

Title 490 WAC
WORK FORCE TRAINING AND EDUCATION
COORDINATING BOARD ALSO VOCATIONAL
REHABILITATION
(SOCIAL AND HEALTH SERVICES, DEPT. OF)

Chapters

- 490-04B** Work force training and education coordinating board.
- 490-08B** Practice and procedure.
- 490-10** Organization.
- 490-13** Designation of rules coordinator.
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- 490-276** Access to public records.
- 490-325A** State Environmental Policy Act rules.
- 490-500** Vocational rehabilitation and services for handicapped persons.
- 490-800** Private vocational school regulations.

**DISPOSITION OF CHAPTERS FORMERLY
 CODIFIED IN THIS TITLE**

**Chapter 490-02
 INCORPORATION OF FEDERAL REGULATIONS BY
 REFERENCE**

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

**Chapter 490-03
 AFFIRMATIVE ACTION POLICY**

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

**Chapter 490-04
 AUTHORITY AND ORGANIZATION FOR COORDINATING
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- 490-04-010 Name and legal authority. [Orders 72-3 and 72-4, § 490-04-010, filed 4/24/72.] Repealed by Order 75-4, filed 2/18/76. Later promulgation, see WAC 490-04A-010.
- 490-04-020 Organization. [Orders 72-3 and 72-4, § 490-04-020, filed 4/24/72.] Repealed by Order 75-4, filed 2/18/76. Later promulgation, see WAC 490-04A-020.
- 490-04-030 Designation and authority of executive officer. [Orders 72-3 and 72-4, § 490-04-030, filed 4/24/72.] Repealed by Order 75-4, filed 2/18/76. Later promulgation, see WAC 490-04A-040.
- 490-04-040 Designation and authority of state director. [Orders 72-3 and 72-4, § 490-04-040, filed 4/24/72.] Repealed by Order 75-4, filed 2/18/76.
- 490-04-050 Administrative structure of the coordinating council for occupational education. [Order 73-1, § 490-04-050, filed 11/1/73; Orders 72-3 and 72-4, § 490-04-050, filed 4/24/72.] Repealed by Order 75-4, filed 2/18/76. Later promulgation, see WAC 490-04A-050.

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

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

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

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

Chapter 490-08

RULES OF PRACTICE AND PROCEDURE

- 490-08-010 Appeal procedures. [Orders 72-3 and 72-4, § 490-08-010, filed 4/24/72.] Repealed by Order 75-4, filed 2/18/76. Later promulgation, see WAC 490-08A-010.
- 490-08-020 Judicial review provisions. [Orders 72-3 and 72-4, § 490-08-020, filed 4/24/72.] Repealed by Order 75-4, filed 2/18/76. Later promulgation, see WAC 490-08A-020.

Chapter 490-08A

RULES OF PRACTICE AND PROCEDURE

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

Chapter 490-12

QUALIFICATIONS OF PERSONNEL

- 490-12-010 Qualifications of teachers of practical nursing. [Rules (part), filed 3/23/60.] Repealed by Order 75-4, filed 2/18/76. Later promulgation, see WAC 490-12A-010.
- 490-12-020 Qualifications of teachers in trade and industrial extension classes—Shop and trade practice teachers. [Rules (part), filed 3/23/60.] Repealed by Order 75-4, filed 2/18/76. Later promulgation, see WAC 490-12A-020.
- 490-12-022 Qualifications of teachers in trade and industrial extension classes—Related technical teachers. [Rules