:

(a) Washington school counselor association.

(b) Washington state association of school psychologists.

(c) Washington association of school social workers.

(11) The chair of the Washington council of deans and directors of education or his or her designee.

(12) *Provided*, That the failure of a designated organization, as specified above, to make appointments, or to make such appointments in a timely manner, shall not cause the approved college or university to lose its approval status and shall not be a reason to impede the formation and operation of the quality review team.

(13) *Provided further*, That the designated college or university official may request any of the above designated officials to reconsider serving or reconsider the designee appointed and such designated official shall reconsider and notify the college or university of his or her decision in writing.

[Statutory Authority: RCW 28A.410.010, 28A.305.130 (1), (2) and (3). 94-24-038, § 180-78-180, filed 12/2/94, effective 1/2/95. Statutory Authority: RCW 28A.70.005. 88-07-002 (Order 7-88), § 180-78-180, filed 3/3/88.]

WAC 180-78-185 Alternative quality review team.

As an alternative to the quality review team provided in WAC 180-78-180, the college or university may request the superintendent of public instruction to negotiate with the national council for accreditation of teacher education to conduct the quality review required by WAC 180-78-170. If such negotiations are successful and approved by the state board of education, the college or university may contract with such council to perform the quality review required by WAC 180-78-190. Conditions required for approval by the superintendent of public instruction shall consist of the following:

(1) Representatives on the review team appointed by the national council for accreditation of teacher education from the following:

(a) National or state professional organizations of teachers;

(b) National or state professional organizations of administrators;

(c) National or state professional organizations of higher education faculty;

(d) The designee of the superintendent of public instruction.

(2) An agreement by the national council of accreditation of teacher education to address each of the mandatory items required by WAC 180-78-190.

[Statutory Authority: RCW 28A.70.005. 88-07-002 (Order 7-88), § 180-78-185, filed 3/3/88.]

WAC 180-78-190 Mandatory items for review by quality review team. The following items shall be reviewed by the quality review team:

(1) All written policies of the college or university related to the professional preparation programs offered by such college or university.

(2) The current budget and budgets for the preceding four years of the college or university related to the professional preparation programs offered by such college or university.

(3) All recommendations for improvement of the professional preparation program specifically addressed to the quality review team by one or more of the following:

(a) Faculty and students of the college or university.

(b) Professional education advisory boards.

(c) Professional organizations, including any specialized association of educators.

(d) Any individual that the quality review team determines has a legitimate interest in one or more of the professional preparation programs.

(4) Any item which one-third or more of the members of the quality review team determine to be worthy of investigation and study by the quality review team.

[Statutory Authority: RCW 28A.70.005. 88-07-002 (Order 7-88), § 180-78-190, filed 3/3/88.]

WAC 180-78-201 Program approval-teachers, collaboration with K-12 schools. An approved preparation program shall annually develop and implement a plan to increase the level of collaboration and interaction between the program's faculty and K-12 schools in the state. The plan shall require, to the maximum extent feasible, that each

member of the full time teacher preparation faculty annually provide instruction to students in the K-12 classroom in a public or approved private school setting in the state of Washington, during the regular school year. The instruction that will be provided must be in accordance with RCW 28A.405.010 and applicable state board of education rules.

[Statutory Authority: RCW 18A.410.010 [28A.410.010] and 28A.70.005. 92-01-127, § 180-78-201, filed 12/19/91, effective 1/19/92.]

WAC 180-78-205 Program approval requirement—General knowledge required by all candidates for certification as teacher, administrator, school counselor, school psychologist, and school social worker. An approved preparation program shall require all candidates for certification as teacher, administrator, school counselor, school psychologist, and school social worker to complete course work that covers the general knowledge required in WAC 180-79-131 for all candidates for certification unless waived pursuant to WAC 180-78-215, 180-78-235, or 180-78-285: *Provided*, That effective August 31, 1997, an approved program for principals shall be exempted from this section and shall require candidates for principal certification to complete course work that covers the performance domains required by WAC 180-78-257.

[Statutory Authority: RCW 28A.410.010. 94-24-041, § 180-78-205, filed 12/2/94, effective 1/2/95. Statutory Authority: RCW 28A.70.005. 88-07-002 (Order 7-88), § 180-78-205, filed 3/3/88.]

WAC 180-78-210 Program approval requirement—General skills demonstration by all candidates for certification as teacher, administrator, school counselor, school psychologist, and school social worker. An approved preparation program shall require all candidates for certification as teacher, administrator, school counselor, school psychologist, and school social worker to demonstrate in their field experience their skills in the following areas: *Provided*, That effective August 31, 1997, an approved program for principals shall be exempted from this section and shall require candidates for principal certification to demonstrate the performance domains required by WAC 180-78-257:

(1) **Diverse populations.** Candidate must demonstrate their ability to work effectively with students of various backgrounds, including:

(a) Students with exceptional needs, including those with handicapping conditions and the highly capable.

(b) Students from racial and/or ethnic population other than the candidates.

(2) **School, home, and community.** Candidates must demonstrate their ability to integrate education policies with the school, home, and community by:

(a) Participating in the designing of activities that involve parents in the learning process of their children.

(b) Using home and community resources to enhance the school program.

(c) Working cooperatively with students, parents, colleagues, and community members in a professional manner.

(d) Applying knowledge of school law to practices involving the school, home, and community.

[Statutory Authority: RCW 28A.410.010. 94-24-041, § 180-78-210, filed 12/2/94, effective 1/2/95. Statutory Authority: RCW 28A.70.005. 88-07-002 (Order 7-88), § 180-78-210, filed 3/3/88.]

WAC 180-78-215 Program approval requirement—General knowledge required by all candidates for certification as teachers. An approved preparation program for teachers shall include course work, either separate or combination of courses, that cover the general knowledge required in WAC 180-79-131 and 180-79-136 for all candidates for certification as teachers: *Provided*, That the college or university may waive the required course work for any candidate, based on an individual determination, if the college or university determines that previous work experiences, other course work, or alternative learning experiences have or will provide the candidates with the knowledge and skills otherwise to be gained from the required course work: *Provided further*, That in the event the candidate has served as a teacher aide in a public or an approved private school and the candidate so requests and provides appropriate documentation, the college or university must evaluate the candidate pursuant to WAC 180-78-225.

[Statutory Authority: RCW 28A.70.005. 88-07-002 (Order 7-88), § 180-78-215, filed 3/3/88.]

WAC 180-78-220 Program approval requirement—General skills demonstration by all candidates for certification as teachers. An approved preparation program shall require all candidates for certification as teachers to demonstrate in their field experience their skills in the following areas:

(1) **Classroom management and discipline.** Candidates must demonstrate their ability to manage the physical environment and human dynamics of the classroom by demonstrating their ability to:

- (a) Maintain a positive affective environment.
- (b) Maintain instructional momentum.
- (c) Motivate students.
- (d) Handle student disruption quickly and effectively.
- (e) Use questioning skills effectively.
- (f) Handle transition.
- (g) Monitor seatwork.
- (h) Assign homework.

(2) **Instructional methodology.** Candidates must demonstrate their ability to assist students in the learning process by demonstrating their ability to:

(a) Design alternative instructional activities to meet individual student's needs.

(b) Teach using alternative models of instruction—i.e., information processing and personal, social, and behavioral systems.

(c) Be aware of and understand the various values, life styles, history, and contributions of various identifiable subgroups of society, including the ability to recognize and deal with dehumanizing biases of sexism, racism, prejudice, and discrimination and the impact of such biases on interpersonal relations.

(d) Meet the needs of exceptional students requiring special instruction, making referrals when appropriate for formal assessment, using appropriate methods and materials, and adapting the regular curriculum for such students.

(e) Use audio-visual materials, the computer, and other technological developments for instruction.

(3) **Testing and evaluation.** Candidates must demonstrate their ability to use both formative and summative evaluation techniques in order to evaluate, and assess programs, students, and their own teaching by:

(a) Assessing students' basic skill levels in content areas.

(b) Assessing student reading levels and identifying content area reading requirements.

(c) Designing, and evaluating an instructional unit's effectiveness.

(d) Designing and evaluating a student's performance.

(e) Designing and evaluating their own teaching effectiveness.

[Statutory Authority: RCW 28A.70.005. 88-07-002 (Order 7-88), § 180-78-220, filed 3/3/88.]

WAC 180-78-225 Special consideration for certain former teacher aides. If a former teacher aide presents evidence to the college or university that such candidate has served as a teacher aide in public or approved private school within the previous seven calendar years and that at least fifty percent of the candidate's work as a teacher's aide was involved in instructional activities with children under the supervision of a certificated teacher and that the candidate worked a minimum of six hundred thirty hours for any one school year, the college or university must weigh the following evidence:

(1) The written joint assessment of the candidate performance, required by RCW 28A.305.130 (3)(b), which was prepared and submitted by the supervising teacher and building principal.

(2) Any other information which the college or university determines relevant to its individual determination.

[Statutory Authority: 1990 c 33. 90-17-009, § 180-78-225, filed 8/6/90, effective 9/6/90. Statutory Authority: RCW 28A.70.005. 88-07-002 (Order 7-88), § 180-78-225, filed 3/3/88.]

WAC 180-78-230 Program approval requirement—Field experience for all candidates for certification as teachers. An approved preparation program for teachers shall require a field experience which includes observations and at least eight full weeks or equivalent of practice teaching in an educational setting. For the purpose of this section "eight full weeks" means two hundred forty hours of observation and classroom teaching of which at least one hundred twenty hours shall be actual teaching. The field experience requirement may be waived or reduced in length for any candidate who has served as a classroom teacher, a college or university instructor, or a teacher's aide if the college or university determines the previous experience was substantially equivalent in whole or part to the experience otherwise to be gained in the required field experience. Components of the required field experience shall include:

(1) Demonstration by the candidate that he or she has the general skills required in WAC 180-78-210 of all candidates for certification.

(2) Demonstration by the candidate that he or she possesses the general skills required in WAC 180-78-220 of all candidates for certification as a teacher.

[Statutory Authority: RCW 28A.70.005. 88-07-002 (Order 7-88), § 180-78-230, filed 3/3/88.]

WAC 180-78-232 Outcome-based standards—Advisory committee. The state board of education acknowledges that it has the primary responsibility for establishing standards for the approval of programs for the preparation of teachers. It also recognizes that developmental efforts are occurring across the United States to establish outcome-based standards which could, when in place, increase the quality of beginning teachers by establishing more effective measures of accountability while reducing the rules and regulations governing colleges and universities that prepare teachers. Therefore, the state board of education requests the superintendent of public instruction to appoint and provide necessary assistance to an advisory committee, described below which shall have the responsibility to present recommendations for outcome-based standards to the state board of education no later than October 1, 1993. In completing this task, the advisory committee shall consider at a minimum such developments as the assessment of authentic teaching tasks, student teacher work samples, and assessment approaches now being developed by the National Board for Professional Teaching Standards, major testing companies, and other states. The committee shall be composed of at least three teachers, three higher education faculty and/or administrators, three principals, one personnel administrator, one superintendent, one school board member, and one parent representative.

[Statutory Authority: RCW 18A.410.010 [28A.410.010] and 28A.70.005. 92-01-127, § 180-78-232, filed 12/19/91, effective 1/19/92.]

WAC 180-78-235 Program approval requirement—General knowledge required by all candidates for certification as administrators. An approved preparation program for administrators shall include course work, either separate or combination of courses, that cover the general knowledge required in WAC 180-79-131 and 180-79-140 for all candidates for certification as administrators: *Provided*, That the college or university may waive the required course work for any candidate, based on an individual determination, if the college or university determines that previous work experiences, other course work, or alternative learning experiences have or will provide the candidates with the knowledge and skills otherwise to be gained from the required course work: *Provided further*, That effective August 31, 1997, an approved program for principals shall be exempted from this section and shall require candidates for principal certification to complete course work that covers the performance domains required by WAC 180-78-257.

[Statutory Authority: RCW 28A.410.010. 94-24-041, § 180-78-235, filed 12/2/94, effective 1/2/95. Statutory Authority: RCW 28A.70.005. 88-07-002 (Order 7-88), § 180-78-235, filed 3/3/88.]

WAC 180-78-240 Program approval requirement—Specific knowledge requirement for certification as administrators. An approved preparation for endorsement as a program administrator, principal, or superintendent shall require the candidate to demonstrate their specific knowledge requirements as set forth in WAC 180-78-250, 180-78-255,

and 180-78-260 in written examinations as part of required course work specifically designed by the college or university for receipt of an endorsement in the specific role or in separate written examinations.

[Statutory Authority: RCW 28A.70.005. 88-07-002 (Order 7-88), § 180-78-240, filed 3/3/88.]

WAC 180-78-245 Program approval requirement—General skills demonstration by all candidates for certification as administrators. An approved preparation program shall require all candidates for certification as administrators to demonstrate in their field experience their skills in the following areas: *Provided*, That effective August 31, 1997, an approved program for principals shall be exempted from this section and shall require all candidates for certification as principals to demonstrate in their internship the skills included in the performance domains required by WAC 180-78-257:

(1) **Public policy analysis.** Candidates must demonstrate their ability to apply organizational theory to policy issues in program management in each of the following areas:

- (a) Personnel management.
- (b) Fiscal management.
- (c) Community relations.

(2) **School law.** Candidates must demonstrate their ability to apply knowledge of the legal environment of education systems in each of the following areas:

- (a) Student conduct, discipline, and rights.
- (b) Personnel management.
- (c) Fiscal management.
- (d) Program management, including special education and other categorical programs.
- (e) Public information and disclosure.

[Statutory Authority: RCW 28A.410.010. 94-24-041, § 180-78-245, filed 12/2/94, effective 1/2/95. Statutory Authority: RCW 28A.70.005. 88-07-002 (Order 7-88), § 180-78-245, filed 3/3/88.]

WAC 180-78-250 Program approval requirement—Specific knowledge and skills for program administrators. An approved preparation program for program administrators shall require the candidate to demonstrate in their field experience knowledge and skills in the following specific areas:

(1) **Knowledge of field or specialization.** The candidate shall have depth of knowledge and skill in a specific field or specialization of program administration.

(2) **Program development and management.** The candidate has the knowledge and skill to:

- (a) Set goals and objectives relative to a specific program.
- (b) Delegate responsibility.
- (c) Stimulate subordinates to perform.
- (d) Involve those with expertise and interest in development of goals, objectives, and programs.

(3) **Staff development.** The candidate can design and conduct in-service and continuing education experiences for personnel in a specific field or specialization.

[Statutory Authority: RCW 28A.70.005. 88-07-002 (Order 7-88), § 180-78-250, filed 3/3/88.]

WAC 180-78-255 Program approval requirement—Specific knowledge and skills for principals. Prior to August 31, 1997, an approved preparation program for principals shall require the candidate to demonstrate in their field experience knowledge and skills in the following specific areas:

(1) **Curriculum and instruction.** The candidate has the knowledge and skill to:

(a) Develop and integrate the scope and sequence of curriculum.

(b) Implement district policies pertaining to textbook and instruction material selection and challenges.

(c) Apply state and district rules and policies regarding mandatory and elective courses to curriculum decisions at the building level.

(d) Administer and supervise, in accordance with statutes, rules, and district policies, categorical programs, including chapter I and II, remediation, vocational education, special education, and gifted.

(2) **Student services.** The candidate has the knowledge and skill necessary to:

(a) Maintain attendance and student personnel records.

(b) Utilize support services inside and outside the educational setting.

(c) Implement effective principles of discipline, student control, and student management.

(3) **Building administration and management.** The candidate has the knowledge and skill necessary to administer accountably in the following areas of assignment:

(a) Alternate patterns of space, time and student/staff groupings.

(b) Policies and procedures that govern the school and develop master and class schedules.

(c) Care and maintenance of the physical environment.

(4) **Auxiliary services.** The candidate has knowledge and skill to coordinate auxiliary services, including:

(a) Computer services.

(b) Food services.

(c) Health services.

(d) Learning resources programs.

(e) Pupil personnel services.

(f) Transportation.

(5) **Student activities.** The candidate has the knowledge and skill to plan and develop governance policies and supervise and evaluate student activities.

[Statutory Authority: RCW 28A.410.010. 94-24-041, § 180-78-255, filed 12/2/94, effective 1/2/95. Statutory Authority: RCW 28A.70.005. 88-07-002 (Order 7-88), § 180-78-255, filed 3/3/88.]

WAC 180-78-257 Program approval requirement—Principals. Effective August 31, 1997, an approved preparation program for principals shall include:

(1) Specific performance domains for principals. An approved preparation program for principals shall require the candidate to demonstrate in course work and the internship the following:

(a) **Leadership:** Formulating goals with individuals or groups; initiating and maintaining direction with groups and guiding them to the accomplishment of tasks; setting priorities for: One's school in the context of community and district priorities and student and staff needs; integrating own

and others' ideas for task accomplishment; initiating and planning organizational change.

(b) **Information collection:** Gathering data, facts, and impressions from a variety of sources about students, parents, staff members, administrators, and community members; seeking knowledge about policies, rules, laws, precedents, or practices; managing the data flow; classifying and organizing information for use in decision making and monitoring.

(c) **Problem analysis:** Identifying the important elements of a problem situation by analyzing relevant information; framing problems; identifying possible causes; identifying additional needed information; framing and reframing possible solutions; exhibiting conceptual flexibility; assisting others to form reasoned opinions about problems and issues.

(d) **Judgment:** Reaching logical conclusions and making high quality, timely decisions given the best available information.

(e) **Organizational oversight:** Planning and scheduling one's own and others' work so that resources are used appropriately, and short-term and long-term priorities and goals are met; monitoring projects to meet deadlines.

(f) **Implementation:** Making things happen; putting programs and plans into action; applying management technologies; applying methods of organizational change including collaborative processes; facilitating tasks; establishing progress checkpoints; considering alternative approaches; providing "midcourse" corrections when actual outcomes start to diverge from intended outcomes; adapting to new conditions.

(g) **Delegation:** Assigning projects or tasks together with clear authority to accomplish them and responsibility for their timely and acceptable completion.

(h) **Instructional program:** Envisioning and enabling instructional and auxiliary programs for the improvement of teaching and learning; recognizing the developmental needs of students; insuring appropriate instructional methods; designing positive learning experiences; accommodating differences in cognition and achievement; mobilizing the participation of appropriate people or groups to develop these programs and to establish a positive learning environment.

(i) **Curriculum design:** Interpreting school district curricula; planning and implementing with staff a framework for instruction; initiating needs analyses and monitoring social and technological developments as they affect curriculum; responding to international content levels; adjusting content as needs and conditions change.

(j) **Student guidance and development:** Providing for student guidance, counseling, and auxiliary services; utilizing community organizations; responding to family needs; enlisting the participation of appropriate people and groups to design and conduct these programs and to connect schooling with plans for adult life; planning for a comprehensive program of student activities.

(k) **Staff development:** Identifying with participants the professional needs of individuals and groups; planning and organizing programs to improve staff effectiveness; supervising individuals and groups; engaging staff and others to plan and participate in recruitment and development; initiating self-development.

(l) Measurement and evaluation: Determining what diagnostic information is needed about students, staff, and the school environment; examining the extent to which outcomes meet or exceed previously defined standards, goals, or priorities for individuals or groups; drawing inferences for program revisions; interpreting measurements or evaluations for others; relating programs to desired outcomes; developing equivalent measures of competence.

(m) Resource allocation: Planning and developing the budget with appropriate staff; seeking, allocating, and adjusting fiscal, human, and material resources; utilizing the physical plant; monitoring resource use and reporting results.

(n) Motivating others: Building commitment to a course of action; creating and channeling the energy of self and others; planning and encouraging participation; supporting innovation; recognizing and rewarding effective performance; providing coaching, guidance, or correction for performance that needs improvement; serving as a role model.

(o) Sensitivity: Perceiving the needs and concerns of others; dealing with others tactfully; working with others in emotionally stressful situations or in conflict; managing conflict; obtaining feedback; recognizing multicultural sensibilities.

(p) Oral expression: Making oral presentations that are clear and easy to understand; clarifying and restating questions; responding, reviewing, and summarizing for groups; utilizing appropriate communicative aids; adapting for audiences.

(q) Written expression: Expressing ideas clearly in writing; writing appropriately for different audiences such as students, teachers, and parents; preparing brief memoranda.

(r) Philosophical and cultural values: Acting with a reasoned understanding of the role of education in a democratic society and in accord with accepted ethical standards; recognizing philosophical and historical influences in education; reflecting an understanding of American culture, including current social and economic issues related to education; recognizing global influences on students and society.

(s) Legal and regulatory applications: Acting in accordance with relevant federal and Washington state laws, rules, and policies; recognizing governmental influences on education; working within local rules, procedures, and directives; administering contracts.

(t) Policy and political influences: Identifying relationships between public policy and education; recognizing policy issues; examining and affecting policies individually and through professional and public groups; relating policy initiatives to the welfare of students; addressing ethical issues.

(u) Public and media relationships: Developing common perceptions about school issues; interacting with parental and community opinion leaders; understanding and responding skillfully to the electronic and printed news media; initiating and reporting news through appropriate channels; enlisting public participation; recognizing and providing for market segments.

(2) Performance assessment. An approved preparation program for principals shall require that prior to the internship each candidate shall engage in a performance assessment through a process determined by each preparation program. The results of this assessment shall be utilized by

the college/university supervisor, the cooperating principal, and the principal candidate to cooperatively design the internship plan.

[Statutory Authority: RCW 28A.410.010. 94-24-041, § 180-78-257, filed 12/2/94, effective 1/2/95.]

WAC 180-78-260 Program approval requirement—Specific knowledge and skills for superintendents. An approved preparation program for superintendents shall require the candidate to demonstrate in their field experience knowledge and skills in the following specific areas:

(1) **Organizational management and accountability.** The candidate has the knowledge and skill to:

(a) Plan, develop, coordinate, and supervise implementation and evaluation of district-wide policies, procedures, and curricular and instructional programs.

(b) Provide leadership relative to management and accountability district-wide.

(2) **Facility and resource management and acquisition.** The candidate has the knowledge and skill to:

(a) Identify facility and resource needs of the district.

(b) Coordinate procedures essential to maintenance and acquisition of facilities and resources.

(3) **Fiscal management.** The candidate has the knowledge and skill necessary to plan, develop, and coordinate district budget preparation, district funding, and fiscal accountability, including application of the accounting manual for public schools to selective budget problems.

(4) **Legislative process.** The candidate knows how the legislative process works and has the skill to use that process.

(5) **Leadership.** The candidate has the knowledge and skill needed to:

(a) Establish and articulate a vision of a quality education for all students.

(b) Help staff and community establish and develop ownership in common educational goals.

(c) Motivate people to work toward district goals.

(6) **School directors policy—relations.** The candidate has the knowledge and skill needed to:

(a) Develop a system of two-way communication that satisfies the needs of the board.

(b) Develop trust and confidence between the school directors and superintendent.

(c) Assist the school directors in understanding roles and responsibilities.

(d) Assist the school directors in defining the district's educational vision and priorities, and articulating them.

(e) Develop policies and rules and regulations for consideration and adoption by the local board of directors.

[Statutory Authority: RCW 28A.70.005. 88-07-002 (Order 7-88), § 180-78-260, filed 3/3/88.]

WAC 180-78-265 Program approval requirement—Field experience for all administrators. An approved preparation program for program administrators and superintendents, and prior to August 31, 1997, for principals shall require a field experience which includes observations and at least eight full weeks or equivalent of practice as an intern: *Provided*, That effective August 31, 1997, an approved preparation program for principals shall require an

internship which requires practice as an intern during a full school year: *Provided further*, That for a candidate seeking the P-12 principal endorsement, the internship shall include P-12 administrative experience. The field experience/internship shall take place in an education setting serving under the general supervision of a certificated practitioner who is performing in the role for which the endorsement is sought. For the purpose of this section "eight full weeks" means three hundred twenty hours of on-the-job administrative experience: *Provided*, That effective August 31, 1997, for the purpose of principal certification "internship" shall mean seven hundred twenty hours (in a minimum of half-day segments) of which at least one-half shall be during school hours, when students and staff are present and include the principal performance domains as stated in WAC 180-78-257. The field experience/internship requirement may be waived or reduced in length for any candidate who has served in a comparable administrative position or who has previously performed a comparable field experience if the college or university determines the previous experience was substantially equivalent in whole or part to the experience otherwise to be gained in the required field experience. Components of the required field experience/internship shall include:

(1) Demonstration by the candidate that he or she has the general skills pursuant to WAC 180-78-210.

(2) Demonstration by the candidate that he or she has the general skills pursuant to WAC 180-78-245.

(3) Demonstration by the candidate that he or she has the specific skills required in WAC 180-78-250, 180-78-255, and 180-78-260 for all candidates for an endorsement in the particular role for which an endorsement is sought: *Provided*, That effective August 31, 1997, candidates for certification as principal shall demonstrate the performance domains pursuant to WAC 180-78-257.

[Statutory Authority: RCW 28A.410.010. 94-24-041, § 180-78-265, filed 12/2/94, effective 1/2/95. Statutory Authority: RCW 28A.70.005. 88-07-002 (Order 7-88), § 180-78-265, filed 3/3/88.]

WAC 180-78-266 Internship standards—State-funded administrator interns. (1) Principal, superintendent, and program administrator interns participating in the state-funded administrator internship program shall meet the following standards:

(a) Enrollment in a principal, superintendent or program administrator preparation program approved by the state board of education, pursuant to WAC 180-78-028 and 180-78-029.

(b) Completion of all administrator field experience, knowledge and skill certification requirements, pursuant to chapters 180-75, 180-78, and 180-79 WAC.

(c) Completion of at least forty-five internship days for school employees selected for a principal, superintendent or program administrator certification internship when K-12 students are present and a replacement substitute is employed by the local district; provided the internship shall meet the following criteria:

(i) The intern, mentor administrator and college/university intern supervisor shall cooperatively plan the internship, provided that the school district is encouraged to include

teachers and other individuals in the internship planning process.

(ii) Principal interns shall demonstrate competency in the National Policy Board for Educational Administration performance domains identified as needing development by the mentor administrator, college/university supervisor, and the intern. Superintendent and program administrator interns shall demonstrate competency in the American Association of School Administrators professional standards identified as needing development by the mentor administrator, college/university supervisor, and the intern.

(iii) The activities to be undertaken to implement the internship shall be outlined in writing.

(d) The intern, college/university supervisor and mentor administrator shall determine whether the forty-five intern days and the selected principal performance domains or superintendent professional standards were demonstrated.

(2) Participating colleges/universities, and school districts may establish additional internship standards and shall report such standards to the state board of education.

(3) Each college/university shall submit a summary report of the internships to the state board of education.

[Statutory Authority: RCW 28A.410.010 and 28A.415.290. 94-08-055, § 180-78-266, filed 4/1/94, effective 5/2/94.]

WAC 180-78-270 Program approval requirement—General skills demonstration by all school counselor, school psychologist, and school social worker candidates for certification. An approved professional preparation program shall require all school counselor, school psychologist, and school social worker candidates for certification as education staff associates to demonstrate in their field experience their skills in the following areas:

(1) **Assessment.** Candidates must demonstrate their ability to select, administer, and interpret assessments of students in matters related to the specialized area of practice.

(2) **Professional practice.** Candidates must demonstrate their ability to apply the knowledge of their specialized area of practice to students in need of their specialized services.

(3) **Professional ethics.** Candidates must demonstrate their ability to recognize ethical problems related to their specialized practice and prescribe ethically acceptable solutions.

[Statutory Authority: RCW 28A.410.010, 28A.305.130 (1), (2) and (3). 94-24-038, § 180-78-270, filed 12/2/94, effective 1/2/95. Statutory Authority: RCW 28A.70.005. 88-07-002 (Order 7-88), § 180-78-270, filed 3/3/88.]

WAC 180-78-275 Program approval requirement—Specific knowledge by all school counselor, school psychologist, and school social worker candidates for certification. An approved preparation program for school counselors, school psychologists, and school social workers shall require candidates to demonstrate their specific knowledge requirements as set forth in WAC 180-78-295 through 180-78-325 in a comprehensive written examination as part of a masters or higher degree or an approved equivalent examination.

[Statutory Authority: RCW 28A.410.010, 28A.305.130 (1), (2) and (3). 94-24-038, § 180-78-275, filed 12/2/94, effective 1/2/95. Statutory Authority: RCW 28A.70.005. 88-07-002 (Order 7-88), § 180-78-275, filed 3/3/88.]

WAC 180-78-280 Program approval requirement—Field experience for all school counselor, school psychologist, and school social worker candidates for certification.

An approved preparation program for school counselors, school psychologists, and school social workers shall require a field experience which includes observation and at least eight full weeks or equivalent practice under the direct supervision of a certificated practitioner who is performing in the role for which the endorsement is sought. For the purpose of this section "eight full weeks" means two hundred forty hours of on-the-job professional service. The field experience requirement may be waived or reduced in length for any candidate who has served as a licensed practitioner or a comparable educational position if the college or university determines the previous experience was substantially equivalent in whole or part to the experience otherwise to be gained in the required field experience. Components of the required field experience shall include:

(1) Demonstration by the candidate that he or she has the general skills required by WAC 180-78-210 of all candidates for certification.

(2) Demonstration by the candidate that he or she has the general skills required by WAC 180-78-270 for all candidates for an endorsement as an educational staff associate.

(3) Demonstration by the candidate that he or she has the specific skills required for all candidates for an endorsement as a specialized educational staff associate as set forth in WAC 180-78-295 through 180-78-325.

[Statutory Authority: RCW 28A.410.010, 28A.305.130 (1), (2) and (3). 94-24-038, § 180-78-280, filed 12/2/94, effective 1/2/95. Statutory Authority: RCW 28A.70.005. 88-07-002 (Order 7-88), § 180-78-280, filed 3/3/88.]

WAC 180-78-285 Program approval requirement—General knowledge required for all school counselor, school psychologist and school social worker candidates for certification.

An approved preparation program for school counselors, school psychologists and school social workers shall include course work, either separate or combination of courses, that cover the general knowledge required in WAC 180-79-131 for all candidates for certification: *Provided*, That the college or university may waive the required course work for any candidate, based on an individual determination, if the college or university determines that previous work experiences, other course work, or alternative learning experiences have or will provide the candidates with the knowledge and skills otherwise to be gained from the required course work.

[Statutory Authority: RCW 28A.410.010, 28A.305.130 (1), (2) and (3). 94-24-038, § 180-78-285, filed 12/2/94, effective 1/2/95. Statutory Authority: RCW 28A.70.005. 88-07-002 (Order 7-88), § 180-78-285, filed 3/3/88.]

WAC 180-78-295 Program approval requirement—Specific knowledge and skills for ESA, school counselor.

An approved preparation program for school counselors shall require the candidates to demonstrate knowledge and skills in the following specific areas:

(1) **Knowledge of the field.** The candidate has the knowledge and skills in relevant fields of study, including:

(a) Individual and group counseling theories, principles, and techniques.

(b) Career development theories, programs, inventories, and materials.

(c) Information services as applied equitably to diverse socioeconomic, cultural ethnic groups and including sexual bias.

(d) Human growth and development.

(e) Social and cultural foundations including socioeconomic trends, changes in human roles, multicultural and pluralistic trends and major societal concerns including stress, person abuse, substance abuse, and discrimination.

(f) Appraisal theory, techniques, and instruments.

(g) Consultation.

(h) Referral resources and processes.

(i) Family dynamics, interaction, and parent education.

(j) Legal and ethical issues related to the practice of school counseling.

(k) Research and evaluation.

(2) **Individual and group counseling.** The candidate has the knowledge and skill to:

(a) Plan and use individual and group strategies for remedial, preventive, and developmental needs of students.

(b) Provide educational and career decision-making experiences.

(c) Provide crises intervention.

(d) Assist students in peer helper processes.

(3) **Consultation and referral.** The candidate has the knowledge and skill to:

(a) Provide consultation for parents, teachers, and others with special emphasis on developmental needs, behavioral assessment, and crises needs of students.

(b) Refer to other services within the school and community.

(4) **Assessment and diagnosis.** The candidate has the knowledge and skill in the following specific areas:

(a) Appraisal techniques and materials.

(b) Knowledge of achievement, aptitude, interest, and attitude testing.

(c) Test interpretation including knowledge of test characteristics, test scores, referencing, and limitations.

(d) Behavioral observations and case studies.

(5) **Program planning, management, evaluation.** The candidate has knowledge and skill to:

(a) Conduct needs assessments of students, teachers, and parents to determine the scope and delivery of the guidance program.

(b) Design systems to measure student outcomes related to the guidance and counseling program.

(c) Develop school guidance plans based on student needs that include goals, objectives, resources, and timelines.

(d) Coordinate programs with school psychologists, nurses, social workers, and community service providers.

(e) Prepare programs to alleviate the unique needs of students in areas such as grief, suicide prevention, dropout prevention, changes in family structure, or other such problems which interfere with the student's progress in school.

(f) Prepare programs for parents to improve parenting skills and to positively interact with the school system.

(g) Prepare, interpret, and disseminate findings from guidance program evaluation, and follow-up studies to school personnel, parents, and students.

(h) Provide staff development and supervision.

(6) **Professionalism.** The candidate has the knowledge and skill to apply legal guidelines, professional codes of ethics, and knowledge of general professional standards.

[Statutory Authority: RCW 28A.70.005. 88-07-002 (Order 7-88), § 180-78-295, filed 3/3/88.]

WAC 180-78-310 Program approval requirement—Specific knowledge and skills for ESA, school psychologist. An approved preparation program for school psychologists shall require that candidates demonstrate knowledge and skills in the following specific areas:

(1) **Knowledge of the field.** The candidate has knowledge and skill in relevant fields of study, including:

- (a) Learning theory.
- (b) Personality theory and development.
- (c) Individual and group testing and assessment.
- (d) Individual and group counseling and interviewing theory and techniques.
- (e) Basic statistics.
- (f) Child development.
- (g) Exceptional children.
- (h) Social and cultural factors.
- (i) Deviant personality.
- (j) Curriculum.
- (k) Research design.
- (l) Physiological and biological factors.

(2) **Assessment and diagnosis.** The candidate has knowledge and skill necessary to select, administer, score, and interpret instruments and techniques in the following areas:

- (a) Intellectual and cognitive assessment.
- (b) Individual and group academic skills.
- (c) Personality assessment.
- (d) Assessment of perceptual skills.
- (e) Assessment of adaptive behavior; assessment of language skills.

(3) **Behavioral observation and analysis.** The candidate has knowledge and skill in behavior observation, including:

- (a) Data taking.
- (b) Frequency measures.
- (c) Qualitative and quantitative analysis of classroom behavior.

(d) Developmental and personality analysis, including perceptual, cognitive, social, and affective and language development in children.

(4) **Counseling and interviewing.** The candidate has the knowledge and skill necessary to:

- (a) Provide individual and group counseling to students and parents.
- (b) Conduct interviews essential to information collecting from parents, teachers, and other professionals.

(5) **Program development.** The candidate has the knowledge and skill to make educational prescriptions, including specification of remedial environmental changes, both curricular and behavioral, for a particular student.

(6) **Consultation.** The candidate has the knowledge and skill to:

- (a) Function on multi-disciplinary teams in evaluating and placing students.

(b) Confer with and make recommendations to parents, specialists, teachers, referral personnel, and others relative to student's characteristics and needs in the educational and home environments.

(7) **Program evaluation and recordkeeping.** The candidate has the knowledge and skill necessary to develop and implement program evaluation and maintain required records.

(8) **Professionalism.** The candidate has knowledge of professional standards regarding ethical and legal practices relevant to the practice of school psychology. The candidate demonstrates knowledge and skill in written and oral reporting of assessment and remedial recommendations which will meet ethical and legal standards.

(9) **Research.** The candidate has knowledge and skill to:

- (a) Evaluate and perform research.
- (b) Apply school-oriented research.
- (c) Construct criterion-referenced instruments with reference to such educational decisions as:
 - (i) Retention in grade.
 - (ii) Acceleration and early entrance.
 - (iii) Early entrance.

[Statutory Authority: RCW 28A.70.005. 88-07-002 (Order 7-88), § 180-78-310, filed 3/3/88.]

WAC 180-78-325 Program approval requirements—Specific knowledge and skills for ESA, school social worker. An approved preparation program for school social workers shall require the candidates to demonstrate knowledge and skills in the following specific areas:

(1) **Service delivery.** The candidate has knowledge and skill in:

(a) Social problem assessment including assessment of behavioral problems, family dysfunction, interpersonal relationship problems, and problems of victimization.

(b) Problems of school refusal, truancy, and poor classroom performance.

(c) Collaboration with teachers and other school personnel on an individual or group basis for the purpose of assessment.

(d) Planning of programs of remediation for individual pupils and their families or in some instances for groups of pupils.

(e) Interviewing and counseling pupils in relation to the social problems adjudged to be impairing the pupils ability to learn.

(f) Consulting and counseling with parents and significant others, including personnel from community agencies and programs.

(g) Developing and utilizing the resources of the community to assist pupils meet various social needs including the needs for; improved nutrition, shelter, protection from sexual and physical abuse, health and social services, and drug and alcohol counseling.

(2) **Social environment.** The candidate has knowledge and skill in:

(a) Understanding community theory, social systems theory, organizational theory (e.g., school as a bureaucracy), macrosystem intervention theory (e.g., community organization, social planning, community relations, case management,

networking), social disorganization (e.g., poverty, family violence, unemployment), and the changing family.

(b) Providing in-class or individual consultation to teachers with respect to problems of classroom management of students presenting social and behavioral difficulties, including the provision of in-service presentations on the subjects of school social work and social problems and their management.

(3) **Research and evaluation.** The candidate has the knowledge and skill in:

(a) Designing and conducting, or assisting in the design and conduct of research and evaluation of school social work practice and of causal and remedial approaches to problems of educational and social nature.

(b) Evaluating school and community needs and assisting decision makers in addressing those needs.

(c) Social problems analysis, including design, methodology, implementation, analysis and findings, and utilization.

(4) **Educational context.** The candidate has the knowledge and skill in theories of learning, roles of educational personnel, role of social worker in educational setting, school law, and professional standards.

[Statutory Authority: RCW 28A.70.005. 88-07-002 (Order 7-88), § 180-78-325, filed 3/3/88.]

Chapter 180-79 WAC

PROFESSIONAL CERTIFICATION— PREPARATION REQUIREMENTS

WAC

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

- 180-79-007 Effective dates of specified sections. [Statutory Authority: RCW 28A.70.005. 88-08-046 (Order 10-88), § 180-79-007, filed 4/4/88; 87-12-039 (Order 8-87), § 180-79-007, filed 6/1/87.] Repealed by 89-01-042 (Order 27-88), filed 12/14/88. Statutory Authority: RCW 28A.70.005 and 28A.04.120(3).
- 180-79-013 Notice to prospective candidates for certification. [Statutory Authority: RCW 28A.04.120(3) and 28A.70.005. 86-13-017 (Order 7-86), § 180-79-013, filed 6/10/86. Statutory Authority: RCW 28A.04.120. 86-09-011 (Order 4-86), § 180-79-013, filed 4/7/86; 85-01-016 (Order 17-84), § 180-79-013, filed 12/10/84.] Repealed by 88-05-047 (Order 3-88), filed 2/17/88. Statutory Authority: RCW 28A.70.005.
- 180-79-014 Washington state professional certification examination—SPI development. [Statutory Authority: RCW 28A.04.120. 85-01-016 (Order 17-84), § 180-79-014, filed 12/10/84.] Repealed by 88-05-047 (Order 3-88), filed 2/17/88. Statutory Authority: RCW 28A.70.005.
- 180-79-015 Appeal—General. [Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW. 78-06-070 (Order 6-78), § 180-79-015, filed 5/26/78.] Repealed by 78-09-097 (Order 13-78), filed 9/1/78. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW.
- 180-79-020 Appeal procedure—Informal. [Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW. 78-06-070 (Order 6-78), § 180-79-020, filed 5/26/78.] Repealed by 78-09-097 (Order 13-78), filed 9/1/78. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW.
- 180-79-025 Appeal procedures—Formal process. [Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW. 78-06-070 (Order 6-78), § 180-79-025, filed 5/26/78.] Repealed by 78-09-097 (Order 13-78), filed 9/1/78. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW.
- 180-79-030 Certificate validity. [Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW. 78-06-070 (Order 6-78), § 180-79-030, filed 5/26/78.] Repealed by 78-09-097 (Order 13-78), filed 9/1/78. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW.
- 180-79-040 Equivalency of standards. [Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW. 78-06-070 (Order 6-78), § 180-79-040, filed 5/26/78.] Repealed by 78-09-097 (Order 13-78), filed 9/1/78. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW.
- 180-79-050 Certificate required. [Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW. 78-06-070 (Order 6-78), § 180-79-050, filed 5/26/78.] Repealed by 78-09-097 (Order 13-78), filed 9/1/78. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW.
- 180-79-055 Types of certificates. [Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW. 78-06-070 (Order 6-78), § 180-79-055, filed 5/26/78.] Repealed by 78-09-097 (Order 13-78), filed 9/1/78. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW.
- 180-79-070 Educational experience acceptable for certification. [Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW. 78-06-070 (Order 6-78), § 180-79-070, filed 5/26/78.] Repealed by 78-09-097 (Order 13-78),
- 180-79-085 filed 9/1/78. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW.
 Replacement of certificates. [Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW. 78-06-070 (Order 6-78), § 180-79-085, filed 5/26/78.] Repealed by 78-09-097 (Order 13-78), filed 9/1/78. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW.
- 180-79-090 Fee for certification. [Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW. 78-06-070 (Order 6-78), § 180-79-090, filed 5/26/78.] Repealed by 78-09-097 (Order 13-78), filed 9/1/78. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW.
- 180-79-095 Use of fee for certification. [Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW. 78-06-070 (Order 6-78), § 180-79-095, filed 5/26/78.] Repealed by 78-09-097 (Order 13-78), filed 9/1/78. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW.
- 180-79-100 Personnel assignment—Expires August 31, 1987. [Statutory Authority: RCW 28A.04.120(3) and 28A.70.005. 86-13-017 (Order 7-86), § 180-79-100, filed 6/10/86. Statutory Authority: RCW 28A.04.120 (1), (2), and (3). 80-06-130 (Order 9-80), § 180-79-100, filed 6/2/80. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW. 78-09-097 (Order 13-78), § 180-79-100, filed 9/1/78; 78-06-070 (Order 6-78), § 180-79-100, filed 5/26/78.] Repealed by 88-05-047 (Order 3-88), filed 2/17/88. Statutory Authority: RCW 28A.70.005.
- 180-79-105 Citizenship requirements—Alien permits—Teachers only. [Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW. 78-06-070 (Order 6-78), § 180-79-105, filed 5/26/78.] Repealed by 78-09-097 (Order 13-78), filed 9/1/78. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW.
- 180-79-110 General requirements—Teachers, administrators, educational staff associates. [Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW. 78-06-070 (Order 6-78), § 180-79-110, filed 5/26/78.] Repealed by 78-09-097 (Order 13-78), filed 9/1/78. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW.
- 180-79-116 Transition to new experience requirement. [Statutory Authority: RCW 28A.70.005. 88-08-046 (Order 10-88), § 180-79-116, filed 4/4/88.] Repealed by 90-22-002, filed 10/25/90, effective 11/25/90. Statutory Authority: RCW 28A.70.005.
- 180-79-129 Implementation of general knowledge requirement for certification. [Statutory Authority: RCW 28A.70.005. 88-08-046 (Order 10-88), § 180-79-129, filed 4/4/88.] Repealed by 92-04-044, filed 1/31/92, effective 3/2/92. Statutory Authority: RCW 28A.410.010.
- 180-79-130 Minimum generic standards—General. [Statutory Authority: RCW 28A.04.120. 85-01-016 (Order 17-84), § 180-79-130, filed 12/10/84. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW. 78-06-070 (Order 6-78), § 180-79-130, filed 5/26/78.] Repealed by 88-05-047 (Order 3-88), filed 2/17/88. Statutory Authority: RCW 28A.70.005.
- 180-79-135 Minimum generic standards—Teachers. [Statutory Authority: RCW 28A.04.120. 85-01-016 (Order 17-84), § 180-79-135, filed 12/10/84. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW. 78-06-070 (Order 6-78), § 180-79-135, filed 5/26/78.] Repealed by 88-05-047 (Order 3-88), filed 2/17/88. Statutory Authority: RCW 28A.70.005.
- 180-79-150 Role and minimum generic standards—Administrators—Initial certification—Superintendents. [Statutory Authority: RCW 28A.70.005. 81-12-025 (Order 7-81), § 180-79-150, filed 6/1/81. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW. 78-06-070 (Order 6-78), § 180-79-150, filed 5/26/78.] Repealed by 88-05-047 (Order 3-88), filed 2/17/88. Statutory Authority: RCW 28A.70.005.

- 180-79-155 Role and minimum generic standards—Administrators—Initial certification—Principals. [Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW. 78-06-070 (Order 6-78), § 180-79-155, filed 5/26/78.] Repealed by 88-05-047 (Order 3-88), filed 2/17/88. Statutory Authority: RCW 28A.70.005.
- 180-79-160 Role and minimum generic standards—Administrators—Initial certification—Program administrators. [Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW. 78-06-070 (Order 6-78), § 180-79-160, filed 5/26/78.] Repealed by 88-05-047 (Order 3-88), filed 2/17/88. Statutory Authority: RCW 28A.70.005.
- 180-79-170 Minimum generic standards—Educational staff associates—General. [Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW. 78-06-070 (Order 6-78), § 180-79-170, filed 5/26/78.] Repealed by 88-05-047 (Order 3-88), filed 2/17/88. Statutory Authority: RCW 28A.70.005.
- 180-79-175 Role and minimum generic standards—Educational staff associate—Initial certification—Communication disorders specialists (CDS). [Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW. 78-06-070 (Order 6-78), § 180-79-175, filed 5/26/78.] Repealed by 88-05-047 (Order 3-88), filed 2/17/88. Statutory Authority: RCW 28A.70.005.
- 180-79-180 Role and minimum generic standards—Educational staff associates—Counselor. [Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW. 78-06-070 (Order 6-78), § 180-79-180, filed 5/26/78.] Repealed by 88-21-012 (Order 17-88), filed 10/7/88. Statutory Authority: RCW 28A.70.005.
- 180-79-185 Role and minimum generic standards—Educational staff associate—Occupational therapist (OT). [Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW. 78-06-070 (Order 6-78), § 180-79-185, filed 5/26/78.] Repealed by 88-05-047 (Order 3-88), filed 2/17/88. Statutory Authority: RCW 28A.70.005.
- 180-79-190 Role and minimum generic standards—Educational staff associate—Physical therapist (PT). [Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW. 78-06-070 (Order 6-78), § 180-79-190, filed 5/26/78.] Repealed by 88-05-047 (Order 3-88), filed 2/17/88. Statutory Authority: RCW 28A.70.005.
- 180-79-195 Role and minimum generic standards—Educational staff associate—School psychologist. [Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW. 78-06-070 (Order 6-78), § 180-79-195, filed 5/26/78.] Repealed by 88-05-047 (Order 3-88), filed 2/17/88. Statutory Authority: RCW 28A.70.005.
- 180-79-200 Role and minimum generic standards—Educational staff associate—Reading resource specialist. [Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW. 78-06-070 (Order 6-78), § 180-79-200, filed 5/26/78.] Repealed by 88-05-047 (Order 3-88), filed 2/17/88. Statutory Authority: RCW 28A.70.005.
- 180-79-205 Role and minimum generic standards—Educational staff associate—School nurse. [Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW. 78-06-070 (Order 6-78), § 180-79-205, filed 5/26/78.] Repealed by 88-05-047 (Order 3-88), filed 2/17/88. Statutory Authority: RCW 28A.70.005.
- 180-79-210 Role and minimum generic standards—Educational staff associate—School social worker. [Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW. 78-06-070 (Order 6-78), § 180-79-210, filed 5/26/78.] Repealed by 88-05-047 (Order 3-88), filed 2/17/88. Statutory Authority: RCW 28A.70.005.
- 180-79-215 Minimum generic standards—Educational staff associate—Continuing certification. [Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW. 78-06-070 (Order 6-78), § 180-79-215, filed 5/26/78.] Repealed by 88-05-047 (Order 3-88), filed 2/17/88. Statutory Authority: RCW 28A.70.005.
- 180-79-235 Permits. [Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW. 78-06-070 (Order 6-78), § 180-79-235, filed 5/26/78.] Repealed by 78-09-097 (Order 13-78), filed 9/1/78. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW.
- 180-79-240 Certification of out-of-state trained teachers—Interstate educational personnel contracts. [Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW. 78-06-070 (Order 6-78), § 180-79-240, filed 5/26/78.] Repealed by 78-09-097 (Order 13-78), filed 9/1/78. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW.
- 180-79-250 Degree and preparation required for out-of-state candidates for initial certification. [Statutory Authority: RCW 28A.04.120 (1), (2), and (3). 80-06-130 (Order 9-80), § 180-79-250, filed 6/2/80. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW. 78-06-070 (Order 6-78), § 180-79-250, filed 5/26/78.] Repealed by 88-05-047 (Order 3-88), filed 2/17/88. Statutory Authority: RCW 28A.70.005.
- 180-79-310 Minimum course work credit hours—Definition. [Statutory Authority: RCW 28A.70.005. 87-09-012 (Order 4-87), § 180-79-310, filed 4/3/87.] Repealed by 92-04-044, filed 1/31/92, effective 3/2/92. Statutory Authority: RCW 28A.410.010.

WAC 180-79-003 Authority. The authority for this chapter is RCW 28A.410.010 which authorizes the state board of education to establish, publish, and enforce rules and regulations determining eligibility for the certification of personnel employed in the common schools of this state. This authority is supplemented by RCW 28A.305.130(3) which authorizes the state board of education to specify the types and kinds of certificates necessary for the several departments within the common schools. (Note: RCW 28A.195.010 (3)(a) requires most private school classroom teachers to hold appropriate state certification with few exceptions.)

[Statutory Authority: 1990 c 33. 91-04-016, § 180-79-003, filed 1/28/91, effective 2/28/91. Statutory Authority: RCW 28A.70.005. 87-09-012 (Order 4-87), § 180-79-003, filed 4/3/87.]

WAC 180-79-005 Purpose. The purposes of this chapter are to establish the various certificates which must be held as a condition to employment in the Washington school system and establish the conditions and procedures governing issuance and retention of those and other certificates, including endorsements thereon.

[Statutory Authority: RCW 28A.70.005 and 28A.04.120(3). 89-01-042 (Order 27-88), § 180-79-005, filed 12/14/88. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW. 78-06-070 (Order 6-78), § 180-79-005, filed 5/26/78.]

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

(1) The terms, "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 180-79-031 State board of education 1997 teacher certification policy. The state board of education will establish a certification system which shall include the issuance of a residency certificate, a professional certificate, and a professional career certificate for all candidates applying for teaching certificates after August 31, 1997. Detailed rules to implement the 1997 teacher certification system shall be adopted by the state board of education no later than September 1996 on the basis of recommendations from the Washington advisory council for professional teaching standards.

[Statutory Authority: RCW 28A.410.010 and 28A.305.130. 94-24-039, § 180-79-031, filed 12/2/94, effective 1/2/95.]

WAC 180-79-032 Public policy purposes of state board of education 1997 certification policy. The policy purposes of state board of education 1997 certification policy are:

- (1) To provide qualified teachers for the emerging performance-based P-12 education system.
- (2) To assure that practitioners are more directly involved in decisions related to professional practice.
- (3) To recognize that there is a distinction between the level of competence of beginning teachers and the competency of teachers who have been able to demonstrate their competencies at a professional level.
- (4) To assure that all teachers demonstrate their competencies before attaining the status of a professional educator.
- (5) To establish a certificate level that recognizes service at a high level of achievement.
- (6) To assure that all residency teachers have the support required to assist them through their induction and beginning teaching activities.
- (7) To assure each educator has a professional development plan.

[Statutory Authority: RCW 28A.410.010 and 28A.305.130. 94-24-039, § 180-79-032, filed 12/2/94, effective 1/2/95.]

WAC 180-79-035 Washington advisory council for professional teaching standards—Selection. In order to develop the specific rules for the 1997 teacher certification system, a Washington advisory council for professional teaching standards shall be appointed by the state board of education.

- (1) A majority of its members shall be practicing K-12 teachers.
- (2) The state board of education shall solicit recommendations for persons to serve on the council.
- (3) The board of education shall appoint the council members on the basis of the recommendations received with consideration being given to educator roles, geographic distribution, gender, race, and ethnicity.

[Statutory Authority: RCW 28A.410.010 and 28A.305.130. 94-24-039, § 180-79-035, filed 12/2/94, effective 1/2/95.]

WAC 180-79-041 Washington advisory council for professional teaching standards—Duties. The Washington advisory council for professional teaching standards shall present initial recommendations to the state board of education, no later than January 1, 1996, for:

- (1) Standards to be used to obtain the professional certificate;
- (2) Standards for renewing the professional certificate;
- (3) Standards for obtaining the professional career certificate; and
- (4) The policies for implementing these standards.

In addition, the council shall submit recommendations for the future composition, term of membership, and responsibilities of the council.

[Statutory Authority: RCW 28A.410.010 and 28A.305.130. 94-24-039, § 180-79-041, filed 12/2/94, effective 1/2/95.]

WAC 180-79-045 Certificates—Previous standards.

(1) Certificates issued under previous standards which were issued for a specific term shall continue to be effective for that term. All persons who hold any standard teacher, administrator, or specialized personnel certificate issued under previous standards of the state board of education shall be issued a continuing certificate at such time as it is necessary for them to reinstate a standard certificate or on application and payment of the fee as specified in WAC 180-75-065(1): *Provided*, That all persons who hold any provisional or initial certificate granted under previous standards of the state board of education shall be authorized to meet requirements for standard or continuing certification as set forth in the relevant previous standards so long as the standard or continuing certificate is obtained within six calendar years of the date on which the first provisional or initial certificate was issued; and, if such requirements are met, shall be issued a continuing certificate subject to the conditions of this chapter: *Provided further*, That all persons who hold other than provisional or standard teaching certificates issued under standards of the state board of education adopted prior to 1971 shall be issued continuing certificates if they have completed forty-five quarter hours (thirty semester hours) of preparation past the baccalaureate degree and three years of experience: *Provided further*, That any person holding a provisional certificate as a school nurse under provisions of chapter 180-84 WAC shall be granted a continuing certificate: *Provided further*, That any person who holds a provisional principal's or provisional superintendent's certificate under previous standards of the state board of education shall be issued upon application, including payment of applicable fees, continuing administrative certificates with endorsements for such respective roles and such certificates shall be subject to the continuing education requirements of chapter 180-85 WAC.

(2) Except as noted in subsection (1) of this section, certificates issued under previous standards which were issued for an indefinite period shall continue to be in effect.

[Statutory Authority: RCW 28A.410.010 and 1992 c 141. 92-20-083, § 180-79-045, filed 10/6/92, effective 11/6/92. Statutory Authority: RCW 28A.04.120 and 28A.70.005. 90-12-075, § 180-79-045, filed 6/1/90, effective 7/2/90. Statutory Authority: RCW 28A.70.005. 88-05-047 (Order

3-88), § 180-79-045, filed 2/17/88; 87-09-012 (Order 4-87), § 180-79-045, filed 4/3/87. Statutory Authority: RCW 28A.04.120 (1), (2), and (3). 80-06-130 (Order 9-80), § 180-79-045, filed 6/2/80; 79-06-051 (Order 7-79), § 180-79-045, filed 5/22/79. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW. 78-06-070 (Order 6-78), § 180-79-045, filed 5/26/78.]

WAC 180-79-047 Conversion to new standards.

Notwithstanding any provision of WAC 180-79-045 to the contrary, any person who holds a provisional or initial certificate issued under previous standards of the state board of education shall be eligible to convert to an initial or continuing certificate by meeting requirements for that certificate pursuant to chapters 180-75 and 180-79 WAC.

[Statutory Authority: RCW 28A.410.010. 92-04-044, § 180-79-047, 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), § 180-79-047, filed 12/14/88.]

WAC 180-79-049 Professional preparation program requirement for certification.

Applicants for certification as teachers, administrators, school counselors, school psychologists and school social workers, except as otherwise provided in WAC 180-79-230 and 180-79-245, in order to be certified within the state of Washington shall have completed a state approved college/university preparation program in the professional field for which certification is to be issued. In addition, except as otherwise provided in WAC 180-79-230 and 180-79-245, candidates for principal's certificates must have completed a state approved college/university preparation program for certification as a teacher and candidates for superintendent's certificates must have completed a state approved college/university preparation program for certification as a teacher, educational staff associate, or program administrator.

[Statutory Authority: RCW 28A.410.010, 28A.305.130 (1), (2) and (3). 94-24-038, § 180-79-049, filed 12/2/94, effective 1/2/95. Statutory Authority: RCW 28A.410.010. 92-04-044, § 180-79-049, filed 1/31/92, effective 3/2/92. Statutory Authority: RCW 28A.04.120 and 28A.70.005. 90-12-075, § 180-79-049, filed 6/1/90, effective 7/2/90. Statutory Authority: RCW 28A.70.005. 88-05-047 (Order 3-88), § 180-79-049, filed 2/17/88.]

WAC 180-79-060 Levels of certificates. Two levels of certification may be issued:

(1) Initial certificate. The initial teacher certificate is valid for four years and the initial administrator and educational staff associate certificates are valid for seven years. Initial teacher certificates shall be subject to renewal pursuant to WAC 180-79-065. Initial administrator and educational staff associate certificates shall not be subject to renewal.

(2) Continuing certificate. The continuing certificate is valid on a continuing basis as specified in WAC 180-79-065(2).

[Statutory Authority: RCW 28A.410.010 and 1992 c 141. 92-20-083, § 180-79-060, filed 10/6/92, effective 11/6/92. Statutory Authority: RCW 28A.04.120 and 28A.70.005. 90-12-075, § 180-79-060, 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), § 180-79-060, filed 12/14/88. Statutory Authority: RCW 28A.70.005. 88-05-047 (Order 3-88), § 180-79-060, filed 2/17/88; 87-09-012 (Order 4-87), § 180-79-060, filed 4/3/87. Statutory Authority: RCW 28A.04.120 (1), (2), and (3). 80-06-130 (Order 9-80), § 180-79-060, filed 6/2/80. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW. 78-06-070 (Order 6-78), § 180-79-060, filed 5/26/78.]

WAC 180-79-062 Approved baccalaureate degree—

Definition. "Approved baccalaureate degree" for the purpose of this chapter means a baccalaureate from a regionally accredited college or university in any of the subject areas of the endorsement listed in WAC 180-79-080. Such degrees shall require the completion of at least forty-five quarter hours (thirty semester hours) of course work in the subject area: *Provided*, That a candidate who holds a baccalaureate degree in another academic field will not be required to obtain a second baccalaureate degree if the candidate provides evidence to the superintendent of public instruction that he or she has completed the required quarter or semester hours of course work in one of the subject areas of the endorsements listed in WAC 180-79-080.

[Statutory Authority: RCW 28A.70.005. 88-05-047 (Order 3-88), § 180-79-062, filed 2/17/88.]

WAC 180-79-063 Approved masters degree—

Definition. "Approved masters degree" for the purpose of this chapter means a masters or doctorate degree from a regionally accredited college or university.

[Statutory Authority: RCW 28A.70.005. 89-22-011, § 180-79-063, filed 10/20/89, effective 11/20/89. Statutory Authority: RCW 28A.70.005 and 28A.04.120(3). 89-01-042 (Order 27-88), § 180-79-063, filed 12/14/88. Statutory Authority: RCW 28A.70.005. 88-05-047 (Order 3-88), § 180-79-063, filed 2/17/88.]

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 180-79-075 Certificate endorsement. Professional education certificates shall be endorsed as follows:

(1) Teacher certificates shall specify endorsements in subject area(s) and grade level(s).

(2) Educational staff associate certificates shall identify the field of specialization by endorsement.

(3) Administrator certificates shall identify the field of specialization (principal, program administrator, superintendent) by endorsement.

Principals' initial certificates shall be endorsed for grades preschool-9, 4-12, or preschool-12 based on recommendations from the college or university in which the candidate completed an approved preparation program.

(4) In order to change or add an endorsement to any teaching certificate, the candidate must complete an application, pay the certification fee specified in WAC 180-75-065, and submit verification of completion of the necessary requirements specified in this chapter.

[Statutory Authority: RCW 28A.410.010. 92-04-044, § 180-79-075, filed 1/31/92, effective 3/2/92. Statutory Authority: RCW 28A.04.120 and 28A.70.005. 90-12-075, § 180-79-075, 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), § 180-79-075, filed 12/14/88. Statutory Authority: RCW 28A.70.005. 87-13-044 (Order 13-87), § 180-79-075, filed 6/16/87; 87-09-012 (Order 4-87), § 180-79-075, filed 4/3/87. Statutory Authority: RCW 28A.04.120(3) and 28A.70.005. 86-13-017 (Order 7-86), § 180-79-075, filed 6/10/86. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW. 78-06-070 (Order 6-78), § 180-79-075, filed 5/26/78.]

WAC 180-79-080 Authorized endorsements for teachers. Endorsements for grade levels and subject areas within such grade levels for certificated teachers receiving endorsements shall be limited to the following:

(1) Preschool through grade three endorsements shall be granted in the subject area of:

- (a) Early childhood special education.
- (b) Early childhood education.

(2) Grade kindergarten through grade eight endorsements shall be granted in the subject area of elementary education which shall include all subject areas taught in such grades.

(3) Grade kindergarten through grade twelve endorsements shall be granted in:

- (a) Art
- (b) Music (broad subject area endorsement) and the specialized subject areas of:

- (i) Choral music
- (ii) Instrumental music

(c) Physical education

(d) Reading

(e) Designated foreign language

(f) Special education

(g) Learning resources

(h) English as a second language

(i) Bilingual education.

(4) Grade four through grade twelve endorsements shall be granted in:

(a) English/language arts (broad subject area endorsement) and the specialized English/language arts subject areas of:

- (i) Drama
- (ii) English
- (iii) Journalism
- (iv) Speech.

(b) Science (broad subject area endorsement) and the specialized science subject areas of:

- (i) Biology
- (ii) Chemistry
- (iii) Earth science
- (iv) Physics.

(c) Social studies (broad subject area endorsement) and the specialized social studies subject areas of:

- (i) Anthropology
- (ii) Economics
- (iii) Geography
- (iv) History
- (v) Political science
- (vi) Psychology
- (vii) Sociology.

(d) The specialized subject areas of:

- (i) Agriculture
- (ii) Business education
- (iii) Comparative religion
- (iv) Computer science
- (v) Health
- (vi) Home and family life education (formerly home economics)
- (vii) Technology education (formerly industrial arts)
- (viii) Mathematics
- (ix) Marketing education.
- (x) Philosophy.

(5) Traffic safety endorsements may be noted on certificates issued under this chapter if the candidate meets the requirements of the regulations promulgated by the superintendent of public instruction pursuant to RCW 28A.220.020(3).

[Statutory Authority: RCW 28A.410.010. 92-04-044, § 180-79-080, filed 1/31/92, effective 3/2/92. Statutory Authority: 1990 c 33. 91-04-016, § 180-79-080, filed 1/28/91, effective 2/28/91. Statutory Authority: RCW 28A.04.120 and 28A.70.005. 90-12-075, § 180-79-080, filed 6/1/90, effective 7/2/90. Statutory Authority: RCW 28A.70.005. 88-05-047 (Order 3-88), § 180-79-080, filed 2/17/88; 87-09-012 (Order 4-87), § 180-79-080, filed 4/3/87. Statutory Authority: RCW 28A.04.120(3) and 28A.70.005. 86-13-017 (Order 7-86), § 180-79-080, filed 6/10/86.]

WAC 180-79-086 Minimum preparation for endorsements for teachers. Endorsements granted teachers shall comply with the following:

(1) Endorsements—with the exception of the broad subject area endorsements of English/language arts, music,

science, and social studies, which shall require the satisfactory completion of a minimum of forty-five quarter hours (thirty semester hours) of course work—shall require the satisfactory completion of a minimum of twenty-four quarter hours (sixteen semester hours) of course work in the subject area in a regionally accredited institution of higher education or in a college or university with a professional preparation program approved by the state board of education pursuant to chapter 180-79 WAC.

(2) Reasonable flexibility shall be permitted in establishing equivalencies for specified subject area course work. The test for substitution of an equivalent course for a stated subject area course is a factual determination that the subject matter content of the equivalent course, or combination of courses, substantially complies with the generally recognized course content of the subject area course.

(3) Course work used to meet endorsement requirements must be completed through a regionally accredited college/university and may not include student teaching credits.

(4) Only course work in which an individual 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 as defined in WAC 180-79-086.

[Statutory Authority: RCW 28A.410.010, 92-04-044, § 180-79-086, 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), § 180-79-086, filed 12/14/88. Statutory Authority: RCW 28A.70.005, 88-05-047 (Order 3-88), § 180-79-086, filed 2/17/88; 87-09-012 (Order 4-87), § 180-79-086, filed 4/3/87. Statutory Authority: RCW 28A.04.120(3) and 28A.70.005, 86-13-017 (Order 7-86), § 180-79-086, filed 6/10/86.]

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

(1) Initial.

Candidates for the initial certificate 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 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, 94-24-037, § 180-79-115, filed 12/2/94, effective 1/2/95; 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 9/17/78; 78-06-070 (Order 6-78), § 180-79-115, filed 5/26/78.]

WAC 180-79-117 Experience requirement for continuing certification—Teachers. In addition to the academic requirements specified in WAC 180-79-115, candidates for continuing teachers' certificates shall provide, as a condition for the issuance of a continuing certificate, documentation of one hundred eighty days or full-time equivalent or more satisfactory teaching experience with an authorized employer—i.e., school district, state agency, college or university, private school, or private school system—and at least thirty days of such employment with the same employer.

[Statutory Authority: RCW 28A.410.010 and 1992 c 141, 92-20-083, § 180-79-117, filed 10/6/92, effective 11/6/92. Statutory Authority: RCW 28A.70.005 and 28A.410.010, 90-22-002 and 90-23-084, § 180-79-117, filed 10/25/90 and 11/20/90, effective 11/25/90 and 12/21/90. Statutory Authority: RCW 28A.70.005 and 28A.04.120(3), 89-01-042 (Order 27-88), § 180-79-117, filed 12/14/88. Statutory Authority: RCW 28A.70.005, 88-05-047 (Order 3-88), § 180-79-117, filed 2/17/88.]

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 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.

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

(b) Continuing.

(i) The candidate 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.

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

(2) Principal.

(a) Initial.

The candidate shall hold a masters degree and have completed an approved program for the preparation of principals.

(b) Continuing.

(i) The candidate who applies prior to August 31, 1998, 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.

(ii) The candidate who applies on or after August 31, 1998, shall have completed a program based on the state principal performance domains included in WAC 180-78-257. Such program shall consist of at least fifteen quarter (ten semester) hours of graduate (post-initial) course work offered by a state approved principal program or one hundred fifty clock hours of study, which meet the state continuing education clock hour criteria, as determined in consultation with and approved by the employer.

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

(3) Program administrator.

(a) Initial.

The candidate 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.

The candidate 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, 94-24-041, § 180-79-120, filed 12/2/94, effective 1/2/95; 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 180-79-121 Academic requirements for certification—School nurse, school occupational therapist, school physical therapist and school speech-language pathologist or audiologist. Candidates for school nurse, school occupational therapist, school physical therapist and school speech-language pathologist or audiologist certification shall apply directly to the professional education and certification office. Such candidates shall complete the

following requirements, in addition to those set forth in WAC 180-75-085, except state approved college/university professional preparation program:

(1) 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 from a National League of Nursing accredited program.

(iii) The candidate shall successfully complete thirty clock hours or three quarter hours (two semester hours) of course work approved by the state board of education which will include schools and society; human growth, development, and learning; American school law; legal responsibilities of the ESA; and the responsibilities of the specific ESA role in a school setting: *Provided*, That an individual who meets all other requirements but who has not completed the required course work shall, upon verification of employment in the role, be issued a temporary permit valid for one hundred twenty calendar days which will allow the individual to practice in the role. The candidate shall verify to OSPI the completion of the required course work during the one hundred twenty-day period.

(b) Continuing. The candidate shall have completed the requirements for the initial certificate as a school nurse and have completed forty-five quarter hours (thirty semester hours) of post-baccalaureate course work in education, nursing, or other health sciences.

(2) School occupational therapist.

(a) Initial.

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

(ii) The candidate shall hold a baccalaureate (or higher) degree from an American Occupational Therapy Association approved program in occupational therapy.

(iii) The candidate shall successfully complete thirty clock hours or three quarter hours (two semester hours) of course work approved by the state board of education which will include schools and society; human growth, development, and learning; American school law; legal responsibilities of the ESA; and the responsibilities of the specific ESA role in a school setting: *Provided*, That an individual who meets all other requirements but who has not completed the required course work shall, upon verification of employment in the role, be issued a temporary permit valid for one hundred twenty calendar days which will allow the individual to practice in the role. The candidate shall verify to OSPI the completion of the required course work during the one hundred twenty-day period.

(b) Continuing. The candidate shall have completed the requirements for the initial certificate 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.

(3) School physical therapist.

(a) Initial.

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

(ii) The candidate shall hold a baccalaureate (or higher) degree from an American Physical Therapy Association accredited program in physical therapy.

(iii) The candidate shall successfully complete thirty clock hours or three quarter hours (two semester hours) of course work approved by the state board of education which will include schools and society; human growth, development, and learning; American school law; legal responsibilities of the ESA; and the responsibilities of the specific ESA role in a school setting: *Provided*, That an individual who meets all other requirements but who has not completed the required course work shall, upon verification of employment in the role, be issued a temporary permit valid for one hundred twenty calendar days which will allow the individual to practice in the role. The candidate shall verify to OSPI the completion of the required course work during the one hundred twenty-day period.

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

(4) School speech-language pathologist or audiologist.

(a) Initial.

(i) The candidate shall have completed all course work (except special project or thesis) for a master's degree from a college or university program accredited by the American Speech and Hearing Association (ASHA) with a major in speech pathology or audiology. Such program shall include satisfactory completion of a written comprehensive examination: *Provided*, That if any candidate has not completed a written comprehensive examination, the candidate may present verification from ASHA of a passing score on the National Teacher's Examination in speech pathology or audiology as a condition for certification.

(ii) The candidate shall successfully complete thirty clock hours or three quarter hours (two semester hours) of course work approved by the state board of education which will include schools and society; human growth, development, and learning; American school law; legal responsibilities of the ESA; and the responsibilities of the specific ESA role in a school setting: *Provided*, That an individual who meets all other requirements but who has not completed the required course work shall, upon verification of employment in the role, be issued a temporary permit valid for one hundred twenty calendar days which will allow the individual to practice in the role. The candidate shall verify to OSPI the completion of the required course work during the one hundred twenty-day period.

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

[Statutory Authority: RCW 28A.410.010, 28A.305.130 (1), (2) and (3). 94-24-038, § 180-79-121, filed 12/2/94, effective 1/2/95.]

WAC 180-79-122 Experience requirement for initial endorsement—Principals. In addition to the academic requirements specified in WAC 180-79-120(2), candidates applying for initial administrator's certificate with a principal's endorsement prior to August 31, 1998, as a condition for the issuance of such endorsement, shall present

documentation of one hundred eighty days or full time equivalent or more teaching experience with an authorized employer—i.e., school district, state agency, college or university, private school, or private school system—and at least thirty days of such employment with the same employer. Candidates applying for the initial principal's certificate on or after August 31, 1998, shall present documentation of five hundred forty days (three school years) of full time or more teaching in a public or private school system. No more than sixty days substitute or equivalent teaching experience may be included for this requirement.

[Statutory Authority: RCW 28A.410.010. 94-24-041, § 180-79-122, filed 12/2/94, effective 1/2/95. Statutory Authority: RCW 28A.410.010 and 1992 c 141. 92-20-083, § 180-79-122, filed 10/6/92, effective 11/6/92. Statutory Authority: RCW 28A.70.005. 90-22-002, § 180-79-122, filed 10/25/90, effective 11/25/90. Statutory Authority: RCW 28A.70.005 and 28A.04.120(3). 89-01-042 (Order 27-88), § 180-79-122, filed 12/14/88. Statutory Authority: RCW 28A.70.005. 88-05-047 (Order 3-88), § 180-79-122, filed 2/17/88.]

WAC 180-79-123 Experience requirement for continuing certification—Administrators. In addition to the academic requirements specified in WAC 180-79-120, candidates applying for continuing administrator certificates shall provide, as a condition for issuance of a continuing certificate, documentation of one hundred eighty days or full time equivalent or more employment in the respective role with an authorized employer—i.e., school district, educational service district, state agency, college or university, private school, or private school system—and at least thirty days of such employment with the same employer. Candidates applying for the continuing principal's certificate on or after August 31, 1998, shall provide documentation of three contracted school years of full-time employment as a principal or assistant principal, at least one year of which must be in the role of principal.

[Statutory Authority: RCW 28A.410.010. 94-24-041, § 180-79-123, filed 12/2/94, effective 1/2/95. Statutory Authority: RCW 28A.410.010 and 1992 c 141. 92-20-083, § 180-79-123, filed 10/6/92, effective 11/6/92. Statutory Authority: RCW 28A.410.010. 92-04-044, § 180-79-123, filed 1/31/92, effective 3/2/92.]

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—School counselors, school psychologists, and

school social workers. Candidates for school counselor, school psychologist and school social worker 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) School counselor.

(a) Initial.

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

(ii) The candidate shall have successfully completed a written comprehensive examination of the knowledge included in the course work for the required master's degree. This examination shall be an examination of a regionally accredited institution of higher education or the National Counselor Examination (NCE) of the National Board of Certified Counselors (NBCC).

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

(2) School psychologist.

(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 school psychology.

(ii) The candidate shall have successfully completed a written comprehensive examination of the knowledge included in the course work for the required master's degree. This examination shall be an examination from a regionally accredited institution of higher education or the National Certification of School Psychologist (NCSP) examination.

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

(3) School social worker.

(a) Initial.

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

(ii) The candidate shall have successfully completed a written comprehensive examination of the knowledge included in the course work for the required master's degree. This examination shall be an examination from a regionally accredited institution of higher education, the school social worker examination or the Academy of Certified Social Workers examination of the National Association of Social Workers.

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

[Statutory Authority: RCW 28A.410.010, 28A.305.130 (1), (2) and (3). 94-24-038, § 180-79-125, filed 12/2/94, effective 1/2/95. 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 180-79-127 Experience requirement for continuing certification—ESAs. In addition to the academic requirements specified in WAC 180-79-179, candidates for continuing educational staff associate certificates shall provide, as a condition for issuance of a continuing certificate, documentation of one hundred eighty days or full-time equivalent or more employment in the respective role with an authorized employer—i.e., school district, educational service district, state agency, college or university, private school, or private school system—and at least thirty days of such employment with the same employer.

[Statutory Authority: RCW 28A.410.010 and 1992 c 141. 92-20-083, § 180-79-127, filed 10/6/92, effective 11/6/92. Statutory Authority: RCW 28A.70.005. 90-22-002, § 180-79-127, filed 10/25/90, effective 11/25/90. Statutory Authority: RCW 28A.70.005 and 28A.04.120(3). 89-01-042 (Order 27-88), § 180-79-127, filed 12/14/88. Statutory Authority: RCW 28A.70.005. 88-05-047 (Order 3-88), § 180-79-127, filed 2/17/88.]

WAC 180-79-128 Supervised experience requirement for continuing certification. In order to obtain a continuing certificate, school counselors, school psychologists and school social workers who hold initial ESA certificates must demonstrate their respective knowledges and skills while employed in that role by passing a one-quarter or one-semester college or university course that includes peer review. The college or university shall establish the procedures for the peer review with advice from the respective professional education advisory board.

[Statutory Authority: RCW 28A.410.010, 28A.305.130 (1), (2) and (3). 94-24-038, § 180-79-128, filed 12/2/94, effective 1/2/95. Statutory Authority:

RCW 28A.70.005 and 28A.04.120(3). 89-01-042 (Order 27-88), § 180-79-128, filed 12/14/88.]

WAC 180-79-131 General knowledge required of all teacher, administrator, school counselor, school psychologist, and school social worker candidates for certification. General knowledge required of all candidates for certification as teachers, administrators, school counselors, school psychologists, and school social workers includes the following: *Provided*, That effective August 31, 1997, candidates for certification as principals shall be exempted from this section:

(1) **Schools and society.** Topics to be included consist of the following:

(a) Development of education in public and private schools in the United States.

(b) The nature and foundation of the educational system, including the evolution of school curriculum in grades P-12.

(c) Public policy issues related to the role of schools in a democratic society, with particular emphasis on:

(i) Equity issues related to various populations—e.g., race, sex, handicapping conditions, gifted, migrant, poverty, aliens, etc.

(ii) Study of values in public schools.

(iii) Issues related to the funding of public and private schools.

(iv) Compulsory attendance, compulsory education, and parental rights and responsibilities.

(v) Federal, state, and community control of schools.

(vi) Resource personnel and public and private agencies, including professional associations, which offer services to teachers, children, parents, and schools.

(2) **Human growth, development, and learning.** Topics included consist of the following:

(a) Physical, psychomotor, cognitive, social, and emotional development of the normal and exceptional child, including those who are victims of abuse, children with handicapping conditions and the highly capable from birth to age twenty-one.

(b) Theories of learning, including:

(i) Behaviorism.

(ii) Social learning.

(iii) Information processing.

(iv) Cognitive development.

(c) Educational processes appropriate to normal and exceptional children, including those with handicapping conditions and the highly capable from birth through age twenty-one as to:

(i) Collection and interpretation of data.

(ii) Identification and assessment of individual students.

(iii) Impact of teaching and learning techniques on behavior.

(3) **American school law.** Topics include legal matters common to all education systems within the United States and consist of the following:

(a) Educational structure and governance, including the role of the courts.

(b) Students and the law, including First Amendment and due process rights, corporal punishment, grading, expulsion, suspension, discipline, and search and seizure and privacy rights.

(c) School professionals and the law, including nonrenewal, discharge, revocation, academic freedom, collective bargaining, professional ethics and legal responsibilities, and child abuse and other reporting requirements.

(d) Professional and school district liability, including negligence and tort liability.

(e) Federal law respecting the rights of the handicapped.

[Statutory Authority: RCW 28A.410.010, 28A.305.130 (1), (2) and (3). 94-24-038, § 180-79-131, filed 12/2/94, effective 1/2/95. Statutory Authority: RCW 28A.410.010. 92-04-044, § 180-79-131, filed 1/31/92, effective 3/2/92. Statutory Authority: RCW 28A.70.005. 88-05-047 (Order 3-88), § 180-79-131, filed 2/17/88.]

WAC 180-79-136 General knowledge required of all candidates for teacher certificates. General knowledge of all candidates for teacher certificates include the following:

(1) **Classroom management and discipline.** Topics to be included consist of the following:

(a) Research and theoretical models used to design instructional programs that manage the physical environment and the human dynamics of the classroom.

(b) Alternative forms of corrective action and application of such to classroom behavior.

(c) Designing instructional units, including alternative approaches to development, implementation, and evaluation of such units.

(2) **Instruction methodology.** Topics to be included consist of the following:

(a) Instructional theory and strategies (i.e., Informational Processing, Personal, Social, Behavioral Systems), including the strengths and weaknesses of alternative models.

(b) The needs of exceptional students including those who are victims of abuse requiring special instruction, the assessment of learning abilities, the appropriate methods and materials, and the ways of adapting the regular curriculum for these students.

(c) The instructional uses of audio-visual materials, the computer, and other technological developments.

(d) Techniques for assessing students' reading and writing levels in content areas, making appropriate referrals, and, if necessary, prescribing appropriate remedial action.

(3) **Student testing, assessment, and evaluation.** Topics to be included consist of the following:

(a) Developing and using classroom formative and summative procedures including planning, developing, administering and returning, essay, true/false, matching, and multiple choice items.

(b) Observing and rating student achievement and behavior.

(c) Student marking or grading systems.

(d) Social, legal, and ethical issues in student testing.

(4) **Program assessment.** Topics to be included consist of the following:

(a) Interpreting norm and criterion referenced tests.

(b) Reliability and validity of classroom and standardized tests.

(c) Basic measurement and statistical concept.

(d) Ethnographic approaches.

(5) **Teacher evaluation and professional growth.** Topics to be included consist of the following:

(a) State evaluation laws, including contract renewal procedures.

(b) Procedures for obtaining feedback on professional effectiveness.

(c) Developing personal inservice plans for professional improvement.

[Statutory Authority: RCW 28A.410.010. 92-04-044, § 180-79-136, filed 1/31/92, effective 3/2/92. Statutory Authority: RCW 28A.70.005. 88-05-047 (Order 3-88), § 180-79-136, filed 2/17/88.]

WAC 180-79-140 General knowledge required of all candidates for administrator certificates. General knowledge of all candidates for administrator certificates include the following: *Provided*, That candidates applying for principal certification on or after August 31, 1998, shall be exempted from this section:

(1) **School organization and management.** Topics to be included consist of the following:

(a) Social systems theory, including:

(i) Formal and informal organization structure and communications.

(ii) Rational and organic models of organization.

(b) Organizational behavior, including:

(i) Bureaucratization.

(ii) Individual and institutional behavior.

(iii) Power, authority, and delegation.

(c) Management behavior, including:

(i) Management systems, including planning by objectives—i.e., goal setting, implementation, and evaluation.

(ii) Administrative style, including leadership models, decision making, motivation and change strategies, and conflict resolution.

(2) **Program administration.** Topics to be included consist of the following:

(a) Personnel management, including:

(i) Recruitment and selection, including affirmative action, nondiscrimination, and interviews.

(ii) Employment, including job descriptions, salary surveys, comparable worth, collective bargaining, grievances, arbitration, wages and equal pay laws, entitlements, assignments, and working conditions.

(iii) Supervision, including managerial responsibilities, formative observation, summative evaluation, performance standards, discipline, nonrenewal, and discharge.

(b) Fiscal management, including:

(i) Budgeting procedures for public schools.

(ii) Accounting procedures for public schools.

(iii) Auditing procedures, both internal and external, for public schools.

(c) Community relations, including contact with media, community groups, advisory committees, and business and labor organizations.

(d) Curriculum development and evaluation, including:

(i) Theories and models for curriculum development in basic skills programs.

(ii) Remedial programs.

(iii) Articulation and sequencing between grade level and courses.

(iv) Interrelationship of specialized curriculum and courses—i.e., special education, gifted, chapter I, and vocational education.

(3) **Washington state school law.** Topics included consist of the following:

(a) Provisions of the Washington state Constitution affecting the operation of public schools, including:

(i) Sectarian control of public schools.

(ii) Gift of public funds.

(iii) School finance.

(iv) School organization.

(v) Sex equity.

(b) Provisions of Washington state law, including applicable rules and regulations, affecting the operation of public schools, including:

(i) Basic education and categorical funding of education programs.

(ii) Special levies, operational and capital.

(iii) Intergovernmental agreements, interdistrict cooperation and contracts, and student transfer law.

(iv) Qualifications, elections, and recall of board members.

(v) Public disclosure, campaign reporting, conflict of interest, and open meeting laws.

(vi) Equity and nondiscrimination.

(vii) Education of the handicapped.

(viii) Student conduct, discipline, rights, and responsibilities.

(ix) Health and safety, including communicable disease, child abuse, and corporal punishment.

(x) Certification laws, issuance, assignment, endorsements, and revocation.

(xi) Recruitment, nonrenewal, and discharge of certificated employees.

(xii) Collective bargaining laws, certificated and classified.

[Statutory Authority: RCW 28A.410.010. 94-24-041, § 180-79-140, filed 12/2/94, effective 1/2/95. Statutory Authority: RCW 28A.70.005. 88-05-047 (Order 3-88), § 180-79-140, filed 2/17/88.]

WAC 180-79-230 Limited certificates. Notwithstanding other requirements prescribed in this chapter for eligibility for certification in the state of Washington, the following certificates shall be issued under specific circumstances set forth below for limited service:

(1) Conditional certificate.

(a) Such certificates are issued upon application by the local school district or educational service district superintendent to persons:

(i) Who meet the age, good moral character, and personal fitness requirements of WAC 180-75-085 (1) and (2); and

(ii) Who are highly qualified and experienced in subject matter to be taught in the common or nonpublic schools; or

(iii) Who qualify to instruct in the traffic safety program as paraprofessionals pursuant to WAC 392-153-020 (2) and (3); or

(iv) Who are assigned instructional responsibility for intramural/interscholastic activities which are part of the district approved program; or

(v) Who possess a state of Washington license for a registered nurse: *Provided*, That the district will be responsible for orienting and preparing individuals for their assignment as described in (c)(ii) of this subsection; or

(vi) Who have completed a baccalaureate degree level school speech pathologist or audiologist certification prepara-

tion program, who were eligible for certification at the time of program completion and who have served in the role for three of the last seven years.

(b) The educational service district or local district superintendent will verify that the following criteria have been met when requesting the conditional certificate:

(i) No person with regular certification in the field is available as verified by the district or educational service district superintendent;

(ii) The district or educational service district superintendent will indicate the basis on which he/she has determined that the individual is competent for the assignment;

(iii) The individual is being certificated for a limited assignment and responsibility in a specified activity/field.

(c) When requesting the conditional certificate for persons who are highly qualified and experienced in fields of knowledge to be taught in the common or nonpublic schools, the educational service district superintendent or local district superintendent will verify that the following additional criteria will be met:

(i) 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;

(ii) 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 service 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;

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

(d) 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 upon completion of sixty clock hours (six quarter hours or four semester hours) of course work since the issuance of the most recent certificate as approved by the employing school district.

(2) Substitute certificate.

(a) The substitute certificate entitles the holder to act as substitute during the absence of the regularly certificated staff member for a period not to exceed thirty consecutive school days during the school year in any one assignment. This certificate may be issued to:

(i) Teachers, educational staff associates or administrators whose state of Washington certificates have expired, or

(ii) Persons who have completed state approved preparation programs at regionally accredited colleges and universities for certificates.

(b) The substitute certificate is valid for life:

(c) *Provided*, That if the district has exhausted or reasonably anticipates it will exhaust its list of qualified substitutes who are willing to serve as substitutes, the superintendent of public instruction may issue emergency substitute certificates to persons not fully qualified under this

subsection for use in a particular school district once the list of otherwise qualified substitutes has been exhausted. Such emergency substitute certificates shall be valid for three years.

(3) Emergency certification.

(a) Emergency certification for specific positions may be issued upon the recommendation of school district and educational service district superintendents to persons who hold the appropriate degree and have substantially completed a program of preparation in accordance with Washington requirements for certification: *Provided*, That a qualified person who holds regular certification is not available or that the position is essential and circumstances warrant consideration of issuance of an emergency certificate: *Provided further*, That a candidate for emergency certification as a school counselor, school psychologist, or social worker shall be the best qualified of the candidates for the position as verified by the employing school district and shall have completed all course work for the required master's degree with the exception of the internship: *Provided further*, That a candidate for emergency certification as a school psychologist shall be enrolled in an approved school psychologist preparation program and shall be participating in the required internship.

(b) The emergency certificate is valid for one year.

(4) Nonimmigrant alien exchange teacher. Applicants for certification as a nonimmigrant alien exchange teacher must qualify pursuant to WAC 180-75-089 and be eligible to serve as a teacher in the elementary or secondary schools of the country of residence.

[Statutory Authority: RCW 28A.410.010, 28A.305.130 (1), (2) and (3). 94-24-038, § 180-79-230, filed 12/2/94, effective 1/2/95. Statutory Authority: RCW 28A.410.010. 92-04-044, § 180-79-230, filed 1/31/92, effective 3/2/92; 91-05-056, § 180-79-230, filed 2/15/91, effective 3/18/91. Statutory Authority: RCW 28A.04.120 and 28A.70.005. 90-12-075, § 180-79-230, filed 6/1/90, effective 7/2/90. Statutory Authority: RCW 28A.70.005 and 28A.04.120(3). 89-12-026 (Order 12-89), § 180-79-230, filed 5/31/89. Statutory Authority: RCW 28A.70.005. 88-05-047 (Order 3-88), § 180-79-230, filed 2/17/88; 87-09-012 (Order 4-87), § 180-79-230, filed 4/3/87; 81-12-025 (Order 7-81), § 180-79-230, filed 6/1/81. Statutory Authority: RCW 28A.04.120 (1), (2), and (3). 79-06-051 (Order 7-79), § 180-79-230, filed 5/22/79. Statutory Authority: RCW 28A.04.120, chapters 28A.70 and 28A.93 RCW. 78-06-070 (Order 6-78), § 180-79-230, filed 5/26/78.]

WAC 180-79-236 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 180-79-241 Internship certificate. In order to broaden the base of persons eligible to pursue teaching careers, the state board of education establishes a teaching internship certificate pilot project under the specific circumstances set forth below:

Internship certificate.

(1) Candidates shall be eligible for internship certificates which allow the holder full authority to serve as a part-time or full-time teacher and will be subject to the local school

district's evaluation procedures under the following conditions:

(a) Persons must possess a master's degree and have a minimum of forty-five quarter hours (thirty semester hours) in an endorsement area or in a directly related area of study; or a bachelor's degree with a minimum of forty-five quarter hours (thirty semester hours) in an endorsement area or in a directly related area of study and at least five years of relevant work experience, subsequent to the bachelor's degree, as determined by the college or university;

(b) Candidates must be admitted to an approved Washington state college or university teacher education program, and hold a contract for employment as a teacher in a participating school district or be given written notice of other program or placement options if the candidate does not hold a contract. Candidates would be eligible for the internship certificate only upon completion of the college or university course work, as specified in subsection (2)(d) of this section, and employment in a participating school district;

(c) Notwithstanding the provisions above or other provisions in this section, in order to conduct a field test of an alternative model for the internship certificate, Teach for America resident teachers participating in a professional teaching residency shall be eligible for internship certificates for the two years of their residency program if they are employed by the Seattle School District.

The internship certificate shall be issued for up to two years. The internship certificates shall be endorsed on the basis of the academic requirements in WAC 180-79-086. If a resident teacher does not continue in the program for the full two years, the certificate shall become invalid when the resident teacher leaves the program.

Prior to teaching under the internship certificate the resident teacher shall have studied issues of abuse, child or adolescent psychology, classroom management, methods of instruction in the appropriate endorsement area, the legal responsibilities of the professional educator, reading in the content area, and the safety and supervision of children.

If a resident teacher has not completed such study in the summer training program the Seattle School District shall be responsible for assuring that each resident teacher has completed the required study prior to teaching. The resident teacher shall continue study throughout the two years in appropriate workshops or courses as determined by the Seattle School District and Teach for America.

The resident teacher shall receive on-site assistance throughout the two years.

The assessment of the Professional Teaching Residency field test will focus specifically on the effective recruitment of outstanding individuals (especially minority candidates), the performance-based assessment process, and the teaching effectiveness demonstrated by the resident teachers who complete the program.

At the completion of their two-year internships, resident teachers shall be eligible for the initial certificate upon recommendation by the Seattle School District and by a review board of experienced educators. The authorization for the Teach for America field test extends from the 1994-95 school year through the 1998-99 school year.

An advisory board shall be established by Teach for America and the Seattle School District to assure the active

involvement of interested persons, including teachers, principals, representatives of higher education, administrators, and parents in the ongoing review of the professional teaching residency program in order:

- (i) To assure that the program is consistent with Seattle School District goals and priorities; and
- (ii) To provide ongoing feedback to Teach for America and the Seattle School District.

An evaluation of the program shall be completed prior to the close of the first school year by a professional education advisory committee subcommittee, which shall include a site visit to the Seattle School District and the collection of data from the resident teachers and other parties, including, but not limited to, relevant students, teachers, principals, administrators, and parents. Findings from the evaluations shall be reviewed by the professional education advisory committee. Recommendations for continuation, revisions, or discontinuation of the professional teaching residency program shall be submitted by the professional education advisory committee to the state board of education. On the basis of the evaluation, the state board of education may rescind the authorization for any additional recruitment of resident teachers prior to the beginning of the next school year.

Prior to September 1, 1998, the professional education advisory committee shall review the evaluations of the teaching residency program and make recommendations to the state board on its future status.

(2) The college or university approved internship program shall be designed as follows:

(a) Students shall proceed through the program as a cohort group;

(b) The program shall be a minimum of forty-five quarter hours (thirty semester hours) of upper division and/or graduate study and must meet the state board of education standards for approved programs;

(c) The program shall provide the intern a minimum of fifteen quarter hours (ten semester hours) of study prior to the beginning of the school year, five quarter hours (three semester hours) for each quarter/semester of the school year and fifteen quarter hours (ten semester hours) in the summer following the first year of teaching;

(d) Prior to beginning teaching, the candidate must complete a minimum of fifteen quarter hours (ten semester hours) of course work in pedagogy including but not limited to: Child or adolescent psychology, classroom management, methods instruction in the appropriate endorsement area, the legal responsibilities of the professional educator, reading in a content area, and the safety and supervision of children (the course work must include forty hours of observation of school students in learning situations);

(e) During each quarter/semester the interns shall participate in a college/university three hour seminar weekly in order to provide the interns with peer interaction and assistance on issues associated with their teaching experiences;

(f) The college/university shall assign a college supervisor to work with each intern;

(g) The school district shall assign a staff member to serve as a mentor (who shall be selected using the criteria established for the teacher assistance program) for each intern;

(h) The school district and the college/university shall specify in detail the resources they will provide and the procedures they will follow to assure that the intern is qualified to assume full-time responsibility when placed in the classroom as a teacher.

(i) The year of internship teaching shall be deemed comparable to the state board of education student teaching requirement, provided, the college/university evaluates the intern's teaching as satisfactory. The local school district evaluation of the intern shall be shared with the college/university in making its decision;

(j) The internship certificate shall be issued for one year and may be renewed only once for one additional year to persons who for good cause were unable to complete the program upon recommendation by the college or university where the person is enrolled in the teacher education program.

(3) At least one college/university and one school district that meet the following criteria shall be approved by the state board of education to conduct this pilot program:

(a) Colleges and universities and school districts wishing to participate in this program must submit joint proposals to the state board of education for its consideration, provided, one college/university may have joint agreements with more than one school district and may include within such agreements a cooperative arrangement with an educational service district.

(b) Colleges/universities and school districts shall submit a detailed description of the program based on the requirements in subsection (2) of this section, provided, the state board of education will consider modifications to the requirements if the proposal indicates how the intent of the program can be met in a different curricular design.

(4) The internship teaching program shall be reviewed annually by the respective professional education advisory board and evaluated by the professional education advisory committee during its third year of operation. After receiving the recommendation from the professional education advisory committee, the state board of education shall determine whether or not or under what circumstances the pilot project shall be continued.

(5) The pilot project shall terminate on August 31, 1995, with the exception of the field test described in subsection (1)(c) of this section unless the state board of education extends or revises the existing program.

[Statutory Authority: RCW 28A.410.010, 94-13-021, § 180-79-241, filed 6/3/94, effective 7/4/94; 92-15-037, § 180-79-241, filed 7/9/92, effective 8/9/92; 91-05-056, § 180-79-241, 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 180-79-300 Subject area endorsement recommendations by colleges and universities. Applicants for subject area endorsements may apply directly to a Washington college or university with an approved preparation program in the particular subject area. Only applicants who have provided sufficient evidence of completion of the required course work and the essential areas of study for the particular subject area endorsement or who have passed written examinations pursuant to WAC 180-79-303 shall be recommended, by the college or university, to the superintendent of public instruction for an endorsement in such subject area: *Provided*, That nothing within this chapter precludes a college or university from adopting additional requirements as conditions for recommendation, by such college or university, to the superintendent of public instruction for a particular subject area endorsement.

[Statutory Authority: RCW 28A.70.005 and 28A.04.120(3). 89-01-042 (Order 27-88), § 180-79-300, filed 12/14/88. Statutory Authority: RCW 28A.70.005. 87-09-012 (Order 4-87), § 180-79-300, filed 4/3/87.]

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.]

WAC 180-79-305 Subject area endorsements through SPI. Applicants for subject area endorsements may apply directly to the superintendent of public instruction for a particular subject area endorsement. The application for a particular subject area endorsement shall include the following:

(1) A list of the essential areas of study for a particular subject area endorsement.

(2) Space for the applicant to document the college or university credit hours and/or approved in-service education programs which meet the credit hour requirements in the essential area of study.

(3) Space for the applicant to list all college or university credit hours and approved in-service education programs which are applicable to the minimum credit hour requirements and to indicate which type of evidence—i.e., college transcripts, in-service records, or other reliable documentation—will be forwarded to the superintendent of public instruction.

(4) An affidavit to be signed by the applicant that the information submitted is accurate.

[Statutory Authority: RCW 28A.70.005 and 28A.04.120(3). 89-01-042 (Order 27-88), § 180-79-305, filed 12/14/88. Statutory Authority: RCW 28A.70.005. 87-09-012 (Order 4-87), § 180-79-305, filed 4/3/87.]

WAC 180-79-311 Specialty areas of study. (1) Specialty areas of study in middle grades, gifted, and at-risk students shall be recognized by the state board of education on the basis of the following:

(a) Completion of twelve quarter hours (eight semester hours) of academic study from a regionally accredited college or university directly addressing knowledge and skills relevant to the respective specialty area as recommended by the respective college/university PEAB; and

(b) Recommendation of the individual by the college/university that has offered the specialty area of study.

(2) Specialty areas of study are not endorsements and shall have no bearing on assignment policies as outlined in chapter 180-18 WAC.

(3) The recognition of specialty areas of study shall in no way impact the requirements for obtaining or maintaining an initial or continuing certificate.

(4) The recognition of specialty areas of study shall be reviewed by PEAC with recommendations to the state board of education by June 30, 1995.

[Statutory Authority: RCW 28A.410.010. 92-04-044, § 180-79-311, filed 1/31/92, effective 3/2/92.]

WAC 180-79-312 Award of college or university credit hours for experience. College and/or university credit hours awarded by accredited institutions of higher education for knowledge acquired in occupational or other experiences shall be recognized as meeting the minimum course work credit hours and/or the essential areas of study for a particular subject area endorsement if the college or university notes on its issued transcript that credit hours have been awarded for specific courses offered by such college or university.

[Statutory Authority: RCW 28A.70.005. 87-09-012 (Order 4-87), § 180-79-312, filed 4/3/87.]

WAC 180-79-315 In-service in lieu of college and university credit hours. The following shall govern the substitution of approved in-service education—i.e., sponsored by an approved in-service education provider pursuant to chapter 180-85 WAC—toward the minimum course work credit hours for a particular subject area endorsement and/or for meeting an essential area of study:

(1) The in-service education program must be offered by an in-service education agency approved pursuant to chapter 180-85 WAC.

(2) The in-service education program must be specifically designed by the in-service education agency to serve as a substitute for course work in the specified subject area or areas and/or as meeting a designated essential area of study. The criterion for determining whether the in-service education program is specifically designed for such purpose is whether the in-service program's content is recognized as equivalent in content to what is generally recognized as the content of an equivalent course in an accredited college or university.

(3) The length of the in-service education program is at least ten continuing education hours.

(4) The in-service education agency must hold the recipient accountable for successful completion of the in-service education program through evaluation by an examination or some other work product provided by the recipient.

(5) The in-service education agency must provide the recipient with a letter, certificate, or other written document which indicates the following:

(a) The in-service education agency has been approved by the state board of education.

(b) The subject area or areas and/or the designated essential area of study for which the in-service education program was specifically designed to meet.

(c) The number of continuing education hours awarded.

(d) A statement that the recipient received a passing mark on an examination or some other work product which was evaluated by the in-service education agency.

(6) The in-service education agency must provide the superintendent of public instruction with the following fourteen calendar days prior to commencement of the in-service program:

(a) The dates and location of places where the in-service program will be offered.

(b) The names and qualification of the instructor or instructors who will be assisting in the in-service program.

(c) An outline of the topics to be covered within each in-service session.

(d) A description of the examination or work product which will be used to evaluate the participants.

(e) An invitation for a representative of the superintendent of public instruction and representative of the professional education advisory committee to attend and observe the in-service program.

(7) Upon completion of an in-service education program, the in-service education agency must provide the superintendent of public instruction the following:

(a) A copy of all program materials distributed to participants.

(b) A copy of the evaluation instrument and the results therefrom.

(8) *Provided*, That no more than one-third of the minimum course work credit hours required for a subject area endorsement may be met through in-service based on ten hours of approved in-service education for one-quarter hour of credit.

[Statutory Authority: RCW 28A.70.005 and 28A.04.120(3). 89-01-042 (Order 27-88), § 180-79-315, filed 12/14/88. Statutory Authority: RCW 28A.70.005. 87-09-012 (Order 4-87), § 180-79-315, filed 4/3/87.]

WAC 180-79-317 Evaluation of in-service in lieu of college and university credit hours by PEAC. The professional education advisory committee shall review materials submitted to the superintendent of public instruction pursuant to WAC 180-79-315, conduct an evaluation of such in-service programs, and report to the superintendent of public instruction and the state board of education its recommendation regarding the continuation of such program and/or the advisability of removing or modifying the limitation on number of in-service credit hours that may be applied to an endorsement. Such report shall be presented by January, 1992.

[Statutory Authority: RCW 28A.70.005 and 28A.04.120(3). 89-01-042 (Order 27-88), § 180-79-317, filed 12/14/88. Statutory Authority: RCW 28A.70.005. 87-09-012 (Order 4-87), § 180-79-317, filed 4/3/87.]

WAC 180-79-320 Agriculture—Subject area endorsement. In order to receive an endorsement in agriculture, the candidate shall have completed the minimum course work credit hours in the subject area of agriculture—

e.g., agriculture, agronomy, and animal science—including, but not limited to, credit hours in each of the following essential areas of study:

- (1) Plant science, agronomy, or horticulture.
- (2) Soil science.
- (3) Animal science or animal husbandry.
- (4) Agriculture mechanics.
- (5) Agriculture economics.

[Statutory Authority: RCW 28A.70.005. 87-09-012 (Order 4-87), § 180-79-320, filed 4/3/87.]

WAC 180-79-322 Anthropology—Subject area endorsement. In order to receive an endorsement in anthropology, the candidate shall have completed the minimum course work credit hours in the subject area of anthropology, including, but not limited to, credit hours in each of the following essential areas of study:

- (1) Cultural anthropology.
- (2) Physical anthropology.
- (3) Archeology.

[Statutory Authority: RCW 28A.70.005. 87-09-012 (Order 4-87), § 180-79-322, filed 4/3/87.]

WAC 180-79-324 Art—Subject area endorsement. In order to receive an endorsement in art, the candidate shall have completed the minimum course work credit hours in the subject area of art, including, but not limited to, credit hours in each of the following essential areas of study:

- (1) Art history or criticism.
- (2) Aesthetics or philosophy of art.
- (3) Drawing.
- (4) Painting.
- (5) Sculpture.
- (6) Instructional methods in art.

[Statutory Authority: RCW 28A.70.005. 87-09-012 (Order 4-87), § 180-79-324, filed 4/3/87.]

WAC 180-79-326 Bilingual education—Subject area endorsement. In order to receive an endorsement in bilingual education, the candidate shall have completed the minimum course work credit hours in the subject area of bilingual education, which shall include, but not be limited to, one-half or more of the minimum course work credit hours for an endorsement in a designated foreign language and credit hours in each of the following essential areas of study:

- (1) Linguistics.
- (2) Instructional methods in English as a second language.
- (3) History and/or theories of bilingual education.
- (4) Instructional methods in bilingual education.

[Statutory Authority: RCW 28A.70.005. 87-09-012 (Order 4-87), § 180-79-326, filed 4/3/87.]

WAC 180-79-328 Biology—Subject area endorsement. In order to receive an endorsement in biology, the candidate shall have completed the minimum course work credit hours in the subject area of biology, including, but not limited to, credit hours in each of the following essential areas of study:

- (1) Genetics.
- (2) Ecology or evolution theory.
- (3) Botany, including laboratory experience therein.
- (4) Zoology, including laboratory experience therein.
- (5) Laboratory management and safety.
- (6) Science technology and society or bioethics.

[Statutory Authority: RCW 28A.70.005. 87-09-012 (Order 4-87), § 180-79-328, filed 4/3/87.]

WAC 180-79-330 Business education—Subject area endorsement. In order to receive an endorsement in business education, the candidate shall have completed the minimum course work credit hours in the subject area of business education—e.g., business administration, business education, and accounting—including, but not limited to, credit hours in each of the following essential areas of study:

- (1) Business organization or management.
- (2) Office procedures or applications.
- (3) Information processing, word processing, or machine transcription.
- (4) Microcomputer application.
- (5) Instructional methods in keyboarding.
- (6) Instructional methods in accounting.

[Statutory Authority: RCW 28A.70.005. 87-09-012 (Order 4-87), § 180-79-330, filed 4/3/87.]

WAC 180-79-332 Chemistry—Subject area endorsement. In order to receive an endorsement in chemistry, the candidate shall have completed the minimum course work credit hours in the subject area of chemistry, including, but not limited to, credit hours in each of the following essential areas of study:

- (1) Organic chemistry, including laboratory experience therein.
- (2) Inorganic chemistry, including laboratory experience therein.
- (3) Analytic chemistry, including laboratory experience therein.
- (4) Physical chemistry.
- (5) Laboratory management and safety.

[Statutory Authority: RCW 28A.70.005. 87-09-012 (Order 4-87), § 180-79-332, filed 4/3/87.]

WAC 180-79-333 Comparative religion—Subject area endorsement. In order to receive an endorsement in comparative religion, the candidate shall have completed the minimum course work credit hours in the subject area of comparative religion, including but not limited to, credit hours in each of the essential areas of, history and/or development of comparative religious thought, and issues and trends in modern religions, plus two other essential areas of study:

- (1) History and/or development of comparative religious thought.
- (2) Issues and trends in modern religions.
- (3) Ethics.
- (4) Aesthetics.
- (5) Epistemology.
- (6) Metaphysics.
- (7) Logic.
- (8) History of philosophy.

[Statutory Authority: RCW 28A.410.010. 92-04-044, § 180-79-333, filed 1/31/92, effective 3/2/92.]

WAC 180-79-334 Computer science—Subject area endorsement. In order to receive an endorsement in computer science, the candidate shall have completed the minimum course work credit hours in the subject area of computer science, including, but not limited to, credit hours in each of the following essential areas of study:

- (1) Computers and society.
- (2) Computer software.
- (3) Data structures.
- (4) Assembly language.
- (5) Structured programming in BASIC or Logo.
- (6) Structured programming in one of the high level

languages: LISP, C, Pascal, PROLOG, FORTRAN, PL 1, Smalltalk, COBOL, Modula-2, FORTH, RPG.

[Statutory Authority: RCW 28A.70.005. 87-09-012 (Order 4-87), § 180-79-334, filed 4/3/87.]

WAC 180-79-336 Designated foreign language—Subject area endorsement. In order to receive an endorsement in a designated foreign language, the candidate shall have completed the minimum course work credit hours in the subject area of the designated foreign language, including, but not limited to, credit hours in each of the following essential areas of study:

- (1) Writing/composition in the designated foreign language.
- (2) Conversation in the designated foreign language.
- (3) Reading in the designated foreign language.
- (4) History and culture of the designated foreign language.

[Statutory Authority: RCW 28A.70.005. 87-09-012 (Order 4-87), § 180-79-336, filed 4/3/87.]

WAC 180-79-338 Drama—Subject area endorsement. In order to receive an endorsement in drama, the candidate shall have completed the minimum course work credit hours in the subject area of drama, including, but not limited to, credit hours in each of the following essential areas of study:

- (1) Acting skills.
- (2) Theater production.
- (3) Theater history or history of drama.
- (4) Creative drama.
- (5) Theater directing.

[Statutory Authority: RCW 28A.70.005. 87-09-012 (Order 4-87), § 180-79-338, filed 4/3/87.]

WAC 180-79-340 Early childhood education, regular—Subject area endorsement. In order to receive an endorsement in early childhood education, regular, the candidate shall have completed the minimum course work credit hours in the subject area of early childhood education—e.g., preschool, early childhood, and elementary education, including, but not limited to, credit hours in each of the following essential areas of study:

- (1) All essential areas of study for an endorsement in elementary education.
- (2) Issues and trends in early childhood education.

(3) Instructional methods in early childhood or pre-school education.

[Statutory Authority: RCW 28A.70.005. 87-09-012 (Order 4-87), § 180-79-340, filed 4/3/87.]

WAC 180-79-342 Early childhood education, special education—Subject area endorsement. In order to receive an endorsement in early childhood education, special education, the candidate shall have completed the minimum course work credit hours in the subject area of special education and early childhood education, the credit hours in each of the essential areas of study for an endorsement in the subject area of special education, and credit hours in each of the following essential areas of study:

- (1) Issues and trends in early childhood education.
- (2) Instructional methods in early childhood education.

[Statutory Authority: RCW 28A.70.005. 87-09-012 (Order 4-87), § 180-79-342, filed 4/3/87.]

WAC 180-79-344 Earth science—Subject area endorsement. In order to receive an endorsement in earth science, the candidate shall have completed the minimum course work credit hours in the subject area of earth science—e.g., geology, mineralogy, oceanography, astronomy, and meteorology—including, but not limited to, credit hours in each of the following essential areas of study:

- (1) Physical geology.
- (2) Historical geology.
- (3) Environmental geology.
- (4) Oceanography.
- (5) Astronomy.
- (6) Meteorology.

[Statutory Authority: RCW 28A.70.005. 87-09-012 (Order 4-87), § 180-79-344, filed 4/3/87.]

WAC 180-79-346 Economics—Subject area endorsement. In order to receive an endorsement in economics, the candidate shall have completed the minimum course work credit hours in the subject area of economics, including, but not limited to, credit hours in each of the following essential areas of study:

- (1) Macroeconomics.
- (2) Microeconomics.
- (3) History and/or development of economic thought.

[Statutory Authority: RCW 28A.70.005. 87-09-012 (Order 4-87), § 180-79-346, filed 4/3/87.]

WAC 180-79-348 Elementary education—Subject area endorsement. In order to receive an endorsement in elementary education, the candidate shall have completed the minimum course work credit hours in the subject area of elementary education, including, but not limited to, credit hours in each of the following essential areas of study:

- (1) Child growth and development.
- (2) Classroom organization and management.
- (3) Instructional methods in reading.
- (4) Instructional methods in mathematics.
- (5) Instructional methods in language arts.
- (6) Instructional methods in science.
- (7) Instructional methods in social studies.

- (8) Instructional methods in art.
- (9) Instructional methods in music.
- (10) Instructional methods in physical education.
- (11) Instructional methods in health education.

[Statutory Authority: RCW 28A.70.005. 87-09-012 (Order 4-87), § 180-79-348, filed 4/3/87.]

WAC 180-79-350 English—Subject area endorsement. In order to receive an endorsement in English, the candidate shall have completed the minimum course work credit hours in the subject area of English, including, but not limited to, credit hours in each of the following essential areas of study:

- (1) American literature.
- (2) English literature.
- (3) Comparative literature.
- (4) Linguistics or structure of language.
- (5) Writing/composition.

[Statutory Authority: RCW 28A.70.005. 87-09-012 (Order 4-87), § 180-79-350, filed 4/3/87.]

WAC 180-79-352 English as a second language—Subject area endorsement. In order to receive an endorsement in English as a second language, the candidate shall have completed the minimum course work credit hours in the subject area of English as a second language—e.g., English, elementary education, and English as a second language—including, but not limited to, credit hours in each of the following essential areas of study:

- (1) Structure of language or language acquisition.
- (2) Culture and learning for the ESL student.
- (3) Instructional methods in language arts for the ESL student.
- (4) Instructional methods in reading for the ESL student.
- (5) Instructional methods in English as a second language.

[Statutory Authority: RCW 28A.70.005. 87-09-012 (Order 4-87), § 180-79-352, filed 4/3/87.]

WAC 180-79-354 English/language arts—Broad subject area endorsement. In order to receive an endorsement in English/language arts, the candidate shall have completed the minimum course work credit hours in the specialized subject areas of English/language arts, the credit hours in each of the essential areas of study for an English subject area endorsement, and credit hours selected from the essential areas of study in each of the specialized English/language arts subject areas of:

- (1) Drama.
- (2) Speech.
- (3) Journalism.

[Statutory Authority: RCW 28A.70.005. 87-09-012 (Order 4-87), § 180-79-354, filed 4/3/87.]

WAC 180-79-356 Geography—Subject area endorsement. In order to receive an endorsement in geography, the candidate shall have completed the minimum course work credit hours in the subject area of geography, including, but not limited to, credit hours in each of the following essential areas of study:

- (1) Physical geography.
- (2) Human or cultural geography.
- (3) Economic geography.
- (4) North American or other regional geography.
- (5) Map reading and analysis.

[Statutory Authority: RCW 28A.70.005. 87-09-012 (Order 4-87), § 180-79-356, filed 4/3/87.]

WAC 180-79-358 Health—Subject area endorsement. In order to receive an endorsement in health, the candidate shall have completed the minimum course work credit hours in the subject area of health, including, but not limited to, credit hours in each of the following essential areas of study:

- (1) Substance use and abuse.
- (2) Wellness and illness.
- (3) Nutrition.
- (4) Human physiology.
- (5) Safety education.

[Statutory Authority: RCW 28A.70.005. 87-09-012 (Order 4-87), § 180-79-358, filed 4/3/87.]

WAC 180-79-360 History—Subject area endorsement. In order to receive an endorsement in history, the candidate shall have completed the minimum course work credit hours in the subject area of history, including, but not limited to, credit hours in each of the following essential areas of study:

- (1) Washington state or Pacific Northwest history and government.
- (2) United States history.
- (3) World, Western, or Pacific Rim history or civilizations.

[Statutory Authority: RCW 28A.70.005. 87-09-012 (Order 4-87), § 180-79-360, filed 4/3/87.]

WAC 180-79-362 Home and family life education (formerly home economics)—Subject area endorsement. In order to receive an endorsement in home and family life education, the candidate shall have completed the minimum course work credit hours in the subject area of home and family life education, including, but not limited to, credit hours in each of the following essential areas of study:

- (1) Family relations.
- (2) Child growth and development.
- (3) Nutrition.
- (4) Consumer education or resource management.

[Statutory Authority: RCW 28A.04.120 and 28A.70.005. 90-12-075, § 180-79-362, filed 6/1/90, effective 7/2/90. Statutory Authority: RCW 28A.70.005. 87-09-012 (Order 4-87), § 180-79-362, filed 4/3/87.]

WAC 180-79-364 Technology education (formerly industrial arts)—Subject area endorsement. In order to receive an endorsement in technology education, the candidate shall have completed the minimum course work credit hours in the subject area of technology education, including, but not limited to, credit hours in each of the following essential areas of study:

- (1) Industrial safety.
- (2) Technology education.
- (3) Industrial arts program management.

(4) Manufacturing, construction, communications, or transportation.

[Statutory Authority: RCW 28A.04.120 and 28A.70.005. 90-12-075, § 180-79-364, filed 6/1/90, effective 7/2/90. Statutory Authority: RCW 28A.70.005. 87-09-012 (Order 4-87), § 180-79-364, filed 4/3/87.]

WAC 180-79-366 Marketing education—Subject area endorsement. In order to receive an endorsement in marketing education, the candidate shall have completed the minimum course work credit hours in the subject area of marketing education—e.g., business administration, business or marketing education, and economics—including, but not limited to, credit hours in each of the following essential areas of study:

- (1) Selling.
- (2) Economics.
- (3) Retail management.

[Statutory Authority: RCW 28A.70.005. 87-09-012 (Order 4-87), § 180-79-366, filed 4/3/87.]

WAC 180-79-368 Journalism—Subject area endorsement. In order to receive an endorsement in journalism, the candidate shall have completed the minimum course work credit hours in the subject area of journalism, including, but not limited to, credit hours in each of the following essential areas of study:

- (1) News and feature writing.
- (2) Copy editing.
- (3) News production.
- (4) Copy makeup and design.
- (5) Legal rights and liabilities of the press.

[Statutory Authority: RCW 28A.70.005. 87-09-012 (Order 4-87), § 180-79-368, filed 4/3/87.]

WAC 180-79-370 Learning resources—Subject area endorsement. In order to receive an endorsement in learning resources, the candidate shall have completed the minimum course work credit hours in the subject area of learning resources, including, but not limited to, credit hours in each of the following essential areas of study:

- (1) Library/media materials selection.
- (2) Materials production.
- (3) Literature for children and young adults.
- (4) Information services.
- (5) Learning resources management.
- (6) Instructional methods in learning resources.

[Statutory Authority: RCW 28A.70.005. 87-09-012 (Order 4-87), § 180-79-370, filed 4/3/87.]

WAC 180-79-372 Mathematics—Subject area endorsement. In order to receive an endorsement in mathematics, the candidate shall have completed the minimum course work credit hours in the subject area of mathematics, including, but not limited to, credit hours in each of the following essential areas of study:

- (1) Euclidean geometry.
- (2) Non-Euclidean geometry.
- (3) Differential calculus.
- (4) Integral calculus.
- (5) Discrete mathematics.

[Statutory Authority: RCW 28A.70.005. 87-09-012 (Order 4-87), § 180-79-372, filed 4/3/87.]

WAC 180-79-374 Music—Broad subject area endorsement. In order to receive an endorsement in music, the candidate shall have completed the minimum course work credit hours in the subject area of music, the requirements for an endorsement in the specialized subject areas of choral music and instrumental music, and at least an additional six quarter (four semester) hours of credit hours of performance experience in both choral music and instrumental music.

[Statutory Authority: RCW 28A.70.005. 87-09-012 (Order 4-87), § 180-79-374, filed 4/3/87.]

WAC 180-79-376 Choral music—Subject area endorsement. In order to receive an endorsement in choral music, the candidate shall have completed the minimum course work credit in the subject area of music, including at least three quarter hours (two semester hours) of performance experience in choral music, and credit hours in each of the following essential areas of study:

- (1) Score reading.
- (2) Music theory.
- (3) Music history and/or culture.
- (4) Conducting.
- (5) Instructional methods in choral music.
- (6) Instructional methods in general music.

[Statutory Authority: RCW 28A.70.005. 87-09-012 (Order 4-87), § 180-79-376, filed 4/3/87.]

WAC 180-79-378 Instrumental music—Subject area endorsement. In order to receive an endorsement in instrumental music, the candidate shall have completed the minimum course work credit hours in the subject area of music, including at least three quarter hours (two semester hours) of performance experience in instrumental music, and credit hours in each of the following essential areas of study:

- (1) Score reading.
- (2) Music theory.
- (3) Music history and/or culture.
- (4) Conducting.
- (5) Instructional methods in instrumental music.
- (6) Instructional methods in general music.

[Statutory Authority: RCW 28A.70.005. 87-09-012 (Order 4-87), § 180-79-378, filed 4/3/87.]

WAC 180-79-379 Philosophy—Subject area endorsement. In order to receive an endorsement in philosophy, the candidate shall have completed the minimum course work credit hours in the subject area of philosophy, including but not limited to, credit hours in a minimum of four of the following areas of essential study:

- (1) Ethics.
- (2) Aesthetics.
- (3) Epistemology.
- (4) Metaphysics.
- (5) Logic.
- (6) History of philosophy.

[Statutory Authority: RCW 28A.410.010. 92-04-044, § 180-79-379, filed 1/31/92, effective 3/2/92.]

WAC 180-79-380 Physical education—Subject area endorsement. In order to receive an endorsement in physical education, the candidate shall have completed the minimum course work credit hours in the subject area of physical education, including, but not limited to, credit hours in each of the following essential areas of study:

- (1) Care and prevention of student injury including first aid.
- (2) Kinesiology.
- (3) Exercise physiology.
- (4) School physical education, sports, or athletic law.
- (5) Sociology and/or psychology of sports.
- (6) Instructional methods in physical education for the handicapped.
- (7) Instructional methods in physical education.

[Statutory Authority: RCW 28A.70.005. 87-09-012 (Order 4-87), § 180-79-380, filed 4/3/87.]

WAC 180-79-382 Physics—Subject area endorsement. In order to receive an endorsement in physics, the candidate shall have completed the minimum course work credit hours in the subject area of physics, including, but not limited to, credit hours in each of the following essential areas of study:

- (1) Mechanics, including laboratory experience therein.
- (2) Electricity and magnetism, including laboratory experience therein.
- (3) Light and sound, including laboratory experience therein.
- (4) Thermodynamics, modern physics, or astronomy.

[Statutory Authority: RCW 28A.70.005. 87-09-012 (Order 4-87), § 180-79-382, filed 4/3/87.]

WAC 180-79-384 Political science—Subject area endorsement. In order to receive an endorsement in political science, the candidate shall have completed the minimum course work credit hours in the subject area of political science, including, but not limited to, credit hours in each of the following essential areas of study:

- (1) American government.
- (2) International relations or studies.
- (3) Comparative government or political systems.
- (4) Political theory.

[Statutory Authority: RCW 28A.70.005. 87-09-012 (Order 4-87), § 180-79-384, filed 4/3/87.]

WAC 180-79-386 Psychology—Subject area endorsement. In order to receive an endorsement in psychology, the candidate shall have completed the minimum course work credit hours in the subject area of psychology, including, but not limited to, credit hours in each of the following essential areas of study:

- (1) Human behavior.
- (2) Learning theories.
- (3) Developmental psychology.
- (4) Interpersonal psychology.

[Statutory Authority: RCW 28A.70.005. 87-09-012 (Order 4-87), § 180-79-386, filed 4/3/87.]

WAC 180-79-388 Reading—Subject area endorsement. In order to receive an endorsement in reading, the candidate shall have completed the minimum course work credit hours in the subject area of reading, including, but not limited to, credit hours in each of the following essential areas of study:

- (1) Reading development.
- (2) Reading diagnosis and prescription.
- (3) Children and adolescent literature.
- (4) Instructional methods in reading.
- (5) Instructional methods in reading in the content areas.

[Statutory Authority: RCW 28A.70.005. 87-09-012 (Order 4-87), § 180-79-388, filed 4/3/87.]

WAC 180-79-390 Science—Broad subject area endorsement. In order to receive an endorsement in science, the candidate shall have completed the minimum course work credit hours in the specialized subject areas of science, the credit hours in each of the essential areas of study for a chemistry, physics, biology, or earth science subject area endorsement, and at least nine quarter (six semester) credit hours selected from the essential areas of study in each of the specialized science subject areas of:

- (1) Chemistry, including laboratory experience therein.
- (2) Physics, including laboratory experience therein.
- (3) Biology, including laboratory experience therein.
- (4) Earth science.

[Statutory Authority: RCW 28A.70.005. 87-09-012 (Order 4-87), § 180-79-390, filed 4/3/87.]

WAC 180-79-392 Sociology—Subject area endorsement. In order to receive an endorsement in sociology, the candidate shall have completed the minimum course work credit hours in the subject area of sociology, including, but not limited to, credit hours in each of the following essential areas of study:

- (1) Group behavior.
- (2) Social institutions.
- (3) Social process.
- (4) Theory and history of sociology.

[Statutory Authority: RCW 28A.70.005. 87-09-012 (Order 4-87), § 180-79-392, filed 4/3/87.]

WAC 180-79-394 Social studies—Broad subject area endorsement. In order to receive an endorsement in social studies, the candidate shall have completed the minimum course work credit hours in the specialized subject areas of social studies, the credit hours in each of the essential areas of study for a history subject area endorsement, credit hours in American government, and credit hours selected from the essential areas of study in each of the specialized social studies subject areas of:

- (1) Economics.
- (2) Anthropology, sociology, or psychology.
- (3) Geography.

[Statutory Authority: RCW 28A.70.005. 87-09-012 (Order 4-87), § 180-79-394, filed 4/3/87.]

WAC 180-79-396 Special education—Subject area endorsement. In order to receive an endorsement in special

education, the candidate shall have completed the minimum course work credit hours in the subject area of special education, including, but not limited to, credit hours in each of the following essential areas of study:

- (1) Exceptionality.
- (2) Alternative delivery systems and strategies for special education.
- (3) Student assessment and evaluation.
- (4) Procedural and substantive legal issues in special education.
- (5) Instructional methods in special education.

[Statutory Authority: RCW 28A.70.005 and 28A.04.120(3). 89-01-042 (Order 27-88), § 180-79-396, filed 12/14/88. Statutory Authority: RCW 28A.70.005. 87-09-012 (Order 4-87), § 180-79-396, filed 4/3/87.]

WAC 180-79-398 Speech—Subject area endorsement. In order to receive an endorsement in speech, the candidate shall have completed the minimum course work credit hours in the subject area of speech, including, but not limited to, credit hours in each of the following essential areas of study:

- (1) Public speaking.
- (2) Debate.
- (3) Group process.
- (4) Interpersonal communication.

[Statutory Authority: RCW 28A.70.005. 87-09-012 (Order 4-87), § 180-79-398, filed 4/3/87.]

Chapter 180-81 WAC

PROFESSIONAL CERTIFICATION—MASTERS IN TEACHING DEGREE

WAC

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| 180-81-015 | Application for degree approval. |
| 180-81-020 | Admission standard—Program approval requirement. |
| 180-81-025 | Certification standard—Program approval requirement. |
| 180-81-030 | Academic advising—Program approval requirement. |
| 180-81-035 | Program review—Program approval standard. |

WAC 180-81-003 Authority. The authority for this chapter is RCW 28A.04.172 which authorizes the state board of education to develop the standards for a masters in teaching degree. (Note: RCW 28A.04.172 has been decodified by section 602, chapter 33, Laws of 1990.)

[Statutory Authority: 1990 c 33. 90-17-009, § 180-81-003, filed 8/6/90, effective 9/6/90. Statutory Authority: RCW 18A.04.172 [28A.04.172]. 89-01-044 (Order 29-88), § 180-81-003, filed 12/14/88.]

WAC 180-81-005 Purpose. The purpose of this chapter is to set forth the standards for a masters in teaching degree.

[Statutory Authority: RCW 18A.04.172 [28A.04.172]. 89-01-044 (Order 29-88), § 180-81-005, filed 12/14/88.]

WAC 180-81-010 Compliance with this chapter necessary for certification. From colleges and universities within the state of Washington, only masters in teaching degrees that are approved pursuant to the provisions of this

chapter shall be recognized as masters in teaching degrees for the purpose of chapter 180-79 WAC.

[Statutory Authority: RCW 18A.04.172 [28A.04.172]. 89-01-044 (Order 29-88), § 180-81-010, filed 12/14/88.]

WAC 180-81-015 Application for degree approval. Any college or university operating an approved preparation program for teachers may apply to the state board of education for approval of its masters in teaching degree. Such approval shall be granted upon documentation that the program approval standards within this chapter are being met.

[Statutory Authority: RCW 18A.04.172 [28A.04.172]. 89-01-044 (Order 29-88), § 180-81-015, filed 12/14/88.]

WAC 180-81-020 Admission standard—Program approval requirement. The college or university shall establish admission requirements to its masters in teaching degree program. Such requirements shall be at least equal to the admission standards for the graduate school at such college or university and shall be approved by the governing board of the college or university.

[Statutory Authority: RCW 18A.04.172 [28A.04.172]. 89-01-044 (Order 29-88), § 180-81-020, filed 12/14/88.]

WAC 180-81-025 Certification standard—Program approval requirement. The masters in teaching degree shall be awarded only to candidates who have completed an approved professional preparation program for teachers in the state of Washington.

[Statutory Authority: RCW 18A.04.172 [28A.04.172]. 89-01-044 (Order 29-88), § 180-81-025, filed 12/14/88.]

WAC 180-81-030 Academic advising—Program approval requirement. The college or university shall establish a procedure to advise and counsel masters in teaching candidates which, among other matters, advises the candidate about the certification requirements within chapters 180-75, 180-77, and 180-79 WAC. Such candidate shall be advised that such requirements are not necessarily fulfilled by the awarding of a masters in teaching degree.

[Statutory Authority: RCW 18A.04.172 [28A.04.172]. 89-01-044 (Order 29-88), § 180-81-030, filed 12/14/88.]

WAC 180-81-035 Program review—Program approval standard. Prior to submission of an application for approval of its proposed masters in teaching degree program, the college or university shall submit its proposed application, for review and comment, to its professional education advisory board for the teacher preparation program.

[Statutory Authority: RCW 18A.04.172 [28A.04.172]. 89-01-044 (Order 29-88), § 180-81-035, filed 12/14/88.]

Chapter 180-85 WAC

PROFESSIONAL CERTIFICATION—CONTINUING EDUCATION REQUIREMENT

WAC

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| 180-85-105 | SPI initial notice to certificate holders of continuing education requirement. |
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| 180-85-205 | Required recordkeeping by approved in-service education agencies. |
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| 180-85-215 | Selective audit of records of in-service education agencies. |
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| 180-85-225 | Appeal to state board of education. |

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

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| 180-85-080 | College and university transcripts. [Statutory Authority: RCW 28A.70.005. 89-01-043 (Order 28-88), § 180-85-080, filed 12/14/88; 86-13-018 (Order 8-86), § 180-85-080, filed 6/10/86.] Repealed by 90-12-076, filed 6/1/90, effective 7/2/90. Statutory Authority: RCW 28A.70.005. |
| 180-85-083 | VTI course hour verification. [Statutory Authority: RCW 28A.70.005. 89-01-043 (Order 28-88), § 180-85-083, filed 12/14/88.] Repealed by 90-12-076, filed 6/1/90, effective 7/2/90. Statutory Authority: RCW 28A.70.005. |
| 180-85-202 | Prior notice to SPI of sponsorship of an in-service program. [Statutory Authority: RCW 28A.70.005. 89-01-043 (Order 28-88), § 180-85-202, filed 12/14/88; 88-01-086 (Order 16-87), § 180-85-202, filed 12/21/87.] Repealed by 90-12-076, filed 6/1/90, effective 7/2/90. Statutory Authority: RCW 28A.70.005. |

WAC 180-85-005 Authority. The authority for this chapter is RCW 28A.410.010 which authorizes the state board of education to establish, publish, and enforce rules and regulations determining eligibility for and certification of personnel employed in the common schools of this state. (Note: RCW 28A.195.010 (3)(a) requires most private school classroom teachers to hold appropriate Washington state certification with few exceptions).

[Statutory Authority: 1990 c 33. 91-04-016, § 180-85-005, filed 1/28/91, effective 2/28/91. Statutory Authority: RCW 28A.70.005. 86-13-018 (Order 8-86), § 180-85-005, filed 6/10/86.]

WAC 180-85-010 Purpose. The purpose of this chapter is to set forth policies and procedures for a program of continuing education as a condition to the validity of certain professional certificates issued by the superintendent of public instruction pursuant to rules and regulations of the state board of education.

[Statutory Authority: RCW 28A.70.005. 86-13-018 (Order 8-86), § 180-85-010, filed 6/10/86.]

WAC 180-85-015 Public policy goal. The public policy goal of this chapter is to promote, recognize, and require the continuing professional and educational development of educators who are certified to practice their professions in the elementary and secondary schools of this state.

[Statutory Authority: RCW 28A.70.005. 86-13-018 (Order 8-86), § 180-85-015, filed 6/10/86.]

WAC 180-85-020 Effective date and applicable certificates. The provisions of this chapter shall apply to the following certificates issued on or after August 31, 1987:

(1) Continuing certificates as provided in chapter 180-79 WAC.

(2) Standard certificates as provided under previous standards of the state board of education.

(3) *Provided*, That applicants who have completed all requirements for a continuing or standard certificates prior to August 31, 1987, and who apply for such certificate prior to July 1, 1988, and applicants who have completed all requirements for a continuing or standard certificate except one of the three-years experience requirement prior to August 31, 1987, and who completes such requirement and applies prior to August 31, 1988, shall be exempt from the continuing education requirements of this chapter.

[Statutory Authority: RCW 28A.70.005. 89-01-043 (Order 28-88), § 180-85-020, filed 12/14/88; 87-12-041 (Order 10-87), § 180-85-020, filed 6/1/87; 86-13-018 (Order 8-86), § 180-85-020, filed 6/10/86.]

WAC 180-85-025 Continuing education—Definition. As used in this chapter, the term "continuing education" shall mean:

(1) All college and/or university credit awarded by a regionally accredited institution of higher education, 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.]

WAC 180-85-030 Continuing education credit hour—Definition. As used in this chapter, the term "continuing education credit hour" shall mean:

(1) For each college or university semester hour credit, fifteen hours of continuing education credit hours shall be granted.

(2) For each college or university quarter hour credit, ten hours of continuing education credit hours shall be granted.

(3) For each sixty minutes of instruction in course work provided by a vocational-technical institute, one continuing education credit hour shall be granted.

(4) For each sixty minutes of approved in-service education including reasonable time for breaks and passing time, one continuing education credit hour shall be granted. In the application of this subsection, the in-service education provider shall determine what is reasonable.

(5) In the application of this section, approved in-service credit hours shall not include:

(a) Routine staff meetings—such as district, building, or area meetings within an agency, district, or building—to discuss or explain operational policies or administrative practices within the agency, district, or building;

(b) Business meetings of professional associations to discuss operational policies or practices of the association;

(c) Social hours, independent study, or actual meal time.

(6) In the application of this section, for the purpose of official records of the amount of in-service credit hours, the in-service provider or the superintendent of public instruction shall round continuing education credit hours down to the nearest half hour of credits actually completed—i.e., .50, and .00—and in no case shall an applicant receive credit for an in-service program that was less than a total of three continuing education credit hours.

[Statutory Authority: RCW 28A.70.005. 89-01-043 (Order 28-88), § 180-85-030, filed 12/14/88; 88-01-086 (Order 16-87), § 180-85-030, filed 12/21/87; 86-13-018 (Order 8-86), § 180-85-030, filed 6/10/86.]

WAC 180-85-035 Lapse date—Definition. As used in this chapter, the term "lapse date" shall mean the date upon which the professional certificate affected by this chapter will lapse if the holder fails to complete the continuing education requirement of this chapter.

[Statutory Authority: RCW 28A.70.005. 86-13-018 (Order 8-86), § 180-85-035, filed 6/10/86.]

WAC 180-85-040 Lapsed—Definition. As used in this chapter, the term "lapsed" shall mean that the certificate has expired and such certificate is no longer valid under the laws of the state of Washington.

[Statutory Authority: RCW 28A.70.005. 86-13-018 (Order 8-86), § 180-85-040, filed 6/10/86.]

WAC 180-85-045 Approved in-service education agency—Definition. As used in this chapter, the term "approved in-service education agency" shall mean an agency approved by the state board of education to provide in-service education programs and to grant continuing education credit hours to all or a selective group of educators. Such agency must demonstrate the following characteristics:

(1) The agency is one of the following entities or a department or section within such entities:

(a) A college or university referenced in WAC 180-85-025(1);

(b) An organization which for the purpose of this chapter shall mean any local, state, regional, or national

nonprofit organization which offers in-service education programs to teachers, administrators, and/or educational staff associates;

(c) A school district, an educational service district, the superintendent of public instruction, or any state or national agency; or

(d) An approved private school which for the purpose of this chapter shall mean the same as provided in WAC 180-90-112.

(2) The agency has either a committee or board of directors which provides prior approval to proposed in-service education programs on the basis that the proposed programs are designed to meet the program standards set forth in WAC 180-85-200. In the case of school districts or educational service districts the committee shall be composed of the same representatives as required by RCW 28A.415.-040—i.e., "representatives from the ranks of administrators, building principals, teachers, classified and support personnel . . . , . . . the public, and . . . institution(s) of higher education,"

[Statutory Authority: RCW 28A.410.010. 92-04-044, § 180-85-045, filed 1/31/92, effective 3/2/92. Statutory Authority: 1990 c 33. 91-04-016, § 180-85-045, filed 1/28/91, effective 2/28/91. Statutory Authority: RCW 28A.70.005. 90-12-076, § 180-85-045, filed 6/1/90, effective 7/2/90; 88-01-086 (Order 16-87), § 180-85-045, filed 12/21/87; 87-09-013 (Order 5-87), § 180-85-045, filed 4/3/87; 86-13-018 (Order 8-86), § 180-85-045, filed 6/10/86.]

WAC 180-85-075 Continuing education requirement. Each holder of a professional education certificate affected by this chapter shall be required to complete one hundred fifty credit hours of continuing education prior to his or her first lapse date and during each period between subsequent lapse dates.

[Statutory Authority: RCW 28A.70.005. 89-01-043 (Order 28-88), § 180-85-075, filed 12/14/88; 86-13-018 (Order 8-86), § 180-85-075, filed 6/10/86.]

WAC 180-85-077 Continuing education credit—ESAs. Educational staff associates may use credits or clock hours that satisfy the continuing education requirements for their professional licensure, if any, toward fulfilling the continuing education certification requirements.

[Statutory Authority: RCW 28A.410.010. 92-04-044, § 180-85-077, filed 1/31/92, effective 3/2/92.]

WAC 180-85-085 In-service education records. Holders of certificates affected by this chapter shall retain the necessary in-service records from the approved in-service provider for the purpose of any audit by the superintendent of public instruction. Such holders shall be notified on such form that the intentional misrepresentation of a material fact on such form subjects the holder to revocation of his or her certificate pursuant to chapter 180-86 WAC and that a copy of such completed form should be retained by the holder for possible disputes arising under this chapter and for other purposes that may arise, including verification of in-service hours completed for a current or prospective employer.

[Statutory Authority: RCW 28A.70.005. 90-12-076, § 180-85-085, filed 6/1/90, effective 7/2/90; 89-01-043 (Order 28-88), § 180-85-085, filed 12/14/88; 88-01-086 (Order 16-87), § 180-85-085, filed 12/21/87.]

WAC 180-85-100 Calculation of lapse dates. The lapse dates of certificates affected by this chapter shall be calculated as follows:

(1) Certificates issued prior to October 1 of a given year shall have a lapse date of August 31 of the subsequent fifth calendar year and of each fifth calendar year thereafter.

(2) Certificates issued on or after October 1 of a given year shall have a lapse date of August 31 of the subsequent sixth calendar year and of each fifth calendar year thereafter.

(3) If a holder of an affected professional certificate qualifies for a different affected professional certificate—e.g., a holder of a continuing teaching certificate who subsequently qualifies for a continuing administrative certificate—the lapse dates of the new affected professional certificate shall be the same as provided on the first affected professional certificate.

(4) If a holder of a certificate, issued prior to the effective date of the 1990 amendments to this section, has a lapse date of June 30 the certificate is hereby extended to August 31 of the same year without reissuance of the certificate.

[Statutory Authority: RCW 28A.70.005. 90-12-076, § 180-85-100, filed 6/1/90, effective 7/2/90; 86-13-018 (Order 8-86), § 180-85-100, filed 6/10/86.]

WAC 180-85-105 SPI initial notice to certificate holders of continuing education requirement. Upon issuance or reinstatement of an affected professional certificate, the superintendent of public instruction shall notify the holder of the lapse date and shall provide such holder with a written explanation of the continuing education requirements of this chapter and the holder's responsibility to keep accurate records demonstrating attendance at approved in-service education programs. In addition, the superintendent of public instruction shall provide the certificate holder with a form to be completed by the certificate holder which indicates compliance with the continuing education requirements and which includes instruction for filing the report with the superintendent of public instruction.

[Statutory Authority: RCW 28A.70.005. 90-12-076, § 180-85-105, filed 6/1/90, effective 7/2/90; 86-13-018 (Order 8-86), § 180-85-105, filed 6/10/86.]

WAC 180-85-106 Filing requirement with SPI. Each certificate holder, affected by the continuing education requirements of this chapter, shall be responsible for filing with the superintendent of public instruction, prior to the lapse date, a verification form supplied by the superintendent of public instruction, which indicates compliance with the continuing education requirements of this chapter. Such form shall:

(1) Provide space for indicating how the certificate holder met the continuing education requirement.

(2) Include an attestation by the certificate holder as to the accuracy of the information provided.

(3) State thereon that misrepresentation of any fact shall be an act of unprofessional conduct for which the holder's certificate may be revoked.

[Statutory Authority: RCW 28A.70.005. 90-12-076, § 180-85-106, filed 6/1/90, effective 7/2/90.]

WAC 180-85-107 Documentation requirement. Each certificate holder filing a report with the superintendent of public instruction shall be responsible for retaining records which document compliance with the continuing education requirements. Such documents shall include:

(1) In-service registration forms approved by the superintendent of public instruction and furnished by an approved in-service education agency.

(2) College and university grade sheets or transcripts which indicate completion of courses.

(3) Any official correspondence from an approved in-service agency which verifies completion of three or more clock hours.

[Statutory Authority: RCW 28A.70.005. 90-12-076, § 180-85-107, filed 6/1/90, effective 7/2/90.]

WAC 180-85-108 Documentation retention period. Documents indicating compliance with the continuing education requirement must be retained by the certificate holder for one year after the lapse date or until such documentation is audited by the superintendent of public instruction, whichever is earlier.

[Statutory Authority: RCW 28A.70.005. 90-12-076, § 180-85-108, filed 6/1/90, effective 7/2/90.]

WAC 180-85-109 SPI audits of documentation. Each year the superintendent of public instruction shall audit at least five percent of the continuing education compliance forms filed with the superintendent of public instruction. Such audit may consist of requesting the affected certificate holder to supply the superintendent of public instruction copies of the documents which indicate compliance and/or may consist of any other audit procedure deemed necessary by the superintendent of public instruction in order to check compliance.

[Statutory Authority: RCW 28A.70.005. 90-12-076, § 180-85-109, filed 6/1/90, effective 7/2/90.]

WAC 180-85-110 SPI subsequent notice to certificate holders of continuing education requirement. On or before February 1 of the year of the lapse date for affected certificate holders, the superintendent of public instruction shall notify by mail each affected certificate holder who has not completed a report indicating completion of the one hundred fifty continuing credit hours that his or her certificate will lapse as of August 31 of the current calendar year unless the continuing education requirement is met. In the event such notice is returned to the superintendent of public instruction for any reason, the name and certification number of each such person shall be placed upon a list which shall be circulated in the form of a bulletin by the superintendent of public instruction to each school district, approved private school, and educational service district with a request to notify such employees, if employed by such agency, of the forthcoming lapse date and to notify the superintendent of public instruction of any change in name or address.

[Statutory Authority: RCW 28A.70.005. 90-12-076, § 180-85-110, filed 6/1/90, effective 7/2/90; 86-13-018 (Order 8-86), § 180-85-110, filed 6/10/86.]

WAC 180-85-115 SPI notice of lapsed certificate.

On or before October 1 of each year, the superintendent of public instruction shall make reasonable attempts to notify each affected certificate holder whose certificate has lapsed the preceding August 31 of such status. The notice shall include procedures for reinstatement and procedures for disputing the lapsed status.

[Statutory Authority: RCW 28A.410.010. 92-04-044, § 180-85-115, filed 1/31/92, effective 3/2/92. Statutory Authority: RCW 28A.70.005. 90-12-076, § 180-85-115, filed 6/1/90, effective 7/2/90; 86-13-018 (Order 8-86), § 180-85-115, filed 6/10/86.]

WAC 180-85-120 Appeal from determination of lapsed status. Any certificate holder who contests the determination by the superintendent of public instruction that his or her certificate has lapsed shall be entitled to appeal such determination in accordance with the procedures specified in chapter 180-86 WAC. Any such appeal shall operate as a stay of lapsing until a final administrative level decision has been rendered.

[Statutory Authority: RCW 28A.70.005. 89-01-043 (Order 28-88), § 180-85-120, filed 12/14/88; 86-13-018 (Order 8-86), § 180-85-120, filed 6/10/86.]

WAC 180-85-130 Reinstatement of lapsed certificate. A holder of a lapsed certificate may reinstate such lapsed certificate by presenting evidence to the superintendent of public instruction of completing the continuing education credit hour requirement within the previous five years from the date of reinstatement application. The next lapse dates on a reinstated professional certificate shall be recalculated and shall be the same as if a new certificate under the provisions of WAC 180-85-100.

[Statutory Authority: RCW 28A.70.005. 86-13-018 (Order 8-86), § 180-85-130, filed 6/10/86.]

WAC 180-85-135 Practicing with lapsed certificate.

The written explanation of the continuing education requirements required by WAC 180-85-105 shall include the following:

(1) A lapsed certificate is no longer valid under the laws of the state of Washington.

(2) Applicants who request reinstatement of their professional certificates must give evidence of good moral character and personal fitness.

(3) Applicants for reinstatement of professional certificates shall be required to attest that they have not intentionally and knowingly practiced in a professional position for which certification is required under the rules of the state board of education after the date on which their certificates lapsed or submit a statement as to why such practice, if conducted, should not reflect on such applicant's good moral character or personal fitness at the time of application.

[Statutory Authority: RCW 28A.70.005. 86-13-018 (Order 8-86), § 180-85-135, filed 6/10/86.]

WAC 180-85-200 In-service education approval standards. In-service education programs provided by approved in-service education agencies shall meet the following program standards:

(1) The objectives of the in-service program—i.e., intended outcomes—shall be written for each in-service education program.

(2) The content of the in-service education program shall be set forth in a program agenda which shall specify the topics to be covered, the days and times of each presentation, and the names and short description of qualifications of each instructor—e.g., degrees and current professional position.

(3) All in-service education instructors shall have academic and/or professional experience which specifically qualifies them to conduct the in-service education program—e.g., a person with expertise in a particular subject, field, or occupation.

(4) Program materials, including the program agenda, prepared, designed, or selected for the in-service education program shall be available to all attendees.

(5) The in-service education program shall be evaluated by the participants to determine the success of the program, including the following:

(a) The extent to which the written objectives—i.e., subsection (1) of this section—have been met;

(b) The quality of the physical facilities in which the program was offered;

(c) The quality of the oral presentation by each instructor;

(d) The quality of the written program materials provided by each instructor; and

(e) Suggestions for improving the in-service education program if repeated.

(6) The in-service education agency shall compile the evaluations required in subsection (5) of this section in summary form.

(7) The designated administrator of each in-service education program shall assess the value and success of such program and periodically report his or her findings to the governing or advisory board which authorized the in-service program.

(8) The standards for recordkeeping as provided in WAC 180-85-205 shall apply.

(9) The in-service education agency must permit a designated representative of the superintendent of public instruction to attend the in-service education program at no charge and permit such representative to receive a copy of the program materials required by subsection (4) of this section also at no charge.

(10) The in-service education agency must provide each registrant with appropriate forms for claiming continuing education credit hours.

(11) Note: The provisions of this section and WAC 180-85-202 do not apply to credit hours awarded by a college or university or course work continuing education hours awarded by a vocational-technical institute.

[Statutory Authority: RCW 28A.70.005. 89-01-043 (Order 28-88), § 180-85-200, filed 12/14/88; 88-01-086 (Order 16-87), § 180-85-200, filed 12/21/87; 86-13-018 (Order 8-86), § 180-85-200, filed 6/10/86.]

WAC 180-85-205 Required recordkeeping by approved in-service education agencies. Each approved in-service education agency shall provide the following record service:

(1) Documentation that the in-service education program, including the program agenda, received approval by the board or committee provided in WAC 180-85-045(2) prior to offering the in-service program.

(2) A copy of the summary of evaluations required by WAC 180-85-200(5); and

(3) A copy of the minutes of the board or advisory committee which demonstrates that such board or advisory committee reviewed the assessment required by WAC 180-85-200(6).

(4) A list, for each in-service education program, of all participants who have requested continuing education credit hours by signing a registration form made available at the in-service education program. Such registration form shall provide space for the registrant to indicate he or she is requesting fewer hours than the amount calculated for the entire in-service education program due to partial attendance.

(5) The registrant shall be provided a form to be completed at the in-service education program which includes the necessary information for recording in-service credits, and upon request if such request is made within seven calendar years of such in-service education program, including the number of continuing education credit hours recorded. In addition, the registrant shall be given specific instructions regarding the need to preserve the record and how to correct the record if attendance or credit hours has been recorded by the approved in-service education agency inaccurately.

(6) The above records shall be available for inspection by the superintendent of public instruction for a period of seven calendar years from the date of each in-service education program. The amendments to this section reducing the amount of recordkeeping by in-service providers shall apply retroactively to August 31, 1987.

[Statutory Authority: RCW 28A.70.005, 90-12-076, § 180-85-205, filed 6/1/90, effective 7/2/90; 88-01-086 (Order 16-87), § 180-85-205, filed 12/21/87; 86-13-018 (Order 8-86), § 180-85-205, filed 6/10/86.]

WAC 180-85-210 Assurances of compliance with program and recordkeeping standards. Annual assurances by approved in-service education agencies shall be completed as follows:

(1) School districts shall be requested, when submitting the annual basic education compliance report, to provide an assurance that any in-service education program to be provided by such district and for which continuing education credit hours will be granted shall comply with the applicable program and recordkeeping standards within this chapter.

(2) Approved private schools shall be requested, when applying for annual approval, to provide an assurance that any in-service education program to be provided by such private school and for which continuing education credit hours will be granted shall comply with the applicable program and recordkeeping standards within this chapter.

(3) Other in-service education agencies seeking approval status shall provide on forms provided by the superintendent of public instruction, an annual assurance that any in-service education program to be provided by such agency and for which continuing education credit hours will be granted shall comply with the applicable program standards and recordkeeping within this chapter. Such forms shall contain

such other information related to the continuing education program provided by the approved in-service agency as requested by the superintendent of public instruction.

[Statutory Authority: RCW 28A.70.005, 86-13-018 (Order 8-86), § 180-85-210, filed 6/10/86.]

WAC 180-85-215 Selective audit of records of in-service education agencies. The superintendent of public instruction shall audit school district compliance with the provisions of this chapter as a part of the state staff review provided by WAC 180-16-195(2). All other approved in-service education agencies shall be audited by the superintendent of public instruction on a selective basis, which may include responses to complaints or other evidence of possible noncompliance, with the number of actual audits per year left to the discretion of the superintendent of public instruction.

[Statutory Authority: RCW 28A.70.005, 86-13-018 (Order 8-86), § 180-85-215, filed 6/10/86.]

WAC 180-85-220 Noncompliance—Substantial compliance rule. If an audit by the superintendent of public instruction finds that an approved in-service education agency is not in substantial compliance with the provisions of this chapter, the superintendent of public instruction shall document violations of the regulations—i.e., written findings of fact and conclusions of law—and notify such provider of corrective action necessary to achieve substantial compliance. If such agency fails to provide an assurance within twenty calendar days that such corrective action will be implemented, the superintendent of public instruction shall notify the agency that it is no longer eligible to provide continuing education credit hours in its in-service education program until the agency provides an assurance to the superintendent of public instruction that corrective action will be implemented which will satisfy the substantial compliance standard: *Provided*, That if the approved in-service agency has more than one department or section operating in-service programs, then only the department or section within such agency that fails to comply with the provisions of this chapter shall no longer be eligible to provide continuing education credit hours.

[Statutory Authority: RCW 28A.70.005, 87-09-013 (Order 5-87), § 180-85-220, filed 4/3/87; 86-13-018 (Order 8-86), § 180-85-220, filed 6/10/86.]

WAC 180-85-225 Appeal to state board of education. Any finding of noncompliance by the superintendent of public instruction pursuant to WAC 180-85-220 may be appealed to the state board of education for review. The filing of a notice of appeal shall cause a stay of any order by the superintendent of public instruction until the state board of education makes an independent determination on the issue of substantial compliance. If the state board of education concurs that the approved in-service education agency has failed to substantially comply with the applicable provisions of this chapter, the state board of education shall prescribe the corrective action necessary to achieve substantial compliance. Such agency or department or section within such agency, whichever is applicable, upon receipt of notice of action by the state board of education, shall be denied the authority to grant any continuing education credit

hours for any subsequent in-service education program until the agency provides an assurance to the superintendent of public instruction that corrective action prescribed by the state board of education will be implemented.

[Statutory Authority: RCW 28A.70.005. 89-01-043 (Order 28-88), § 180-85-225, filed 12/14/88; 87-09-013 (Order 5-87), § 180-85-225, filed 4/3/87; 86-13-018 (Order 8-86), § 180-85-225, filed 6/10/86.]

Chapter 180-86 WAC

PROFESSIONAL CERTIFICATION—POLICIES AND PROCEDURES FOR ADMINISTRATION OF CERTIFICATION PROCEEDINGS

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- 180-86-012 Sunset of authority to reprimand. [Statutory Authority: RCW 28A.70.005. 90-02-076, § 180-86-012, filed 1/2/90, effective 2/2/90.] Repealed by 92-01-127, filed 12/19/91, effective 1/19/92. Statutory Authority: RCW 18A.410.010 [28A.410.010] and 28A.70.005.
180-86-097 Sunset of advisory committee. [Statutory Authority: RCW 28A.70.005. 90-02-076, § 180-86-097, filed 1/2/90, effective 2/2/90.] Repealed by 92-01-127, filed 12/19/91, effective 1/19/92. Statutory Authority: RCW 18A.410.010 [28A.410.010] and 28A.70.005.
180-86-115 Investigatory files—Establishment, security, disclosure, retention, and destruction. [Statutory Authority: RCW 28A.70.005. 90-02-076, § 180-86-115, filed 1/2/90, effective 2/2/90.] Repealed by 90-20-090, filed 10/1/90, effective 11/1/90. Statutory Authority: RCW 28A.70.005.

WAC 180-86-003 Authority. The authority for this chapter is RCW 28A.70.005 which authorizes the state board of education to establish, publish, and enforce rules and regulations determining eligibility for certification of personnel employed in the common schools of this state. (Note: RCW 28A.02.201 (3)(a) requires most private school classroom teachers to hold appropriate Washington state certification with few exceptions.)

[Statutory Authority: RCW 28A.70.005. 90-02-076, § 180-86-003, filed 1/2/90, effective 2/2/90.]

WAC 180-86-005 Purpose. The purpose of this chapter is to set forth policies and procedures for the administration of standards related to certification proceedings.

[Statutory Authority: RCW 28A.70.005. 90-02-076, § 180-86-005, filed 1/2/90, effective 2/2/90.]

WAC 180-86-010 Public policy—Certification proceeding separate from other proceedings. The public policy purpose of certification proceedings is to protect the health, safety, and general welfare of the citizens of the state of Washington. These proceedings are separate from civil and criminal proceedings, nonrenewal and discharge proceedings, or proceedings of any other administrative agency.

[Statutory Authority: RCW 28A.70.005. 90-02-076, § 180-86-010, filed 1/2/90, effective 2/2/90.]

ORDERS

WAC 180-86-015 Denial of application for certification or endorsement order—Definition. As used in this chapter the term "denial of application for certification order" means an official document issued by the superintendent of public instruction which contains:

(1) Findings of fact.

(2) A conclusion of law that the applicant does not qualify for the certificate, including renewal and reinstatement, or endorsement request.

[Statutory Authority: RCW 28A.70.005. 90-02-076, § 180-86-015, filed 1/2/90, effective 2/2/90.]

WAC 180-86-020 Lapse of certificate order—

Definition. As used in this chapter, the term "lapse of certificate order" means an official document issued by the superintendent of public instruction which contains:

(1) Findings of fact.

(2) A conclusion of law stating the affected certificate(s) has lapsed.

(3) An order to not continue to practice as an education practitioner in a position for which certification is required under the laws of the state of Washington until the affected certificate(s) is reinstated.

[Statutory Authority: RCW 28A.70.005. 90-02-076, § 180-86-020, filed 1/2/90, effective 2/2/90.]

WAC 180-86-030 Reprimand order—Definition.

As used in this chapter, the term "reprimand order" means an official document issued by the superintendent of public instruction which contains:

(1) Findings of fact.

(2) One or more conclusions of law stating the commission of an act of unprofessional conduct.

(3) An order to not continue or repeat the conduct.

[Statutory Authority: RCW 28A.70.005. 90-02-076, § 180-86-030, filed 1/2/90, effective 2/2/90.]

WAC 180-86-035 Suspension order—Definition.

As used in this chapter, the term "suspension order" means an official document issued by the superintendent of public instruction which contains:

(1) Findings of fact.

(2) One or more conclusions of law stating one or more of the following:

(a) The commission of an act of unprofessional conduct.

(b) The lack of good moral character.

(c) The lack of personal fitness.

(3) An order suspending the education practitioner from practicing for a stated period of time.

(4) Such order may contain a requirement that the certificate holder fulfill certain conditions precedent to resuming professional practice and certain conditions subsequent to resuming professional practice.

[Statutory Authority: RCW 28A.70.005. 90-02-076, § 180-86-035, filed 1/2/90, effective 2/2/90.]

WAC 180-86-040 Revocation order—Definition.

As used in this chapter, the term "revocation order" means an official document issued by the superintendent of public instruction which contains:

(1) Findings of fact.

(2) One or more conclusions of law stating one or more of the following:

(a) The commission of an act of unprofessional conduct.

(b) The lack of good moral character.

(c) The lack of personal fitness.

(3) An order revoking the certificate(s) of the education practitioner.

[Statutory Authority: RCW 28A.70.005. 90-02-076, § 180-86-040, filed 1/2/90, effective 2/2/90.]

GROUPS FOR ORDERS

WAC 180-86-050 Grounds for issuance of denial of application for certification or endorsement order. The superintendent of public instruction shall issue a denial of application for certification or endorsement order if the applicant is not eligible for one or more of the following:

(1) Certification.

(2) Reissuance of a certificate.

(3) Reinstatement of a certificate.

(4) An endorsement.

[Statutory Authority: RCW 28A.70.005. 90-02-076, § 180-86-050, filed 1/2/90, effective 2/2/90.]

WAC 180-86-055 Grounds for issuance of lapse of certificate order. The superintendent of public instruction shall issue a lapse of certificate order if the certificate holder fails to fulfill the continuing education requirements of chapter 180-85 WAC.

[Statutory Authority: RCW 28A.70.005. 90-02-076, § 180-86-055, filed 1/2/90, effective 2/2/90.]

WAC 180-86-065 Grounds for issuance of a reprimand order. The superintendent of public instruction may issue a reprimand order whenever the superintendent of public instruction determines one or both of the following:

(1) That the certificate holder has committed an act of unprofessional conduct but the evidence is probably insufficient to meet the clear and convincing proof standard for suspension or revocation.

(2) That the certificate holder has committed an act of unprofessional conduct but the violation and the consequence were not serious and the interest of the state in protecting the health, safety, and general welfare of students, colleagues, and other affected persons is adequately served by a reprimand.

(3) *Provided*, That the superintendent of public instruction, in the administration of this chapter, shall place a high priority on processing complaints that allege circumstances which appear to warrant a suspension or revocation and, in order to do so, may elect not to pursue, when necessary, any and all complaints which appear to only warrant a reprimand.

[Statutory Authority: RCW 28A.70.005. 90-02-076, § 180-86-065, filed 1/2/90, effective 2/2/90.]

WAC 180-86-070 Grounds for issuance of suspension order. The superintendent of public instruction may issue a suspension order under one of the following conditions:

(1) The certificate holder has admitted the commission of an act of unprofessional conduct or lack of good moral character or personal fitness and has presented to the superintendent of public instruction an agreed order to not

serve as an education practitioner for a stated period of time and the superintendent of public instruction has agreed that the interest of the state in protecting the health, safety, and general welfare of students, colleagues, and other affected persons is adequately served by a suspension. Such order may contain a requirement that the certificate holder fulfill certain conditions precedent to resuming professional practice and certain conditions subsequent to resuming practice.

(2) The certificate holder has committed an act of unprofessional conduct or lacks good moral character but the superintendent of public instruction has determined that a suspension as applied to the particular certificate holder will probably deter subsequent unprofessional or other conduct which evidences lack of good moral character or personal fitness by such certificate holder, and believes the interest of the state in protecting the health, safety, and general welfare of students, colleagues, and other affected persons is adequately served by a suspension. Such order may contain a requirement that the certificate holder fulfill certain conditions precedent to resuming professional practice and certain conditions subsequent to resuming practice.

(3) The certificate holder lacks personal fitness but the superintendent of public instruction has determined the deficiency is correctable through remedial action and believes the interest of the state in protecting the health, safety, and general welfare of students, colleagues, and other affected persons is adequately served by a suspension which states condition precedent to resuming professional practice and which also may state certain conditions subsequent to resuming practice.

(4) *Provided*, That suspension shall never be appropriate if the certificate holder has committed a felony crime under WAC 180-75-081(1).

[Statutory Authority: RCW 28A.70.005. 90-02-076, § 180-86-070, filed 1/2/90, effective 2/2/90.]

WAC 180-86-075 Grounds for issuance of a revocation order. The superintendent of public instruction may issue a revocation order under one of the following conditions:

(1) The superintendent of public instruction has determined that the certificate holder has committed a felony crime under WAC 180-75-081(1), which bars the certificate holder from any future practice as an education practitioner.

(2) The certificate holder has not committed a felony crime under WAC 180-75-081(1) but the superintendent of public instruction has determined the certificate holder has committed an act of unprofessional conduct or lacks good moral character or personal fitness and revocation is appropriate.

[Statutory Authority: RCW 28A.70.005. 90-02-076, § 180-86-075, filed 1/2/90, effective 2/2/90.]

ADVISORY COMMITTEE

WAC 180-86-085 Admissions and professional conduct advisory committee—Creation and composition. The superintendent of public instruction shall appoint a nine-member admissions and professional conduct advisory committee. Prior to making appointments to such commit-

tee, the superintendent of public instruction shall consult with one or more officers within recognized professional associations regarding possible appointments. The advisory committee shall consist of three teachers, one of whom shall be a private school teacher, three educational staff associates, and three administrators. Advisory committee members must be practicing in such designated roles while serving on the advisory committee.

[Statutory Authority: RCW 28A.70.005. 90-02-076, § 180-86-085, filed 1/2/90, effective 2/2/90.]

WAC 180-86-090 Admissions and professional conduct advisory committee—Operational procedures. The following shall govern the operational procedures of the admissions and professional conduct advisory committee:

(1) Meetings of the advisory committee shall be open to the public except when it is considering the admission or professional conduct of a particular certificate holder unless such affected certificate holder requests the meeting to be open to the public.

(2) Each member of the advisory committee shall have one vote.

[Statutory Authority: RCW 28A.70.005. 90-02-076, § 180-86-090, filed 1/2/90, effective 2/2/90.]

WAC 180-86-095 Admissions and professional conduct advisory committee—Duties. The duties of the admissions and professional conduct advisory committee are as follows:

(1) To advise the superintendent of public instruction and the state board of education on matters related to good moral character, personal fitness, and unprofessional conduct regarding education practitioners.

(2) To review informal appeals conducted pursuant to WAC 180-86-140 and provide recommendations to the review officer on the content of the written decision.

[Statutory Authority: RCW 28A.70.005. 90-02-076, § 180-86-095, filed 1/2/90, effective 2/2/90.]

INVESTIGATIVE PROCEDURES

WAC 180-86-100 Reprimand or certificate suspension or revocation—Initiation of proceedings. The initiation of reprimand, suspension, or revocation proceedings by the superintendent of public instruction shall commence as a result of the following:

(1) Whenever the superintendent of public instruction or the designated administrative officer of the superintendent of public instruction having responsibility for certification becomes aware from whatever source that a certificate holder has had a professional license revoked or suspended by a licensing agency, has voluntarily surrendered a license or has been arrested, charged, or convicted for any felony offense included within WAC 180-75-081(1), the superintendent of public instruction or the designated administrative officer shall cause an investigation.

(2) In all other cases, the initiation of investigative proceedings shall commence only upon receipt of a written complaint from a school district or educational service district superintendent or the chief administrative officer of

an approved private school. Such written complaint shall state the grounds and summarize the factual basis upon which a determination has been made that an investigation by the superintendent of public instruction is warranted. The superintendent of public instruction shall provide the affected certificate holder with a copy of such written complaint and a copy of WAC 180-86-180.

[Statutory Authority: RCW 28A.410.010. 91-08-056, § 180-86-100, filed 4/2/91, effective 5/3/91. Statutory Authority: RCW 28A.70.005. 90-02-076, § 180-86-100, filed 1/2/90, effective 2/2/90.]

WAC 180-86-105 Duty of educational service district superintendent to investigate complaints. Each educational service district superintendent shall cause to be investigated all written and signed complaints, from whatever source, that allege that a certificated education professional within his or her educational service district is not of good moral character or personal fitness or has committed an act of unprofessional conduct. If the educational service district superintendent investigates and determines the facts are reliable and further investigation by the superintendent of public instruction is warranted, the educational service district superintendent shall forward the written complaint and the results of his or her investigation to the superintendent of public instruction: *Provided*, That if the educational service district superintendent, after consultation with the assistant attorney general assigned to his or her educational service district, determines that the substance of the complaint would not constitute grounds for reprimand, suspension, or revocation if true, then such educational service district superintendent need not investigate the complaint: *Provided further*, That if the educational service district superintendent receives a written assurance from the superintendent of public instruction, a district superintendent, or a chief administrative officer of an approved private school that such official is investigating or will investigate the same or a substantially similar complaint, the educational service district superintendent shall be deemed to have caused an investigation in compliance with this section.

[Statutory Authority: RCW 28A.70.005. 90-02-076, § 180-86-105, filed 1/2/90, effective 2/2/90.]

WAC 180-86-110 Duty of ESD superintendent, district superintendent and private school administrator to file complaints. When an educational service district superintendent, a district superintendent, or the chief administrative officer of an approved private school possesses sufficient reliable information to believe that a certificated employee within such district or approved private school is not of good moral character or personally fit or has committed an act of unprofessional conduct, such superintendent or chief administrative officer, within a reasonable period of time of making such determination, shall file a written complaint with the superintendent of public instruction: *Provided*, That if an educational service district or school district is considering action to discharge an employee of such district, the educational service district or school district superintendent need not file such complaint until ten calendar days after making the final decision to serve or not serve formal notice of discharge.

[Statutory Authority: RCW 28A.70.005. 90-02-076, § 180-86-110, filed 1/2/90, effective 2/2/90.]

ISSUANCE OF ORDERS

WAC 180-86-120 Issuance of denial order by superintendent of public instruction. Whenever the superintendent of public instruction takes action to deny an application, the superintendent of public instruction, in accordance with the provisions of this chapter, shall issue an order of denial of application for certification or endorsement to the applicant or affected certificate holder and shall provide such person a copy of applicable administrative appeal procedures provided in this chapter.

[Statutory Authority: RCW 28A.70.005. 90-02-076, § 180-86-120, filed 1/2/90, effective 2/2/90.]

WAC 180-86-130 Issuance of proposed order for lapsing, reprimand, suspension, or revocation by superintendent of public instruction. Whenever the superintendent of public instruction has decided to take action to lapse, suspend, or revoke a certificate or reprimand a certificate holder, the superintendent of public instruction, in accordance with the provisions of this chapter, shall issue a proposed order for lapsing, reprimand, suspension, or revocation to the affected certificate holder and shall provide such person a copy of applicable administrative appeal procedures provided in this chapter. If the proposed order is to lapse, suspend, or revoke a certificate and the superintendent of public instruction has knowledge that such certificate holder is employed within the common school system or by an approved private school, the superintendent of public instruction shall advise such employer that a proposed order has been sent to the employee but shall not provide such employer with a copy of the proposed order.

[Statutory Authority: RCW 28A.70.005. 90-02-076, § 180-86-130, filed 1/2/90, effective 2/2/90.]

WAC 180-86-135 Issuance of final order for lapsing, reprimand, suspension, or revocation by superintendent of public instruction. Final orders for lapsing, reprimand, suspension, and revocation shall be issued by the superintendent of public instruction as follows:

(1) If the certificate holder fails to appeal a proposed order pursuant to this chapter within thirty calendar days following the date of mailing the proposed order, the superintendent of public instruction shall issue a final order of lapsing, reprimand, suspension, or revocation.

(2) If the certificate holder appeals a proposed order pursuant to this chapter, the superintendent of public instruction shall not issue a final order until completion of the informal review process by the superintendent of public instruction.

[Statutory Authority: RCW 28A.70.005. 90-02-076, § 180-86-135, filed 1/2/90, effective 2/2/90.]

APPEALS

WAC 180-86-140 Appeal—General. Any person who applies directly to the superintendent of public instruction for a certificate, particular endorsement, certificate renewal, or certificate reinstatement whose application is denied or any person who is notified that his or her certificate has lapsed or that his or her certificate will be suspended or revoked or that a reprimand order will be issued in thirty calendar days unless the decision is appealed shall be advised that he or she is entitled to appeal that decision to the superintendent of public instruction if he or she follows the procedures established in this chapter: *Provided*, That the appeal procedure may not be used to seek reinstatement of a certificate if that certificate has been revoked in the preceding twelve months by the superintendent of public instruction.

The appeal procedure to the superintendent of public instruction consists of two levels, one informal and one formal. The use of the informal level is a condition precedent to use of the formal level. In addition, the provisions of WAC 180-86-155 provide an additional appeal to the state board of education and RCW 34.05.570 provides for judicial review of such decisions.

[Statutory Authority: RCW 28A.70.005. 90-02-076, § 180-86-140, filed 1/2/90, effective 2/2/90.]

WAC 180-86-145 Appeal procedure—Informal SPI review. Any person who appeals the decision or proposed order to deny his or her application, the lapsing of his or her certificate, the issuance of a reprimand, or the proposed order to suspend or revoke his or her certificate must file a written notice with the superintendent of public instruction within thirty calendar days following the date of mailing from the section of the superintendent of public instruction's office responsible for certification of the decision or proposed order.

The written notice must set forth the reasons why the appellant believes his or her application should have been granted or why his or her certificate should not be lapsed, suspended, or revoked, or why the proposed reprimand should not be issued whichever is applicable.

Following timely notice of appeal, the superintendent of public instruction shall appoint a review officer who shall proceed as follows:

(1) If the appeal does not involve good moral character, personal fitness, or unprofessional conduct, the review officer shall review the application or notice of lapsing, whichever is applicable, and appeal notice and may request further written information including, but not limited to, an explanation from the person or persons who initially reviewed the application or decided to lapse the certificate, whichever is applicable, of the reason(s) why the application was denied or lapsed. If the review officer deems it advisable, he or she shall schedule an informal meeting with the appellant, the person or persons who denied the application or lapsed the certificate, and any other interested party designated by the review officer to receive oral information concerning the application or lapsing. Any such meeting must be held within thirty calendar days of the date of

receipt by the superintendent of public instruction of the timely-filed appeal notice.

(2) If the appeal involves good moral character, personal fitness, or acts of unprofessional conduct, the review officer shall schedule an informal meeting of the applicant or certificate holder and/or counsel for the applicant or certificate holder with the admissions and professional conduct advisory committee. Such meeting shall be scheduled in accordance with the calendar of meetings of the advisory committee: *Provided*, That notice of appeal must be received at least fifteen calendar days in advance of a scheduled meeting.

(3) Send by certified mail a written decision—i.e., findings of fact and conclusions of law—on the appeal within thirty calendar days from the date of receipt of the timely-filed appeal notice or informal meeting, whichever is later. The review officer may uphold, reverse, or modify the decision to deny the application, the lapsing of the certificate, the proposed order to reprimand, or the proposed order to suspend or revoke the certificate.

(4) The timelines stated herein may be extended by the review officer for cause.

(5) *Provided*, That in the case of an action for suspension or revocation of a certificate, the review officer, if so requested by an appellant, shall delay any review under this section until all quasi-judicial administrative or judicial proceedings (i.e., criminal and civil actions), which the review officer and the appellant agree are factually related to the suspension or revocation proceeding, are completed, including appeals, if the appellant signs the agreement stated in WAC 180-86-160. In requesting such delay, the appellant shall disclose fully all pending quasi-judicial administrative proceedings in which the appellant is involved.

[Statutory Authority: RCW 28A.70.005. 90-02-076, § 180-86-145, filed 1/2/90, effective 2/2/90.]

WAC 180-86-150 Appeal procedure—Formal SPI review process. Formal appeals to the superintendent of public instruction shall be provided as follows:

(1) Any person who has filed an appeal in accordance with WAC 180-86-140 and desires to have the decision of the review officer formally reviewed by the superintendent of public instruction may do so. To instigate review under this section, a person must file a written notice with the superintendent of public instruction within thirty calendar days following the date of receipt of the review officer's written decision.

(2) For purposes of hearing an appeal under this section, the superintendent of public instruction shall conduct a formal administrative hearing in conformance with the Administrative Procedure Act, chapter 34.05 RCW. The superintendent of public instruction, in carrying out this duty, may contract with the office of administrative hearings pursuant to RCW 28A.03.500 to hear a particular appeal. Decisions in cases formally appealed pursuant to this section may be made by the administrative law judge selected by the chief administrative law judge if the superintendent of public instruction delegates this authority pursuant to RCW 28A.03.500.

(3) The decision of the superintendent of public instruction or the administrative law judge, whichever is applicable,

shall be sent by certified mail to the appellant's last known address and if the decision is to reprimand, suspend, or revoke, the appellant shall be notified that such order takes effect upon signing of the final order and that no stay of reprimand, suspension, or revocation shall exist until the appellant files an appeal in a timely manner pursuant to WAC 180-86-155.

[Statutory Authority: RCW 28A.410.010. 92-15-037, § 180-86-150, filed 7/9/92, effective 8/9/92. Statutory Authority: RCW 28A.70.005. 90-02-076, § 180-86-150, filed 1/2/90, effective 2/2/90.]

WAC 180-86-155 Appeal procedure to SBE. Any person whose certificate has been suspended or revoked by the superintendent of public instruction in accordance with the procedures of this chapter may appeal that decision to the state board of education by filing a notice of appeal with the superintendent of public instruction or the secretary of the state board of education within thirty calendar days of the date of mailing the decision of the superintendent of public instruction. Review by the state board of education shall be conducted as follows:

(1) Review shall be conducted by the state board of education at its next scheduled meeting following notice of appeal unless either the appellant or the superintendent of public instruction requests an extension of the review to the following next scheduled meeting.

(2) Review conducted by the state board of education shall be confined to the record, except that in cases of alleged irregularities in procedures before the superintendent of public instruction, not shown in the record, testimony thereon shall be taken before the state board of education.

(3) The record shall include written briefs submitted.

(4) Oral argument will be permitted if fifteen days advance notice is given to the secretary of the state board of education.

(5) The state board of education will be assisted in its deliberations and its final order by an assistant attorney general who has not been involved in any prior proceeding related to the previous administrative order by the superintendent of public instruction.

(6) The state board of education may affirm the decision of the superintendent of public instruction, remand the matter for further proceedings, modify the decision, or reverse the decision.

(7) If the decision of the state board of education is to modify or reverse the decision of the superintendent of public instruction or to remand the matter for further proceedings, the state board of education shall state its reasons in a written order.

(8) The final order of the state board of education shall be by written order, attested by the secretary of the state board of education, and sent to the appellant by certified mail within ten calendar days of the final decision by the state board of education. In addition, persons aggrieved by a final order shall be advised of their right to judicial review pursuant to RCW 34.05.570.

[Statutory Authority: RCW 28A.410.010 and 28A.410.100. 92-24-069, § 180-86-155, filed 12/1/92, effective 1/1/93. Statutory Authority: RCW 28A.410.010. 92-15-037, § 180-86-155, filed 7/9/92, effective 8/9/92. Statutory Authority: RCW 28A.70.005. 90-02-076, § 180-86-155, filed 1/2/90, effective 2/2/90.]

WAC 180-86-160 Agreement not to continue or accept educational employment. The agreement required for deferring suspension or revocation proceedings shall read as follows:

"I,, have received notice in the form of a proposed order to suspend or revoke that the superintendent of public instruction believes sufficient cause exists for the suspension or revocation of the following certificate(s):

- (1) Cert. No.
- (2) Cert. No.

As a condition to a delay in the hearing date, I agree not to commence or continue employment in any Washington public or private school or agency in a position requiring such certificate until the superintendent of public instruction dismisses the case without a hearing or until a hearing has been held and the final decision is rendered by the superintendent of public instruction. I further agree to advise the review officer assigned to my suspension or revocation proceedings of all decisions rendered in any administrative or judicial tribunal and all appeals therefrom which the review officer and I have agreed are factually related to the action to suspend or revoke my certificate(s). I understand my failure to abide by this agreement is an act of unprofessional conduct and, therefore, may be sufficient cause for revocation of my certificate(s)."

[Statutory Authority: RCW 28A.70.005. 90-02-076, § 180-86-160, filed 1/2/90, effective 2/2/90.]

WAC 180-86-165 Waiver of requirement for timely appeal. The requirements in this chapter for timely notice of appeal shall be waived if justifiable cause is established by the appellant, including failure to receive such notice without fault of the appellant or a plausible reason by the appellant for failure to understand the nature of or the timelines within the received notice.

[Statutory Authority: RCW 28A.70.005. 90-02-076, § 180-86-165, filed 1/2/90, effective 2/2/90.]

WAC 180-86-170 Burden and standard of proof. The following burden and standard of proof shall be applicable:

(1) If an application for certification or reinstatement has been denied for lack of good moral character or personal fitness, the evidence submitted by the applicant must prove by clear and convincing evidence that he or she is of good moral character and personal fitness or the application will be denied.

(2) In a suspension or revocation proceeding, the superintendent of public instruction must prove by clear and convincing evidence that the certificate holder is not of good moral character or personal fitness or has committed an act of unprofessional conduct.

(3) In all other proceedings, including reprimand and lapsing proceedings, the standard of proof shall be a preponderance of evidence.

[Statutory Authority: RCW 28A.70.005. 90-02-076, § 180-86-170, filed 1/2/90, effective 2/2/90.]

EMERGENCY SUSPENSION

WAC 180-86-175 Emergency suspension of certificate. Notwithstanding any other provision of this chapter, the superintendent of public instruction, pursuant to RCW 34.05.479, may emergency suspend a certificate if the superintendent of public instruction finds that the public health, safety, or welfare of students, colleagues, or the general public imperatively requires emergency action. In such cases, the holder of the certificate who is subjected to emergency suspension of his or her certificate shall have the right to commence an informal review of such action within forty-eight hours of filing a notice of appeal with the superintendent of public instruction or, if applicable, to sign an agreement pursuant to WAC 180-86-180. If such an agreement is signed or, if not, unless the superintendent of public instruction sustains the emergency action within seven calendar days of the filing of the notice of appeal, the emergency suspension shall be void. The superintendent of public instruction, in carrying out this duty, may contract with the office of administrative hearings, pursuant to RCW 28A.03.050, to hear the appeal and sustain the emergency action.

[Statutory Authority: RCW 28A.70.005. 90-02-076, § 180-86-175, filed 1/2/90, effective 2/2/90.]

VOLUNTARY SURRENDER

WAC 180-86-180 Voluntary surrender of certificates. A holder of a certificate who has not received a final order for revocation of his or her certificate may voluntarily surrender his or her certificate to the superintendent of public instruction if the certificate holder believes that he or she is or might be ineligible to hold a certificate for any reason which is or might constitute grounds for revocation of the certificate other than conviction of a felony crime stated within WAC 180-75-081(1).

A certificate holder voluntarily surrendering a certificate shall provide the superintendent of public instruction the following affidavit:

"I,, have reason to believe that I am or might be ineligible to hold a certificate(s) for reasons which do or might constitute grounds for revocation of the certificate(s). Accordingly, I hereby voluntarily surrender the following certificate(s):

- (1) Cert. No.
- (2) Cert. No.

I have not been to the best of my knowledge convicted of any felony crime listed within WAC 180-75-081(1).

I agree, if I request reinstatement of the certificate(s) I have voluntarily surrendered, to provide the superintendent of public instruction with an affidavit describing in full the reasons for my voluntary surrender of the certificate(s) listed above. I further understand that the superintendent of public instruction will notify other states and public and private school officials within the state of Washington that I have voluntarily surrendered my certificate(s)."

Upon request for reinstatement of such certificate, the applicant must comply with WAC 180-75-087 and, in

addition, must disclose in full the reasons for the voluntary surrender of the certificate. In the event the surrendered certificate would have expired or lapsed but for the surrendering of the certificate, the applicant must meet all requirements for reinstating an expired or lapsed certificate.

[Statutory Authority: RCW 28A.70.005. 90-02-076, § 180-86-180, filed 1/2/90, effective 2/2/90.]

PUBLIC NOTICE AND REPORT

WAC 180-86-185 Notification of denial, surrender, lapsing, or revocation of certificates. The superintendent of public instruction shall notify all other states whenever an applicant has been denied a certificate for failure to possess good moral character or personal fitness or whenever a certificate has been surrendered or revoked and shall provide the full name and certificate number, if applicable, to the agency responsible for certification in each state. The superintendent of public instruction shall notify appropriate public or private school officials within the state the name and certification number of all certificate holders whose certificates have been lapsed, surrendered, or revoked: *Provided*, That such notification shall not be made prior to forty-five days after the final administrative order and shall not be made if a court order staying the denial, lapsing, or revocation is in effect.

[Statutory Authority: RCW 28A.70.005. 90-02-076, § 180-86-185, filed 1/2/90, effective 2/2/90.]

WAC 180-86-200 Annual report. The superintendent of public instruction, annually, shall transmit to the state board of education a factual report describing the administration of this chapter. The report shall include:

- (1) Number of the following actions:
 - (a) Voluntary surrenders of certificates.
 - (b) Reprimands, suspensions, and revocations.
 - (c) Cases investigated.
- (2) Brief descriptions of the cases investigated but written so as to protect the privacy rights of persons involved.
- (3) Any other information the superintendent of public instruction deems important to the public and the state board of education.

[Statutory Authority: RCW 28A.70.005. 90-02-076, § 180-86-200, filed 1/2/90, effective 2/2/90.]

Chapter 180-87 WAC

PROFESSIONAL CERTIFICATION—ACTS OF UNPROFESSIONAL CONDUCT

WAC

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DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

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| 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. |
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WAC 180-87-003 Authority. The authority for this chapter is RCW 28A.70.005 which authorizes the state board of education to establish, publish, and enforce rules and regulations determining eligibility for and certification of personnel employed in the common schools of this state. This authority is supplemented by RCW 28A.70.160 which authorizes the revocation of certificates for unprofessional conduct. (Note: RCW 28A.02.201 (3)(a) requires most private school classroom teachers to hold appropriate Washington state certification with few exceptions.)

[Statutory Authority: RCW 28A.70.005. 90-02-075, § 180-87-003, filed 1/2/90, effective 2/2/90.]

WAC 180-87-005 Purpose. The sole purpose of this chapter is to set forth policies and procedures related to reprimand, suspension, and revocation actions respecting certification of education practitioners in the state of Washington for acts of unprofessional conduct. It is recognized that grounds for the discharge, nonrenewal of contracts, or other adverse change in contract status affecting the employment contracts of education practitioners are broader than stated herein. The grounds set forth as unprofessional conduct in this chapter shall not limit discharge, nonrenewal of contracts, or other employment action by employers of education practitioners.

[Statutory Authority: RCW 28A.70.005. 90-02-075, § 180-87-005, filed 1/2/90, effective 2/2/90.]

WAC 180-87-010 Public policy goals of chapter. The public policy goals of this chapter are as follows:

(1) To protect the health, safety, and general welfare of students within the state of Washington.

(2) To assure the citizens of the state of Washington that education practitioners are accountable for acts of unprofessional conduct.

(3) To define and provide notice to education practitioners within the state of Washington of the acts of unprofessional conduct for which they are accountable pursuant to the provisions of chapter 180-86 WAC.

[Statutory Authority: RCW 28A.70.005. 90-02-075, § 180-87-010, filed 1/2/90, effective 2/2/90.]

WAC 180-87-015 Accountability for acts of unprofessional conduct. Any educational practitioner who commits an act of unprofessional conduct proscribed within this chapter may be held accountable for such conduct pursuant to the provisions of chapter 180-86 WAC.

[Statutory Authority: RCW 28A.70.005. 90-02-075, § 180-87-015, filed 1/2/90, effective 2/2/90.]

ADMINISTRATIVE PROVISIONS

WAC 180-87-020 Applicability of chapter to private conduct. As a general rule, the provisions of this chapter shall not be applicable to the private conduct of an education practitioner except where the education practitioner's role as a private person is not clearly distinguishable from the role as an education practitioner and the fulfillment of professional obligations.

[Statutory Authority: RCW 28A.70.005. 90-02-075, § 180-87-020, filed 1/2/90, effective 2/2/90.]

WAC 180-87-025 Exclusivity of chapter. No act, for the purpose of this chapter, shall be defined as an act of unprofessional conduct unless it is included in this chapter.

[Statutory Authority: RCW 28A.70.005. 90-02-075, § 180-87-025, filed 1/2/90, effective 2/2/90.]

WAC 180-87-030 Prospective application of chapter and amendments. The provisions of this chapter shall take effect ninety calendar days after adoption and shall apply prospectively to acts of unprofessional conduct committed after such effective date. Unless provided to the contrary, any revision shall take effect six months after adoption and shall apply prospectively from such effective date.

[Statutory Authority: RCW 28A.70.005. 90-02-075, § 180-87-030, filed 1/2/90, effective 2/2/90.]

WAC 180-87-035 Education practitioner—Definition. As used in this chapter, the term "education practitioner" means any certificate holder licensed under rules of the state board of education to serve as a certificated employee.

[Statutory Authority: RCW 28A.70.005. 90-02-075, § 180-87-035, filed 1/2/90, effective 2/2/90.]

WAC 180-87-040 Student—Definition. As used in this chapter, the term "student" means the following:

(1) Any student who is under the supervision, direction, or control of the education practitioner.

(2) Any student enrolled in any school or school district served by the education practitioner.

(3) Any student enrolled in any school or school district while attending a school related activity at which the education practitioner is performing professional duties.

(4) Any former student who is under eighteen years of age and who has been under the supervision, direction, or control of the education practitioner. 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.70.005. 90-02-075, § 180-87-040, filed 1/2/90, effective 2/2/90.]

WAC 180-87-045 Colleague—Definition. As used in this chapter, the term "colleague" means any person with whom the education practitioner has established a professional relationship and includes fellow workers and employees regardless of their status as education practitioners.

[Statutory Authority: RCW 28A.70.005. 90-02-075, § 180-87-045, filed 1/2/90, effective 2/2/90.]

ACTS OF UNPROFESSIONAL CONDUCT

WAC 180-87-050 Misrepresentation or falsification in the course of professional practice. Any falsification or deliberate misrepresentation, including omission, of a material fact by an education practitioner concerning any of the following is an act of unprofessional conduct:

- (1) Statement of professional qualifications.
- (2) Application or recommendation for professional employment, promotion, certification, or an endorsement.
- (3) Application or recommendation for college or university admission, scholarship, grant, academic award, or similar benefit.
- (4) Representation of completion of inservice or continuing education credit hours.
- (5) Evaluations or grading of students and/or personnel.
- (6) Financial or program compliance reports submitted to state, federal, or other governmental agencies.
- (7) Information submitted in the course of an official inquiry by the superintendent of public instruction related to the following:
 - (a) Good moral character or personal fitness.
 - (b) Acts of unprofessional conduct.
 - (8) Information submitted in the course of an investigation by a law enforcement agency or by child protective services regarding school related criminal activity.

[Statutory Authority: RCW 28A.70.005. 90-02-075, § 180-87-050, filed 1/2/90, effective 2/2/90.]

WAC 180-87-055 Alcohol or controlled substance abuse. Unprofessional conduct includes:

- (1) Being under the influence of alcohol or of a controlled substance, as defined in chapter 69.50 RCW, on school premises or at a school-sponsored activity involving students, following:
 - (a) Notification to the education practitioner by his or her employer of concern regarding alcohol or substance abuse affecting job performance;
 - (b) A recommendation by the employer that the education practitioner seek counseling or other appropriate and available assistance; and
 - (c) The education practitioner has had a reasonable opportunity to obtain such assistance.
- (2) The possession, use, or consumption on school premises or at a school sponsored activity of a Schedule 1 controlled substance, as defined by the state board of pharmacy, or a Schedule 2 controlled substance, as defined by the state board of pharmacy, without a prescription authorizing such use.
- (3) The consumption of an alcoholic beverage on school premises or at a school sponsored activity involving students if such consumption is contrary to written policy of the school district or school building.

[Statutory Authority: RCW 28A.70.005. 90-02-075, § 180-87-055, filed 1/2/90, effective 2/2/90.]

WAC 180-87-060 Disregard or abandonment of generally recognized professional standards. Any performance of professional practice in flagrant disregard or clear abandonment of generally recognized professional standards in the course of any of the following professional practices is an act of unprofessional conduct:

- (1) Assessment, treatment, instruction, or supervision of students.
- (2) Employment or evaluation of personnel.
- (3) Management of moneys or property.

[Statutory Authority: RCW 28A.70.005. 90-02-075, § 180-87-060, filed 1/2/90, effective 2/2/90.]

WAC 180-87-065 Abandonment of contract for professional services. Any permanent abandonment, constituting a substantial violation without good cause, of one of the following written contracts to perform professional services for a private school or a school or an educational service district is an act of unprofessional conduct:

- (1) An employment contract, excluding any extracurricular or other specific activity within such contract or any supplementary contract.
- (2) Professional service contract.

[Statutory Authority: RCW 28A.70.005. 90-02-075, § 180-87-065, filed 1/2/90, effective 2/2/90.]

WAC 180-87-070 Unauthorized professional practice. Any act performed without good cause that materially contributes to one of the following unauthorized professional practices is an act of unprofessional practice.

- (1) The employment of a person to serve as an employee in a position for which certification is required by rules of the state board of education when such person does not possess, at the time of commencement of such responsibility, a valid certificate to hold the position for which such person is employed.
- (2) The assignment or delegation in a school setting of any responsibility within the scope of the authorized practice of nursing, physical therapy, or occupational therapy to a person not licensed to practice such profession unless such assignment or delegation is otherwise authorized by law, including the rules of the appropriate licensing board.
- (3) The practice of education by a certificate holder during any period in which such certificate has been suspended.
- (4) The failure of a certificate holder to abide by the conditions within an agreement, executed pursuant to WAC 180-86-150, to not continue or to accept education employment.
- (5) The failure of a certificate holder to comply with any condition, limitation, or other order or decision entered pursuant to chapter 180-86 WAC.

(6) *Provided*, That for the purpose of this section, good cause includes, but is not limited to, exigent circumstances where immediate action is necessary to protect the health, safety, or general welfare of a student, colleague, or other affected person.

[Statutory Authority: RCW 28A.70.005. 90-02-075, § 180-87-070, filed 1/2/90, effective 2/2/90.]

WAC 180-87-080 Sexual misconduct with students.

Unprofessional conduct includes the commission by an education practitioner of any sexually exploitive act with or to a student including, but not limited to, the following:

- (1) Any sexual advance, verbal or physical;
- (2) Sexual intercourse as defined in RCW 9A.44.010;
- (3) Indecent exposure as defined in RCW 9A.88.010;
- (4) Sexual contact, i.e., the intentional touching of the sexual or other intimate parts of a student except to the extent necessary and appropriate to attend to the hygienic or health needs of the student;

(5) *Provided*, That the provisions of this section shall not apply if at the time of the sexual conduct the participants are married to each other.

[Statutory Authority: RCW 28A.70.005. 90-02-075, § 180-87-080, filed 1/2/90, effective 2/2/90.]

WAC 180-87-085 Furnishing alcohol or controlled substance to students. Unprofessional conduct includes the illegal furnishing of alcohol or a controlled substance, as defined in chapter 69.50 RCW, to any student by an education practitioner.

[Statutory Authority: RCW 28A.70.005. 90-02-075, § 180-87-085, filed 1/2/90, effective 2/2/90.]

WAC 180-87-090 Improper remunerative conduct.

Any deliberate act in the course of professional practice which requires or pressures students to purchase equipment, supplies, or services from the education practitioner in a private remunerative capacity is an act of unprofessional conduct.

[Statutory Authority: RCW 28A.70.005. 90-02-075, § 180-87-090, filed 1/2/90, effective 2/2/90.]

WAC 180-87-095 Failure to file a complaint. The intentional or knowing failure of an educational service district superintendent, a district superintendent, or a chief administrator of a private school to file a complaint pursuant to WAC 180-86-110 regarding the lack of good moral character or personal fitness of an education practitioner or the commission of an act of unprofessional conduct by an education practitioner is an act of unprofessional conduct.

[Statutory Authority: RCW 28A.70.005. 90-02-075, § 180-87-095, filed 1/2/90, effective 2/2/90.]

**Chapter 180-90 WAC
PRIVATE SCHOOLS**

WAC

- 180-90-105 Authority.
- 180-90-110 Purpose.
- 180-90-112 Definition—Approved private school.
- 180-90-115 Definition—Private school.
- 180-90-119 Definition—Reasonable health and fire safety requirements.
- 180-90-120 Definitions—Deviations.
- 180-90-123 Definition—Total program hour offering.
- 180-90-125 Definitions—Exceptional case, unusual competence, and general supervision.

- 180-90-130 Approval—Annual certification.
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- 180-90-139 Approval action by SBE.
- 180-90-141 Loss of approval of a nonoperating private school.
- 180-90-145 Approval—Annual certification and initial application—Exception.
- 180-90-150 Appeals.
- 180-90-160 Minimum standards and certificate form.

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

- 180-90-010 Approval of private and/or parochial schools—Authority for rules—Scope. [Order 3-72, § 180-90-010, filed 6/27/72.] Repealed by Order 1-75, filed 2/4/75.
- 180-90-015 Approval of private and/or parochial schools—Intent. [Order 3-72, § 180-90-015, filed 6/27/72.] Repealed by Order 1-75, filed 2/4/75.
- 180-90-020 Approval of private and/or parochial schools—Definitions. [Order 3-72, § 180-90-020, filed 6/27/72.] Repealed by Order 1-75, filed 2/4/75.
- 180-90-030 Approval of private and/or parochial schools—Standards for purposes of approval. [Order 3-72, § 180-90-030, filed 6/27/72.] Repealed by Order 1-75, filed 2/4/75.
- 180-90-040 Approval of private and/or parochial schools—Annual certification. [Order 3-72, § 180-90-040, filed 6/27/72.] Repealed by Order 1-75, filed 2/4/75.
- 180-90-050 Approval of private and/or parochial schools—Discrimination—Race. [Order 3-72, § 180-90-050, filed 6/27/72.] Repealed by Order 1-75, filed 2/4/75.
- 180-90-060 Approval of private and/or parochial schools—Application and approval procedure—Administration. [Order 3-72, § 180-90-060, filed 6/27/72.] Repealed by Order 1-75, filed 2/4/75.
- 180-90-140 Initial application for approval. [Statutory Authority: RCW 28A.04.120(4). 82-04-004 (Order 3-82), § 180-90-140, filed 1/21/82; Order 2-77, § 180-90-140, filed 3/24/77; Order 1-76, § 180-90-140, filed 2/3/76; Order 1-75, § 180-90-140, filed 2/4/75.] Repealed by 85-24-056 (Order 23-85), filed 12/2/85. Statutory Authority: RCW 28A.02.240.

WAC 180-90-105 Authority. The authority for this chapter is RCW 28A.195.040 which authorizes the state board of education to promulgate rules and regulations for the approval of private schools for the purpose of implementing RCW 28A.225.010.

[Statutory Authority: 1990 c 33. 90-17-009, § 180-90-105, filed 8/6/90, effective 9/6/90. Statutory Authority: RCW 28A.02.240. 85-24-056 (Order 23-85), § 180-90-105, filed 12/2/85.]

WAC 180-90-110 Purpose. The purpose of this chapter is to establish the procedures and conditions governing the approval of private schools by the state board of education.

[Statutory Authority: RCW 28A.02.240. 85-24-056 (Order 23-85), § 180-90-110, filed 12/2/85; Order 2-77, § 180-90-110, filed 3/24/77; Order 1-75, § 180-90-110, filed 2/4/75.]

WAC 180-90-112 Definition—Approved private school. As used in this chapter the term "approved private school" shall mean a private school which has been approved by the state board of education in accordance with the minimum standards for approval as prescribed in this chapter.

[Statutory Authority: RCW 28A.02.240. 85-24-056 (Order 23-85), § 180-90-112, filed 12/2/85.]

WAC 180-90-115 Definition—Private school. As used in this chapter, the term "private school" shall mean a nonpublic school, including parochial or independent schools, and nonpublic school districts, including parochial and independent school districts, carrying out a program for any or all of the grades one through twelve.

[Statutory Authority: RCW 28A.02.240. 85-24-056 (Order 23-85), § 180-90-115, filed 12/2/85.]

WAC 180-90-119 Definition—Reasonable health and fire safety requirements. As used in this chapter, the term (1) "reasonable health requirements" shall mean those standards contained in chapter 248-64 WAC as adopted by the state board of health.

(2) "Reasonable fire safety requirements" shall mean those standards adopted by the state fire marshal pursuant to chapter 48.48 RCW.

[Statutory Authority: RCW 28A.02.240. 85-24-056 (Order 23-85), § 180-90-119, filed 12/2/85.]

WAC 180-90-120 Definitions—Deviations. As used in this chapter the term:

(1) "Minor deviation" shall mean a variance from the standards established by these regulations which represents little or no threat to the health or safety of students and school personnel, and which does not raise a question as to the ability of the school to provide an educational program which is in substantial compliance with the minimum standards set forth in WAC 180-90-160, and which, therefore, does not preclude the granting of full approval.

(2) "Major deviation" shall mean a variance from the standards established by these regulations which represents little or no threat to the health or safety of students and school personnel but raises a question as to the ability of the school to provide an educational program which substantially complies with the minimum standards set forth in WAC 180-90-160, but is not so serious as to constitute an unacceptable deviation.

(3) "Unacceptable deviation" shall mean a variance from the standards established by these regulations which either:

(a) Constitutes a serious, imminent threat to the health or safety of students or school personnel; or

(b) Demonstrates that the school is not capable of providing an educational program which substantially complies with the minimum standards set forth in WAC 180-90-160.

[Statutory Authority: RCW 28A.02.240. 85-24-056 (Order 23-85), § 180-90-120, filed 12/2/85. Statutory Authority: RCW 28A.02.201 et seq. and 28A.04.120(4). 78-06-064 (Order 9-78), § 180-90-120, filed 5/25/78; Order 2-77, § 180-90-120, filed 3/24/77; Order 1-75, § 180-90-120, filed 2/4/75.]

WAC 180-90-123 Definition—Total program hour offering. As used in this chapter, the term "total program hour offering" shall mean those hours when students are provided the opportunity to engage in educational activity planned by and under the direction of school staff, as directed by the administration and board of directors, inclusive of intermissions for class changes, recess and teacher/parent-guardian conferences which are planned and scheduled by the district for the purpose of discussing

students' educational needs for progress, and exclusive of time actually spent for meals.

[Statutory Authority: RCW 28A.02.240. 85-24-056 (Order 23-85), § 180-90-123, filed 12/2/85.]

WAC 180-90-125 Definitions—Exceptional case, unusual competence, and general supervision. As used in this chapter the term:

(1) "Exceptional case" means that a circumstance exists within a private school in which:

(a) A certified teacher is not available for employment for the school year or remainder thereof and documents related to unsuccessful efforts to recruit a certified teacher are on file in the school records and will be forwarded to the superintendent of public instruction upon request; and

(b) The educational program offered by the private school either will be significantly impaired without the employment of the noncertified employee or will be significantly improved with the employment of the noncertified employee; and

(c) The school which employs a noncertified employee or employees pursuant to this subsection employs at least one person certified pursuant to rules of the state board of education to every twenty-five FTE students enrolled in grades one through twelve.

(2) "Unusual competence":

(a) As applied to an exceptional case wherein the educational program as specified in RCW 28A.195.010(7) and WAC 180-90-160(7) will be significantly impaired without the employment of a noncertified employee, means that the noncertified employee possesses a minimum of forty-five quarter credits beyond the baccalaureate degree with a minimum of forty-five quarter credits in courses in the subject matter to be taught or in courses closely related to the subject matter to be taught; or

(b) As applied to an exceptional case wherein the educational program will be significantly improved with the employment of a noncertified employee, means that the noncertified employee possesses a minimum of three calendar years of experience in a specialized field. For purposes of this subsection, the term "specialized field" means a specialized area of the curriculum where skill or talent is applied and where entry into an occupation in such field generally does not require a baccalaureate degree, including, but not limited to the fields of art, drama, dance, music, physical education, and vocational or occupational education.

(3) "General supervision" means that:

(a) A certified teacher or administrator shall be generally available at the school site to observe and advise the noncertified employee; and

(b) The noncertified employee shall be evaluated pursuant to policies of the private school.

(4) *Provided*, That the noncertified employee of the private school, employed pursuant to this section, and as verified by the private school:

(a) Meets the age, good moral character, and personal fitness requirements of WAC 180-75-085 (1) and (2); and

(b) Has not had his or her teacher's certificate revoked by any state or foreign country; and

(c) Is not eligible for an initial or continuing teacher's certificate in the state of Washington.

(5) *Provided further*, That the provisions of this section shall not be applicable until the state board of education takes action to approve private schools for the 1988-89 school year.

[Statutory Authority: 1990 c 33, 90-17-009, § 180-90-125, filed 8/6/90, effective 9/6/90. Statutory Authority: RCW 28A.02.204 [28A.02.240], 87-09-039 (Order 7-87), § 180-90-125, filed 4/14/87.]

WAC 180-90-130 Approval—Annual certification.

At least ninety days prior to the commencement of the annual school term or period, the chief administrator of each private school shall file with the superintendent of public instruction, in accordance with procedures established by the superintendent of public instruction, a certificate of compliance in the form and substance set forth in WAC 180-90-160.

The superintendent of public instruction shall review each certificate. The review shall be completed within thirty days after receipt of a completed application.

[Statutory Authority: RCW 28A.02.240, 85-24-056 (Order 23-85), § 180-90-130, filed 12/2/85. Statutory Authority: RCW 28A.04.120(4), 82-04-004 (Order 3-82), § 180-90-130, filed 1/21/82; Order 2-77, § 180-90-130, filed 3/24/77; Order 1-75, § 180-90-130, filed 2/4/75.]

WAC 180-90-133 SPI report to SBE—No adverse findings. If the superintendent of public instruction finds no minor, major, or unacceptable deviations, the superintendent of public instruction shall so notify the private school and shall recommend full approval of the private school to the state board of education.

[Statutory Authority: RCW 28A.02.240, 85-24-056 (Order 23-85), § 180-90-133, filed 12/2/85.]

WAC 180-90-135 SPI adverse findings—Report to private school. If the superintendent of public instruction finds deviation, the private school shall be notified in writing of any minor, major, or unacceptable deviations.

[Statutory Authority: RCW 28A.02.240, 85-24-056 (Order 23-85), § 180-90-135, filed 12/2/85.]

WAC 180-90-137 SPI report to SBE—Adverse findings. If the superintendent of public instruction finds minor, major, or unacceptable deviations, the superintendent of public instruction shall not transmit the recommendation regarding approval status to the state board of education until the private school submits a narrative report indicating agreement or not with the findings of the superintendent of public instruction and any proposed remedial action to address the reported deviations. Upon receipt of the narrative report, the superintendent of public instruction shall transmit the recommendation and the narrative report to the state board of education.

[Statutory Authority: RCW 28A.02.240, 85-24-056 (Order 23-85), § 180-90-137, filed 12/2/85.]

WAC 180-90-139 Approval action by SBE. The state board of education shall take one of the following actions:

(1) If no deviations are found, the state board of education shall grant full approval.

(2) If minor deviations are found and the private school acknowledges the existence of such deviations and indicates an intent to correct such deviations in its narrative response, the state board of education shall grant full approval.

(3) If major deviations are found and the private school in its narrative report assures compliance by the commencement of the annual school term, the state board of education shall grant full approval.

(4) If major deviations are found and the private school in its narrative report, supplemented by direct testimony to the state board of education, demonstrates it is not practical to correct such major deviations prior to the commencement of the annual school term but establishes to the satisfaction of the state board of education its commitment to correct such deviation as soon as is practical, the state board of education shall grant such private school provisional approval for the period of time the state board of education determines is necessary to correct the major deviation but no longer than one year.

(5) If unacceptable deviations are found or if the private school fails to comply with corrective conditions within subsection (2), (3), or (4) of this section for minor or major deviations, state board of education approval shall be denied.

[Statutory Authority: RCW 28A.02.240, 85-24-056 (Order 23-85), § 180-90-139, filed 12/2/85.]

WAC 180-90-141 Loss of approval of a nonoperating private school. An approved private school which does not have students enrolled for any six consecutive calendar months and which fails to provide evidence of student enrollment upon request of the superintendent of public instruction for the said period of time shall lose its approval status for the remainder of the school year.

[Statutory Authority: RCW 28A.02.204 [28A.02.240], 87-09-039 (Order 7-87), § 180-90-141, filed 4/14/87.]

WAC 180-90-145 Approval—Annual certification and initial application—Exception. Any private school which is unable to file its application at least 90 days prior to the commencement of the annual school term or period may in any event request that the superintendent of public instruction to review the application and that the superintendent's findings and recommendations be submitted to the state board of education. This request shall be granted if the superintendent finds that the private school was not sufficiently developed prior to the 90 day time period to enable it to comply with that requirement. The superintendent of public instruction shall have the discretion to grant the request in other exceptional circumstances. If said request is granted, the review shall be completed within thirty days and the findings and recommendations presented to the state board of education.

[Statutory Authority: RCW 28A.02.240, 85-24-056 (Order 23-85), § 180-90-145, filed 12/2/85; Order 2-77, § 180-90-145, filed 3/24/77.]

WAC 180-90-150 Appeals. Pursuant to RCW 28A.195.030 any private school may appeal the actions of the superintendent of public instruction or state board of

education as provided in chapter 34.05 RCW and chapter 180-08 WAC.

[Statutory Authority: 1990 c 33, 90-17-009, § 180-90-150, filed 8/6/90, effective 9/6/90. Statutory Authority: RCW 28A.02.240, 85-24-056 (Order 23-85), § 180-90-150, filed 12/2/85; Order 2-77, § 180-90-150, filed 3/24/77; Order 1-75, § 180-90-150, filed 2/4/75.]

WAC 180-90-160 Minimum standards and certificate form. The annual certificate required by WAC 180-90-130 shall be in substantial compliance with the form and substance of the following:

CERTIFICATE OF COMPLIANCE
WITH STATE STANDARDS

ESD/County/Public
School District
Private School/
District Address

I,, do hereby certify that I am the principal or chief administrator of the above named school; that said school is located at the address listed above, and conducts grades through with a projected enrollment of; and that said school is scheduled to meet throughout the school year, the following standards with the exception only of such deviations, if any, as are set forth in an attachment to this certificate of compliance

or

I,, do hereby certify that I am the superintendent of the above named private school district; and that the private schools under my jurisdiction are scheduled to meet throughout the school year, the following standards with the exception only of such deviations as are set forth in an attachment to this certificate of compliance; and that a list of such schools, including the grades conducted and the projected enrollment for each school, accompanies this certificate:

(1) The minimum school year for instructional purposes consists of no less than 180 school days or the equivalent in annual minimum program hour offerings as prescribed in RCW 28A.150.220.

(2) On each school day, pupils enrolled in the school are provided the opportunity to be engaged in educational activity planned by and under the direction of the staff, as directed by the administration and/or governing board; and that pupils are provided a total program hour offering as prescribed in RCW 28A.150.220 except that the percentages for basic skills, work skills, and optional subjects and activities prescribed in RCW 28A.150.220 do not apply to private schools and that the total program hour offering, except as otherwise specifically provided in RCW 28A.150.220, made available is at least:

- (a) 2700 hours for students in grades one through three.
- (b) 2970 hours for students in grades four through six.
- (c) 1980 hours for students in grades seven and eight.
- (d) 4320 hours for students in grades nine through twelve.

(3) All classroom teachers hold appropriate Washington State certification except for:

(a) Teachers for religious courses or courses for which no counterpart exists in the public schools: *Provided*, That

a religious course is a course of study separate from the courses of study defined in RCW 28A.195.010 including occupational education, science, mathematics, language, social studies, history, health, reading, writing, spelling, and the development of the appreciation of art and music all in sufficient units for meeting state board of education graduation requirements; and/or

(b) A person of unusual competence who is not certified but who will teach students in an exceptional case under the general supervision of a certified teacher or administrator pursuant to WAC 180-90-125. The noncertified employee, the certified person who will supervise, and the exceptional circumstances are listed on the addendum to this certificate: *Provided*, That if a noncertified person is employed subsequent to the filing of this certificate, this same information shall be forwarded to the superintendent of public instruction within thirty days from the date of employment.

(4) If the school operates an extension program for parents, guardians, or persons having legal custody of a child to teach children in their custody, the extension program meets the following requirements:

(a) The parent, guardian, or custodian is supervised by a person certified under chapter 28A.410 RCW and who is employed by the school;

(b) The planning by the certified person and the parent, guardian, or person having legal custody includes objectives consistent with this subsection and subsections (1), (2), (5), (6), and (7) of this section;

(c) The certified person spends a minimum average each month of one contact hour per week with each student under his or her supervision who is enrolled in the extension program;

(d) Each student's progress is evaluated by the certified person; and

(e) The certified person does not supervise more than thirty students enrolled in the approved private school's extension program.

(5) Measures have been taken to safeguard all permanent records against loss or damage through either the storage of such records in fire-resistant containers or facilities, or the retention of duplicates in a separate and distinct area;

(6) The physical facilities of the school are adequate to meet the program offered, and all school facilities and practices are in substantial compliance with reasonable health and fire safety standards, as substantiated by current inspection reports of appropriate health and fire safety officials which are on file in the chief administrator's office;

(7) The school's curriculum includes instruction in the basic skills of occupational education, science, mathematics, language, social studies, history, health, reading, writing, spelling, and the development of appreciation of art and music in sufficient units for meeting state board of education graduation requirements, as set forth in chapter 180-51 WAC;

(8) The school or its organized district maintains up-to-date policy statements related to the administration and operation of the school or district;

(9) The school does not engage in a policy of racial segregation or discrimination;

(10) The governing authority of this private school or private school district has been apprised of the requirements

of chapter 180-90 WAC relating to the minimum requirements for approval of private schools and such governing authority has further been apprised of all deviations from the rules and regulations of the state board of education and the standards contained in chapter 180-90 WAC. I have reported all such deviations herewith.

(11) Approval by the state board of education is contingent upon on-going compliance with the standards certified herein. The superintendent of public instruction shall be notified of any deviation from these standards which occurs after the action taken by the state board of education. Such notification shall be filed within thirty days of occurrence of the deviation.

(12) Failure to comply with the requirements of this chapter may result in the revocation of the approval of the private school and shall be considered in subsequent application for approval as a private school.

Dated this day of, 19. . .

.....
(signed)
.....
(title)
.....
(phone number)

[Statutory Authority: 1990 c 33. 90-17-009, § 180-90-160, filed 8/6/90, effective 9/6/90. Statutory Authority: RCW 28A.02.240. 89-01-038 (Order 23-88), § 180-90-160, filed 12/14/88; 87-09-039 (Order 7-87), § 180-90-160, filed 4/14/87. Statutory Authority: RCW 28A.02.240. 85-24-056 (Order 23-85), § 180-90-160, filed 12/2/85. Statutory Authority: RCW 28A.04.120(4). 82-04-004 (Order 3-82), § 180-90-160, filed 1/21/82. Statutory Authority: RCW 28A.02.201 et seq. and 28A.04.120(4). 78-06-064 (Order 9-78), § 180-90-160, filed 5/25/78; Order 2-77, § 180-90-160, filed 3/24/77; Order 1-76, § 180-90-160, filed 2/3/76; Order 1-75, § 180-90-160, filed 2/4/75.]

Chapter 180-95 WAC
EDUCATIONAL CLINICS

WAC

- 180-95-005 Purpose.
180-95-010 Definitions.
180-95-020 Criteria for certification of education centers.
180-95-030 Application procedures for certification as an education center.
180-95-040 Length of certification.
180-95-050 Withdrawal of certification as an education center.
180-95-060 Fee revision—Appeal procedure.

WAC 180-95-005 Purpose. The purpose of this chapter is to implement RCW 28A.205.010, 28A.205.020, 28A.205.030, 28A.205.040, 28A.205.050 and to establish the criteria and procedures to be used in certification of an educational clinic.

[Statutory Authority: 1990 c 33. 90-17-009, § 180-95-005, filed 8/6/90, effective 9/6/90. Statutory Authority: RCW 28A.04.120. 78-03-014 (Order 2-78), § 180-95-005, filed 2/8/78.]

WAC 180-95-010 Definitions. The following definitions shall apply to terms used in this chapter:

(1) "Education center" shall mean a private educational institution certified by the state board of education which

employs a clinical, client-centered approach and is devoted to (a) teaching the basic academic skills including specific attention to improvement of student motivation for achieving and (b) employment orientation: Provided, That no education center certified by the state board of education pursuant to this section shall be deemed a common school under RCW 28A.150.020 or a private school for the purposes of RCW 28A.195.010 through 28A.195.050, or proprietary school under chapter 18.82 RCW.

(2) "Basic academic skills" shall mean the study of mathematics, speech, language, reading and composition, science, history, literature and political science or civics; it shall not include courses of a vocational training nature and courses deemed nonessential to the accrediting of common schools or the approval of private schools under RCW 28A.305.130.

(3) "A clinical, client-centered basis" shall mean an approach to education which includes the individual diagnosis of the person's educational abilities, determining and setting of individual goals, prescribing and providing individual programs of instruction, and evaluating the individual student's progress in his or her educational program.

(4) "Individual diagnostic procedure" shall mean the individual assessment by a certified teacher, or when deemed necessary, by a psychometrist, psychologist, and/or another professional who is appropriately certificated or licensed to conduct specific diagnostic evaluations and to prescribe an individual educational and instructional program in conjunction with the teacher, student, parents, and others as necessary.

(5) "General educational development (GED) tests" shall mean that battery of tests designed and published by the GED testing service of the American council on education to measure the major outcomes and concepts generally associated with four years of high school education. Each GED testing center must have a current contract with the American council on education and be authorized by the state superintendent of public instruction.

(6) "Educational gain" shall mean (a) measurable increases in the student's achievement, (b) increased motivation for achieving, and/or (c) increased knowledge and skills relevant to employment orientation as defined in (8) below: Provided, That consideration is given to the student's background in determining the extent of such gain.

(7) "Eligible common school dropout" shall be defined as set forth in WAC 392-185-010(2).

(8) "Employment orientation" shall normally include, but not be restricted to instruction and practical experience in the following areas: Job applications, interview techniques, expectations for attendance and production, learning to translate skills and abilities in terms of job needs, examination by the student of job descriptions and exploration of the student's ability to fulfill the job needs.

[Statutory Authority: RCW 28A.410.010. 94-03-103 (Order 4-94), § 180-95-010, filed 1/19/94, effective 2/19/94. Statutory Authority: 1990 c 33. 90-17-009, § 180-95-010, filed 8/6/90, effective 9/6/90. Statutory Authority: RCW 28A.04.120. 78-03-014 (Order 2-78), § 180-95-010, filed 2/8/78.]

WAC 180-95-020 Criteria for certification of education centers. To be certified as an education center,

a private educational institution must apply to the state board of education and provide evidence that it:

(1) Qualifies under the definition set forth in WAC 180-95-010(1).

(2) Offers instruction in the basic academic skills as defined in WAC 180-95-010(2) and employment orientation as defined in WAC 180-95-010(8).

(3) Employs, for purposes of diagnosing and instructing students, professionally trained personnel who meet requirements for certification set forth in chapters 180-80 and/or 180-84 WAC: *Provided*, That for specific diagnostic evaluations, a professional who is otherwise appropriately licensed does not have to meet certification requirements.

(4) Operates on a clinical, client-centered basis as defined in WAC 180-95-010(3).

(5) Conducts individualized diagnosis and instruction which includes as a minimum:

(a) Consideration by qualified personnel of the student's achievement, abilities, interests, and aptitudes;

(b) Delineation of individual learning objectives and education and/or employment goals;

(c) Development and implementation of curriculum and instruction appropriate to diagnosed needs and specified objectives and goals;

(d) Provision for evaluation of the student's progress toward and attainment of learning objectives and education and/or employment goals.

(6) Produces educational gains in students which relate directly to the individual learning objectives and educational and/or employment goals established for the student.

(7) Maintains accurate and complete financial and personnel records.

(8) Is financially sound and capable of fulfilling its educational commitment, i.e., that it has definite and certain resources to meet its current obligations.

[Statutory Authority: RCW 28A.410.010. 94-03-103 (Order 4-94), § 180-95-020, filed 1/19/94, effective 2/19/94. Statutory Authority: RCW 28A.04.120. 78-03-014 (Order 2-78), § 180-95-020, filed 2/8/78.]

WAC 180-95-030 Application procedures for certification as an education center. A private educational institution shall apply for certification to the state board of education on a form provided by the state board of education. The state board of education or its designee(s) shall determine by on-site visitation and documentary evidence submitted by the applicant whether all criteria set forth in WAC 180-95-020 are satisfied. The state board of education shall notify the applicant institution of its certification status within ten weeks after the date state board of education receives a completed application.

[Statutory Authority: RCW 28A.410.010. 94-03-103 (Order 4-94), § 180-95-030, filed 1/19/94, effective 2/19/94. Statutory Authority: RCW 28A.04.120. 78-03-014 (Order 2-78), § 180-95-030, filed 2/8/78.]

WAC 180-95-040 Length of certification. A private educational institution shall be certified as an education center by the state board of education for no more than three years and shall report annually any changes relevant to certification criteria set forth in WAC 180-95-020 to the state board of education on a form provided by the state board of education.

[Statutory Authority: RCW 28A.410.010. 94-03-103 (Order 4-94), § 180-95-040, filed 1/19/94, effective 2/19/94. Statutory Authority: RCW 28A.04.120. 78-03-014 (Order 2-78), § 180-95-040, filed 2/8/78.]

WAC 180-95-050 Withdrawal of certification as an education center. The state board of education may withdraw certification if the board finds that a clinic fails:

(1) To provide adequate instruction in basic academic skills which shall mean:

(a) The clinic does not offer or make provision for instruction in all the basic skills defined in WAC 180-95-010(2), or

(b) Evidence/data do not verify educational gains which relate directly to the individual learning objectives and the educational and/or employment goals established, or

(c) The center does not provide opportunities for employment orientation.

(2) To meet any of the criteria for certification of education centers as established in WAC 180-95-020.

[Statutory Authority: RCW 28A.410.010. 94-03-103 (Order 4-94), § 180-95-050, filed 1/19/94, effective 2/19/94. Statutory Authority: RCW 28A.04.120. 78-03-014 (Order 2-78), § 180-95-050, filed 2/8/78.]

WAC 180-95-060 Fee revision—Appeal procedure.

The state board of education shall either grant or deny proposed fee revisions no later than its second regularly scheduled meeting after receipt of notification of such appeal and shall conduct such an appeal as follows:

(1) The time and place for filing an appeal from the decision of the superintendent of public instruction to deny a requested fee revision shall be as stated in WAC 392-185-080.

(2) The decision on appeal will be based solely on the record. The record will consist of (a) the documentation in support of the increase submitted by the certified education center to the superintendent of public instruction, (b) a statement by the superintendent of public instruction setting forth the reasons the fee revision was denied, (c) any other information or documentation the state board of education may request, and (d) the additional documentation (if any) that the certified education center may submit in rebuttal of the superintendent of public instruction's statement.

(3) The decision of the state board of education shall be final. The decision of the state board of education may not be appealed to superior court.

[Statutory Authority: RCW 28A.410.010. 94-03-103 (Order 4-94), § 180-95-060, filed 1/19/94, effective 2/19/94. Statutory Authority: RCW 28A.04.120. 78-03-014 (Order 2-78), § 180-95-060, filed 2/8/78.]

Chapter 180-96 WAC

CERTIFICATE OF EDUCATIONAL COMPETENCE

WAC

180-96-005

Authority.

180-96-010

Purpose.

180-96-020

General educational development test—Definition.

180-96-035

Designated employee—Definition.

180-96-040

Regular high school education program—Definition.

180-96-045

Substantial and warranted reason for leaving the regular high school education program—Definition.

180-96-048

Applications for a determination of substantial and warranted reason for leaving the regular high school program.

- 180-96-050 Right to appeal.
 180-96-053 Certification of completion of a program of home-based instruction.
 180-96-058 Presentation of determinations of substantial and warranted reason and home schooling to official testing centers.

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

- 180-96-015 Certificate of educational competence—Definition. [Statutory Authority: RCW 28A.04.135. 89-01-036 (Order 21-88), § 180-96-015, filed 12/14/88.] Repealed by 94-03-101 (Order 2-94), filed 1/19/94, effective 2/19/94. Statutory Authority: None supplied by agency.
 180-96-025 Minimum proficiency level—Definition. [Statutory Authority: RCW 28A.04.135. 89-01-036 (Order 21-88), § 180-96-025, filed 12/14/88.] Repealed by 94-03-101 (Order 2-94), filed 1/19/94, effective 2/19/94. Statutory Authority: None supplied by agency.
 180-96-030 Official GED testing center—Definition. [Statutory Authority: RCW 28A.04.135. 89-01-036 (Order 21-88), § 180-96-030, filed 12/14/88.] Repealed by 94-03-101 (Order 2-94), filed 1/19/94, effective 2/19/94. Statutory Authority: None supplied by agency.
 180-96-055 Eligibility to take GED test. [Statutory Authority: RCW 28A.305.190. 91-24-032, § 180-96-055, filed 11/27/91, effective 12/28/91. Statutory Authority: RCW 28A.04.135. 89-01-036 (Order 21-88), § 180-96-055, filed 12/14/88.] Repealed by 94-03-101 (Order 2-94), filed 1/19/94, effective 2/19/94. Statutory Authority: None supplied by agency.
 180-96-060 Eligibility for award of certificate of educational competence. [Statutory Authority: RCW 28A.305.190. 91-24-032, § 180-96-060, filed 11/27/91, effective 12/28/91. Statutory Authority: RCW 28A.04.135. 89-01-036 (Order 21-88), § 180-96-060, filed 12/14/88.] Repealed by 94-03-101 (Order 2-94), filed 1/19/94, effective 2/19/94. Statutory Authority: None supplied by agency.
 180-96-065 Identification necessary to take the GED exam. [Statutory Authority: RCW 28A.04.135. 89-01-036 (Order 21-88), § 180-96-065, filed 12/14/88.] Repealed by 94-03-101 (Order 2-94), filed 1/19/94, effective 2/19/94. Statutory Authority: None supplied by agency.
 180-96-070 Application form for certificate of educational competence. [Statutory Authority: RCW 28A.04.135. 89-01-036 (Order 21-88), § 180-96-070, filed 12/14/88.] Repealed by 94-03-101 (Order 2-94), filed 1/19/94, effective 2/19/94. Statutory Authority: None supplied by agency.
 180-96-075 Effect of certificate of educational competence. [Statutory Authority: RCW 28A.04.135. 89-01-036 (Order 21-88), § 180-96-075, filed 12/14/88.] Repealed by 94-03-101 (Order 2-94), filed 1/19/94, effective 2/19/94. Statutory Authority: None supplied by agency.

WAC 180-96-005 Authority. The authority for this chapter is RCW 28A.305.190 which authorizes the state board of education to adopt regulations governing the eligibility of a person sixteen years of age and under nineteen years of age to take the general educational development test if the child provides a substantial and warranted reason for leaving the regular high school education program, or if the child was home-schooled.

[Statutory Authority: None supplied by agency. 94-03-101 (Order 2-94), § 180-96-005, filed 1/19/94, effective 2/19/94. Statutory Authority: 1990 c 33. 90-17-009, § 180-96-005, filed 8/6/90, effective 9/6/90. Statutory Authority: RCW 28A.04.135. 89-01-036 (Order 21-88), § 180-96-005, filed 12/14/88.]

WAC 180-96-010 Purpose. Persons who are sixteen years of age and under nineteen years of age must have a

substantial and warranted reason for leaving the regular high school program, or have completed a program of home-based instruction, as a condition to taking the general educational development test and receiving a certificate of educational competence. The purpose of these state board of education rules is to establish the process and criterion for determining whether a person within that age range has such a substantial and warranted reason or has completed a program of home-based instruction. Once such a person establishes that he or she has met either one of the two conditions, he or she is eligible to pursue taking the general educational development test in accordance with rules of the state board for community and technical colleges which are codified at chapter 131-48 WAC.

[Statutory Authority: None supplied by agency. 94-03-101 (Order 2-94), § 180-96-010, filed 1/19/94, effective 2/19/94. Statutory Authority: RCW 28A.04.135. 89-01-036 (Order 21-88), § 180-96-010, filed 12/14/88.]

WAC 180-96-020 General educational development test—Definition. As used in this chapter, the term "general educational development test" means the most recent general educational development test of the American Council on Education.

[Statutory Authority: RCW 28A.04.135. 89-01-036 (Order 21-88), § 180-96-020, filed 12/14/88.]

WAC 180-96-035 Designated employee—Definition. As used in this chapter "designated employee" means that individual or individuals empowered by the board of directors of a school district to determine whether a person who is sixteen years of age and under nineteen years of age has a substantial and warranted reason for leaving the regular high school program.

[Statutory Authority: None supplied by agency. 94-03-101 (Order 2-94), § 180-96-035, filed 1/19/94, effective 2/19/94. Statutory Authority: RCW 28A.04.135. 89-01-036 (Order 21-88), § 180-96-035, filed 12/14/88.]

WAC 180-96-040 Regular high school education program—Definition. As used in this chapter the term "regular high school education program" means a secondary education program operated pursuant to chapters 180-50 and 180-51 WAC leading to the issuance of a high school diploma.

[Statutory Authority: RCW 28A.04.135. 89-01-036 (Order 21-88), § 180-96-040, filed 12/14/88.]

WAC 180-96-045 Substantial and warranted reason for leaving the regular high school education program—Definition. As used in this chapter, the term "substantial and warranted reason for leaving the regular high school education program" means one or more of the following:

(1) Personal problems which seriously impair the student's ability to make reasonable progress toward high school graduation.

(2) A financial crisis which directly affects the student and necessitates the student's employment during school hours.

(3) The lack of curriculum and instruction which constitutes appropriate learning experiences for the student.

(4) The inability or failure of the school of attendance to adjust its program for the individual or otherwise make

arrangements for enrollment in an educational program in a manner which enables the student to advance toward graduation with reasonable progress and success.

(5) A determination by the designated employee that it is in the "best interest" of the student to drop the regular high school program for one of the following purposes:

- (a) Enter a postsecondary institution.
- (b) Enter the military.
- (c) Engage in employment.

(6) *Provided*, That no person under eighteen years of age (i.e., minor), shall be adjudged to have a substantial and warranted reason for leaving the regular high school education program unless the minor's parents, guardian, or legal custodian, if available, agrees that dropping school is in the best interest of the minor.

[Statutory Authority: None supplied by agency. 94-03-101 (Order 2-94), § 180-96-045, filed 1/19/94, effective 2/19/94. Statutory Authority: RCW 28A.04.135. 89-01-036 (Order 21-88), § 180-96-045, filed 12/14/88.]

WAC 180-96-048 Applications for a determination of substantial and warranted reason for leaving the regular high school program. Application for a determination that the applicant has a substantial and warranted reason for leaving the regular high school education program shall be made to a designated employee of either the last Washington school district the applicant attended or the Washington school district in which the applicant currently resides. A designated employee of the school district shall evaluate the facts presented by the applicant and determine whether the applicant has a substantial and warranted reason for leaving the regular high school education program as defined at WAC 180-96-045. The determination of the designated employee shall be in writing and signed by the employee.

[Statutory Authority: None supplied by agency. 94-03-101 (Order 2-94), § 180-96-048, filed 1/19/94, effective 2/19/94.]

WAC 180-96-050 Right to appeal. The following shall govern the finality of decisions of the designated employee:

(1) If the decision of the designated employee is that the applicant has a substantial and warranted reason for leaving the regular high school education program, the decision of such designated employee shall be final.

(2) If the decision of the designated employee is to deny the existence of a substantial and warranted reason for leaving the regular high school education program, the applicant shall have the right to appeal the decision to the board of directors of the school district in accordance with procedures adopted by the board of directors. The board of directors shall issue a decision within thirty calendar days of receipt of any appeal.

(3) If a decision has been made by the board of directors of the district, such decision shall be final subject to an appeal to a court of law pursuant to RCW 28A.645.010.

[Statutory Authority: None supplied by agency. 94-03-101 (Order 2-94), § 180-96-050, filed 1/19/94, effective 2/19/94. Statutory Authority: 1990 c 33. 90-17-009, § 180-96-050, filed 8/6/90, effective 9/6/90. Statutory Authority: RCW 28A.04.135. 89-01-036 (Order 21-88), § 180-96-050, filed 12/14/88.]

WAC 180-96-053 Certification of completion of a program of home-based instruction. The parent(s) or legal guardian(s) who provided home-based instruction to a person who is sixteen years of age and under nineteen years of age is responsible for determining and certifying in writing that the person has completed a program of home-based instruction. The written certification shall be signed by the parent(s) or legal guardian(s) and the signature(s) shall be notarized by a notary public.

[Statutory Authority: None supplied by agency. 94-03-101 (Order 2-94), § 180-96-053, filed 1/19/94, effective 2/19/94.]

WAC 180-96-058 Presentation of determinations of substantial and warranted reason and home schooling to official testing centers. Written determinations made in accordance with this chapter that a person has a substantial and warranted reason for leaving the regular high school education program, or has completed a program of home-based instruction, shall be presented by the person to an official general educational development testing center as partial evidence of the person's eligibility to take the general educational development test.

[Statutory Authority: None supplied by agency. 94-03-101 (Order 2-94), § 180-96-058, filed 1/19/94, effective 2/19/94.]

Chapter 180-97 WAC

EXCELLENCE IN TEACHER PREPARATION AWARD

WAC

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| 180-97-010 | Definition—Teacher educator. |
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| 180-97-040 | Selection of recipients—Nomination. |
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| 180-97-060 | Selection of recipients—Review committee. |
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| 180-97-080 | Award for the teacher educator. |
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WAC 180-97-003 Authority. The authority for this chapter is Title 28A RCW which authorizes the state board of education to adopt rules relating to the administration of a Washington award for excellence in education for higher education teacher educators.

[Statutory Authority: RCW 28A.625.360. 90-24-066, § 180-97-003, filed 12/5/90, effective 1/5/91.]

WAC 180-97-005 Purpose. The purpose of this chapter is to set forth policies, selection criteria, and administrative procedures for establishing an annual Washington award for excellence in education for higher education teacher educators.

[Statutory Authority: RCW 28A.625.360. 90-24-066, § 180-97-005, filed 12/5/90, effective 1/5/91.]

WAC 180-97-010 Definition—Teacher educator. As used in this chapter, the term "teacher educator" means: A person employed by a college or university with a state

board of education approved teacher preparation program who serves as a faculty member or administrator in the approved teacher education program.

[Statutory Authority: RCW 28A.625.360. 90-24-066, § 180-97-010, filed 12/5/90, effective 1/5/91.]

WAC 180-97-015 Definition—Professional education advisory board. As used in this chapter, the term "professional education advisory board" means: One of the professional education advisory boards approved by the state board of education as defined in WAC 180-78-075 (Professional education advisory board for teacher preparation programs).

[Statutory Authority: RCW 28A.625.360. 90-24-066, § 180-97-015, filed 12/5/90, effective 1/5/91.]

WAC 180-97-020 Definition—Educational grant. As used in this chapter, the term "educational grant" means an amount not exceeding two thousand five hundred dollars for a professional education advisory board which shall be awarded by the state board of education upon receipt of a grant application identifying the educational purpose for which the grant will be used, submitted pursuant to WAC 180-97-100. The professional education advisory board shall use the educational grant funds to enhance the recipient's competencies.

[Statutory Authority: RCW 28A.625.360. 90-24-066, § 180-97-020, filed 12/5/90, effective 1/5/91.]

WAC 180-97-040 Selection of recipients—Nomination. Any teacher professional education advisory board may nominate a higher education teacher education faculty member on the form provided by the superintendent of public instruction for that purpose. The nomination form and information about the awards program shall be disseminated to all teacher professional education advisory boards and to each of the deans and directors of education at colleges and universities with state board of education approved teacher education programs.

[Statutory Authority: RCW 28A.625.360. 90-24-066, § 180-97-040, filed 12/5/90, effective 1/5/91.]

WAC 180-97-050 Selection of recipients—Necessary information. The nomination application form shall include at a minimum:

- (1) The name of the person nominated.
- (2) The name of the professional education advisory board associated with that faculty member's program.
- (3) The college or university name and address where the person is employed.
- (4) Evidence related to the nominee's involvement in implementing teacher preparation program innovative developments.
- (5) Efforts the nominee has made to assist in communicating with legislators, common school teachers, and administrators and others about the nominee's teacher preparation program.

[Statutory Authority: RCW 28A.625.360. 90-24-066, § 180-97-050, filed 12/5/90, effective 1/5/91.]

WAC 180-97-060 Selection of recipients—Review committee. Recipients shall be selected as follows:

A committee composed of eight members of the professional education advisory committee shall be appointed by the chairperson of the professional education advisory committee as defined in WAC 180-78-015. Committee membership shall include:

- (1) Two teachers.
- (2) Two school administrators.
- (3) Two higher education representatives.
- (4) Two persons from the other groups represented on the professional education advisory committee.

Provided, no person who represents a higher education teacher education institution from which a nomination has been received or is a member of that college or university's professional education advisory committee shall be allowed to vote on that individual's nomination.

[Statutory Authority: RCW 28A.625.360. 90-24-066, § 180-97-060, filed 12/5/90, effective 1/5/91.]

WAC 180-97-070 Selection criteria. The following criteria shall be considered by the selection committee in determining the person who shall receive the Washington award for excellence in teacher preparation:

- (1) Communication with legislators, common school teachers, and administrators about the nominee's teacher preparation program.
- (2) Implementation of innovation developments by the nominee's teacher preparation program.
- (3) Leadership among professional colleagues and with students or the community.
- (4) Contributions to the field such as education related curriculum, research, and/or field services activities.
- (5) Excellence in teaching.
- (6) Publication and dissemination of information about educational programs and practices.

[Statutory Authority: RCW 28A.625.360. 90-24-066, § 180-97-070, filed 12/5/90, effective 1/5/91.]

WAC 180-97-080 Award for the teacher educator. The award for excellence in teacher preparation shall include: A certificate presented by the governor, the president of the state board of education, and the superintendent of public instruction at a public ceremony.

[Statutory Authority: RCW 28A.625.360. 90-24-066, § 180-97-080, filed 12/5/90, effective 1/5/91.]

WAC 180-97-090 Award for the professional education advisory board. The award for the professional education advisory board shall include: A grant which shall not exceed two thousand five hundred dollars to the professional education advisory board of the institution from which the teacher educator is selected.

[Statutory Authority: RCW 28A.625.360. 90-24-066, § 180-97-090, filed 12/5/90, effective 1/5/91.]

WAC 180-97-100 Application—Professional education advisory board. The professional education advisory board for the institution from which the teacher educator has been selected to receive an award shall be eligible to apply

for an educational grant. The superintendent of public instruction shall award the grant after the state board of education has approved the grant application as long as the written grant application is submitted to the state board within one year after the award is received by the teacher educator. The grant application shall identify the educational purpose toward which the grant shall be used.

[Statutory Authority: RCW 28A.625.360. 90-24-066, § 180-97-100, filed 12/5/90, effective 1/5/91.]

Chapter 180-110 WAC
GRANT PROGRAM—SCHOOLS FOR THE
TWENTY-FIRST CENTURY

WAC

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WAC 180-110-010 Authority. The authority for this chapter is RCW 28A.630.210.

[Statutory Authority: 1990 c 33. 90-17-009, § 180-110-010, filed 8/6/90, effective 9/6/90. Statutory Authority: RCW 28A.100.054. 88-06-002 (Order 6-88), § 180-110-010, filed 2/19/88.]

WAC 180-110-015 Purpose. The purpose of this chapter is to establish policies and procedures implementing the schools for the twenty-first century pilot projects program. See also the rules of the superintendent of public instruction respecting the program in chapter 392-310 WAC.

[Statutory Authority: RCW 28A.100.054. 88-06-002 (Order 6-88), § 180-110-015, filed 2/19/88.]

WAC 180-110-017 Public policy statement. The public policy of the schools for the twenty-first century pilot projects program enunciated by the legislature is as follows:

(1) A schools for the twenty-first century pilot program is established to foster change in the state common school system. The program will enable educators and parents of selected schools or school districts to restructure certain school operations and to develop model school programs which will improve student performance. The program shall include an evaluation of the projects and be accountable for student progress. The purpose of the program is to determine whether increasing local decision-making authority will produce more effective learning.

(2) The legislature intends to encourage educational creativity, professionalism, and initiative by:

(a) Providing schools an opportunity to develop new methods and procedures, through the temporary waiver of certain state statutes or administrative rules; and

(b) Providing selected public schools or school districts with the technology, services, and staff essential to enhance learning.

[Statutory Authority: RCW 28A.100.054. 88-06-002 (Order 6-88), § 180-110-017, filed 2/19/88.]

WAC 180-110-020 Pilot project—Definition. The term "pilot project" as used in this chapter means a program which encompasses part or all of one or more schools in one or more school districts and is designed to effect the public policy purposes of this chapter.

[Statutory Authority: RCW 28A.100.054. 88-06-002 (Order 6-88), § 180-110-020, filed 2/19/88.]

WAC 180-110-030 Delivery of applications—Deadlines—Modifications. The acceptance of school district applications for pilot project approval and state funding shall be governed by the following requirements respecting the time and place of receipt:

(1) Applications shall be received at the office of the State Board of Education, Old Capitol Building, Room 253, Olympia, Washington, Mailstop FG-11, 98504.

(2) Applications respecting the initial pilot projects commencing during the 1988-89 school year shall be received no later than 5:00 p.m., March 31, 1988: *Provided*, That in the event the legislature amends chapter 525, Laws of 1987 to permit the submission and acceptance of applications at a later date, said applications shall be received no later than 5:00 p.m., April 27, 1988.

(3) Applications respecting additional pilot projects commencing during the 1990-91 school year or a subsequent school year shall be received no later than 5:00 p.m., November 1 of the calendar year immediately preceding the school year of proposed implementation—e.g., by 5:00 p.m., November 1, 1989, for projects commencing during the 1990-91 school year.

(4) No application, portion of an application, or modification of an application received after the time and date established by this section shall be considered for purposes of approval and funding.

(5) Notwithstanding subsection (4) of this section, the state board of education reserves the right to accept and approve applications for the modification of a previously approved pilot project.

[Statutory Authority: RCW 28A.100.054. 88-06-002 (Order 6-88), § 180-110-030, filed 2/19/88.]

WAC 180-110-035 Application contents. Applications for pilot project approval and state funding shall comply with each of the following content requirements:

(1) Project activities and objectives. The application shall specify and explain each of the following:

(a) The activities to be carried out as part of the pilot project, including the nature and extent of proposed changes in, or the restructuring of, existing school operations.

(b) The nature of the improvement in student performance sought to be achieved.

(2) Technical resources. The application shall identify the technical resources desired, the potential costs of those resources, and the institutions of higher education, educational service districts, or consultants available to provide such services.

(3) Budget plan. The application shall contain a budget plan for the pilot project and additional anticipated sources of funding, including private grants and contributions, if any.

(4) Staff incentive pay system. The application shall identify a staff incentive pay system. Implementation of the staff incentive pay system is not required.

(5) Evaluation and accountability processes. The application shall specify and explain the evaluation and accountability processes to be used to measure pilot project-wide performance, including student performance. The processes shall include features designed to provide information capable of establishing the nature and the extent of any improvement in student performance attributable to the pilot project.

(6) Collective bargaining contract modifications. The application shall include a written statement that the school directors and the local bargaining agents will modify those portions of their local agreements as applicable for the pilot project.

(7) Modification or waiver of school district rules. The application shall include a written statement that school directors and administrators are willing to exempt the pilot project from specifically identified local rules, as needed.

(8) Modification or waiver of state rules. If the application requests the modification or waiver of a rule of either the state board of education or the superintendent of public instruction, the application shall include each of the following:

(a) Identification of the state board of education or superintendent of public instruction rule relating to the length of the school year, teacher contact hour requirements, program hour offerings, student to teacher ratios, salary lid compliance requirements, the commingling of funds appropriated by the legislature on a categorical basis, or another subject matter which the school district requests be modified or waived.

(b) The reason or reasons the school district believes the requested modification or waiver is warranted.

(9) Supplemental contracts for project related instructional employees. The application shall provide for the employment of one or more certificated school building staff, including certificated administrative staff and classified school building staff, whose primary duties consist of the daily educational instruction of students, pursuant to a supplemental contract that provides for each of the following:

(a) An average of ten additional days above and beyond the minimum one hundred and eighty day school year for the participating employees.

(b) Services or staff development, or both, in support of the pilot project.

(c) Additional compensation for such additional services and staff development funded with moneys made available pursuant to this chapter.

(10) Assurances of cooperation and support. The application shall contain each of the following types of assurances of cooperation and support:

(a) Written statements from the board of directors of the school district, the district superintendent, the principals, and the instructional staff involved in the pilot project that they have worked cooperatively in developing the application, they support the pilot project, and they will work cooperatively during the term of the pilot project.

(b) Written statements of support, willingness to participate, or concerns from any interested parent, business, or community organization.

(11) Summary or abstract. The application shall contain a one page abstract of the nature and objectives of the pilot project.

(12) Duration of pilot project. The application shall specify the school years, not exceeding six school years, for which approval and funding is requested.

[Statutory Authority: RCW 28A.630.140, 28A.630.210 and 1992 c 112. 92-16-057, § 180-110-035, filed 8/3/92, effective 9/3/92. Statutory Authority: RCW 28A.100.054. 88-06-002 (Order 6-88), § 180-110-035, filed 2/19/88.]

WAC 180-110-040 Information and recommendations to be submitted to the state board of education. Applications for pilot projects submitted pursuant to this chapter shall be selected by the state board of education for approval and funding based upon information and recommendations provided through the governor's task force and the superintendent of public instruction including, but not limited to, the following:

(1) The abstracts of the nature and objectives of pilot projects submitted by school districts.

(2) A summary of each of the following:

(a) The applications which do and do not meet the content requirements set forth in WAC 180-110-035.

(b) The appropriateness of the state rule modifications or waivers requested.

(c) The sufficiency of the evaluation and accountability processes proposed.

(3) The recommendations of the governor's task force, together with an explanation sufficient in scope to enable the state board of education to understand why certain pilot project applications have been recommended for approval and why the remaining applications have not been recommended for approval.

[Statutory Authority: RCW 28A.100.054. 88-06-002 (Order 6-88), § 180-110-040, filed 2/19/88.]

WAC 180-110-045 Considerations respecting the approval of pilot projects. Pilot project applications shall be evaluated and recommended for approval by the governor's task force, and approved by the state board of education, taking into account considerations which include, but are not necessarily limited to, each of the following:

(1) The manner and extent to which an application addresses each of the content requirements set forth in WAC 180-110-035.

(2) Evidence of thoroughness in identifying, developing, and projecting implementation of pilot project activities.

(3) Reflection of a balance among elementary, junior high or middle schools, and high schools.

(4) Reflection of a balance among geographical areas of the state, school characteristics, and school sizes, insofar as reasonably possible.

[Statutory Authority: RCW 28A.100.054. 88-06-002 (Order 6-88), § 180-110-045, filed 2/19/88.]

WAC 180-110-050 Standards for the modification or waiver of the state board of education rules. The state board of education shall grant a request for the modification or waiver of a state board of education rule which the state board of education determines meets each of the following standards:

(1) The rule does not deal with public health, safety, or civil rights.

(2) The school district has presented satisfactory reasons for the modification or waiver of the rule.

[Statutory Authority: RCW 28A.100.054. 88-06-002 (Order 6-88), § 180-110-050, filed 2/19/88.]

WAC 180-110-052 Waiver of state statutes. Statutory provisions that correspond to state administrative rule provisions which are modified or waived at the request of a school district pursuant to this chapter shall also be deemed to have been modified or waived to the same extent.

[Statutory Authority: RCW 28A.100.054. 88-06-002 (Order 6-88), § 180-110-052, filed 2/19/88.]

WAC 180-110-053 Waiver of federal rules. A school district may request the state board of education or the superintendent of public instruction to ask the United States Department of Education or another federal agency to modify or waive federal rules to the extent necessary to fully implement a pilot project. Such requests shall include an explanation of the school district's justification for a rule modification or waiver, and shall be forwarded to the appropriate federal agency by the state board of education or the superintendent of public instruction.

[Statutory Authority: RCW 28A.100.054. 88-06-002 (Order 6-88), § 180-110-053, filed 2/19/88.]

WAC 180-110-055 Pilot project monitoring. It shall be the responsibility of the superintendent of public instruction to monitor the implementation of approved pilot projects. Monitoring activities shall include, but not necessarily be limited to, the following activities:

(1) Maintaining contact with school districts pursuant to site visitations and otherwise in order to keep abreast of the implementation of pilot projects.

(2) Providing, and coordinating the provision by others of, technical assistance and resources in support of pilot projects with such assistance as the governor's task force may provide.

(3) Development of a process for facilitating and coordinating linkages among school districts operating pilot projects and colleges and universities, taking into consideration recommendations of the governor's task force, and implementation of the process.

(4) Collecting information and reports from school districts operating pilot projects.

(5) Reporting and transmitting observations, recommendations, and school district reports to the state board of education and the governor's task force.

[Statutory Authority: RCW 28A.100.054. 88-06-002 (Order 6-88), § 180-110-055, filed 2/19/88.]

WAC 180-110-060 Annual school district reports. Each school district operating an approved pilot project shall submit an annual report to the superintendent of public instruction which sets forth the school district's evaluation of pilot project progress, inclusive of pertinent data respecting the nature and extent of any improvements in student performance.

[Statutory Authority: RCW 28A.100.054. 88-06-002 (Order 6-88), § 180-110-060, filed 2/19/88.]

WAC 180-110-065 Duration and termination of pilot project approval. The duration and termination of pilot project approval shall be governed by the following terms, conditions, and procedures:

(1) The approval of a pilot project constitutes approval for the state funding, the purposes, and the period specified by the state board of education, subject to each of the following conditions:

(a) The appropriation by the legislature of sufficient state funds for pilot project purposes.

(b) A school district's continuing compliance with the terms of the district's application and the annual reporting requirements of this chapter.

(c) Satisfactory periodic evaluations.

(2) Approval of a pilot project may be modified or terminated for funding purposes due to the absence of sufficient state funding with or without notice to the affected school district or districts: *Provided*, That insofar as practicable, no pilot project shall be selected for purposes of modifying or terminating approved state funding without first soliciting the recommendations of the governor's task force and advising the school district of the modification in, or termination of, state funding.

(3) Approval of a pilot project may be modified or terminated for funding purposes due to unsatisfactory evaluation results or a school district's failure to comply with the terms of the district's application or the annual reporting requirements of this chapter: *Provided*, That any such modification or termination shall be preceded by an opportunity for the school district to present its case to the state board of education for project continuation, and by the solicitation of the recommendations of the governor's task force.

[Statutory Authority: RCW 28A.100.054. 88-06-002 (Order 6-88), § 180-110-065, filed 2/19/88.]

Chapter 180-115 WAC

GRANT PROJECT—STUDENT TEACHING PILOT PROJECTS

WAC

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DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

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| 180-115-070 | Advisory committee deadline. [Statutory Authority: RCW 28A.70.400. 88-08-044 (Order 8-88), § 180-115-070, filed 4/4/88.] Repealed by 89-22-012, filed 10/20/89, effective 11/20/89. Statutory Authority: RCW 28A.70.400. |
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WAC 180-115-005 Authority. The authority for this chapter is RCW 28A.410.150, which authorizes the state board of education to develop rules to establish student teaching pilot projects.

[Statutory Authority: 1990 c 33. 90-17-009, § 180-115-005, filed 8/6/90, effective 9/6/90. Statutory Authority: RCW 28A.70.400. 88-08-044 (Order 8-88), § 180-115-005, filed 4/4/88.]

WAC 180-115-010 Purpose. The purpose of this chapter is to establish policies, procedures, and directions for a pilot program that enhances the student teaching component of teacher preparation programs by supporting innovative ways to expand student teaching experiences and opportunities for student placement in school districts throughout the state.

[Statutory Authority: RCW 28A.70.400. 89-22-012, § 180-115-010, filed 10/20/89, effective 11/20/89; 88-08-044 (Order 8-88), § 180-115-010, filed 4/4/88.]

WAC 180-115-015 Student teaching—Definition. As used in this chapter, the term "student teaching" means field experiences, opportunities for observation, tutoring, microteaching, and extended practicums, clinical and laboratory experiences, and internship experiences in educational settings.

[Statutory Authority: RCW 28A.70.400. 88-08-044 (Order 8-88), § 180-115-015, filed 4/4/88.]

WAC 180-115-020 Grant project participants—Definition. As used in this chapter "grant project participants" means those school building and school district personnel, teacher preparatory program personnel, professional education advisory board members, and other appropriate personnel who have cooperated in the joint development of the pilot project grant application.

[Statutory Authority: RCW 28A.70.400. 89-22-012, § 180-115-020, filed 10/20/89, effective 11/20/89; 88-08-044 (Order 8-88), § 180-115-020, filed 4/4/88.]

WAC 180-115-025 Cooperating teacher—Definition. As used in this chapter "cooperating teacher" means the individual who supervises and instructs the student teacher within the pilot program placement.

[Statutory Authority: RCW 28A.70.400. 88-08-044 (Order 8-88), § 180-115-025, filed 4/4/88.]

WAC 180-115-030 Grantee agency—Definition. As used in this chapter the term "grantee agency" means public colleges/universities, local school districts, educational service districts, or public community colleges.

[Statutory Authority: RCW 28A.70.400. 88-08-044 (Order 8-88), § 180-115-030, filed 4/4/88.]

WAC 180-115-035 Responsibilities of the grantee agency. The responsibilities of the grantee agency are to:

(1) Submit a grant proposal which meets specifications set forth in chapter 180-115 WAC.

(2) Administer the project in accordance with chapter 180-115 WAC, ensuring that all conditions set forth in chapter 180-115 WAC are met.

(3) File a preliminary written assessment of the program's effectiveness with the superintendent of public instruction no later than July 31, 1989, and a final report no later than July 31, 1990.

[Statutory Authority: RCW 28A.70.400. 89-22-012, § 180-115-035, filed 10/20/89, effective 11/20/89; 88-08-044 (Order 8-88), § 180-115-035, filed 4/4/88.]

WAC 180-115-040 Pilot program grants. Upon approval by the state board of education the superintendent of public instruction is authorized to award grant funding. The actual amount received by individual grantees will be subject to negotiation by the superintendent of public instruction and shall be based upon the scope and justification for budget amounts included in applications.

[Statutory Authority: RCW 28A.70.400. 88-08-044 (Order 8-88), § 180-115-040, filed 4/4/88.]

WAC 180-115-045 Program development, implementation, and administration. Each grant submitted to the superintendent of public instruction under this program shall be jointly developed through a documented process that demonstrates joint development of the pilot program by school building and school district personnel, teacher preparation program personnel, professional education advisory board members, and other personnel as appropriate. Primary administration for each grant project shall be the responsibility of one or more of the cooperating grant project participants as determined by the grant project participants. One or more college(s)/university(ies) with teacher education programs approved by the state board of education must be a participant in the submitted pilot project.

[Statutory Authority: RCW 28A.70.400. 89-22-012, § 180-115-045, filed 10/20/89, effective 11/20/89; 88-08-044 (Order 8-88), § 180-115-045, filed 4/4/88.]

WAC 180-115-050 Grant application components.

Each grant application shall include provisions for providing appropriate and necessary training in observation and supervision and assistance skills and techniques for each participating school district cooperating teacher, and other building or district personnel who may be participants in a team concept to support the student teacher, and for each individual who is affiliated with a teacher preparation program or programs as a field-based supervisor of student teachers. Grant requestors are encouraged but not required to consider such models or model components as the following:

(1) Contracting or otherwise cooperating with an educational service district to base a supervisor or supervisors in the educational service district to supervise student teachers placed into school districts located within the educational service district.

(2) Contracting or otherwise cooperating with a community college district to base a supervisor or supervisors in the community college district to supervise student teachers placed into school districts located within the boundaries of the community college district.

(3) Training cooperating teachers to serve also as the supervisor for participating institutions.

(4) Contractual and other cooperative arrangements between teacher preparation programs to allow one institution to serve a geographic area of the state not normally served by that institution.

(5) Contractual or other cooperative arrangements between two or more teacher preparation programs to jointly serve a geographic area of the state not normally served by the institution.

[Statutory Authority: RCW 28A.70.400. 88-08-044 (Order 8-88), § 180-115-050, filed 4/4/88.]

WAC 180-115-055 Funding priorities. In recommending grant applications to the state board of education for funding, the superintendent of public instruction shall be governed by the following priorities:

(1) If no more than one grant project is approved, such project shall be of a nature as suggested in WAC 180-115-050(1).

(2) Approving grant projects as suggested in WAC 180-115-050 (2) and (5).

(3) Applications designed to involve unserved or underserved school districts and the state board of education will assure, to the extent possible, that the grant projects approved for funding reflect a geographic sampling of the state.

[Statutory Authority: RCW 28A.70.400. 88-08-044 (Order 8-88), § 180-115-055, filed 4/4/88.]

WAC 180-115-060 Advisory committee. The professional education advisory committee established under WAC 180-78-015 shall be responsible for the following:

(1) Assist the state board of education and the pilot projects in addressing issues relating to the roles and responsibilities of the participating parties in implementing the projects.

(2) Assist the state board of education in studying issues relating to the roles and responsibilities of the common

school and higher education elements of the state's education system in the preparation of prospective teachers.

(3) Select five members of its committee to review and rank order grant proposals submitted under this chapter.

(4) Advise as to modification or elimination of components contained within specific grant requests and forward recommendations to the superintendent of public instruction for determination of final grant allocations. The committee recommendation will then be submitted to the state board of education.

[Statutory Authority: RCW 28A.70.400. 89-22-012, § 180-115-060, filed 10/20/89, effective 11/20/89; 88-08-044 (Order 8-88), § 180-115-060, filed 4/4/88.]

WAC 180-115-065 Advisory committee selection criteria. In addition to those criteria set forth in WAC 180-115-055 the advisory committee will at a minimum use the following criteria for recommendation of programs:

(1) Potential for success.

(2) Uniqueness of project.

(3) Cost effectiveness.

(4) Cooperative nature of project.

[Statutory Authority: RCW 28A.70.400. 88-08-044 (Order 8-88), § 180-115-065, filed 4/4/88.]

WAC 180-115-075 Applications procedures. In order to apply for funds under this program the participating grantee agency must submit a completed proposal for the program for which it seeks support. Each application must be submitted through an official of the applying agency authorized to approve such applications for the agency.

[Statutory Authority: RCW 28A.70.400. 88-08-044 (Order 8-88), § 180-115-075, filed 4/4/88.]

WAC 180-115-080 Form and content of proposals. The following items must be included in the proposals:

(1) Title page signed by authorized official of agency.

(2) Statement of assurances.

(3) Proposal narrative of no more than ten single-spaced pages.

(4) Budget summary and justification.

(5) Description on the institution's plan to evaluate the project during its implementation and at its conclusion.

(6) Appendices (agreements between agencies, curriculum vita of program personnel, and any other relevant material offered in support of the proposal).

[Statutory Authority: RCW 28A.70.400. 88-08-044 (Order 8-88), § 180-115-080, filed 4/4/88.]

WAC 180-115-081 Continuation of 1987-89 pilot projects. Notwithstanding the approval process established in this chapter, pilot projects approved by the state board of education for funding during the 1987-89 biennium are hereby approved by the state board of education for continuation during the 1989-91 biennium subject to the condition stated in WAC 180-115-105.

[Statutory Authority: RCW 28A.70.400. 89-22-012, § 180-115-081, filed 10/20/89, effective 11/20/89.]

WAC 180-115-085 Assurance of assessment. Each prospective grantee agency must provide an assurance that a preliminary written assessment of the program's effectiveness will be submitted to the superintendent of public instruction no later than July 31, 1989, and a final report no later than July 1, 1990.

[Statutory Authority: RCW 28A.70.400. 89-22-012, § 180-115-085, filed 10/20/89, effective 11/20/89; 88-08-044 (Order 8-88), § 180-115-085, filed 4/4/88.]

WAC 180-115-090 Date for receipt of proposals by the superintendent of public instruction. In order to be considered for funding, supplemental or revised proposals must be received by superintendent of public instruction by 5:00 p.m., Friday, July 28, 1989.

[Statutory Authority: RCW 28A.70.400. 89-22-012, § 180-115-090, filed 10/20/89, effective 11/20/89; 88-08-044 (Order 8-88), § 180-115-090, filed 4/4/88.]

WAC 180-115-095 Indirect costs. Indirect costs from the grant funds may represent no more than eight percent of the grant request for direct costs.

[Statutory Authority: RCW 28A.70.400. 88-08-044 (Order 8-88), § 180-115-095, filed 4/4/88.]

WAC 180-115-100 General provision—Carryover provision. Unexpended student teaching pilot project funds for the first year of a biennium may be expended in the second year of the same biennium. Any student teaching pilot project funds allocated during a biennium and unexpended by the end of the biennium (i.e., June 30) shall revert to the state treasurer.

[Statutory Authority: RCW 28A.70.400. 88-08-044 (Order 8-88), § 180-115-100, filed 4/4/88.]

WAC 180-115-105 Timeline for projects. The state funds for this project must be expended by June 30, 1991.

[Statutory Authority: RCW 28A.410.150. 90-24-067, § 180-115-105, filed 12/5/90, effective 1/5/91. Statutory Authority: RCW 28A.70.400. 89-22-012, § 180-115-105, filed 10/20/89, effective 11/20/89; 88-08-044 (Order 8-88), § 180-115-105, filed 4/4/88.]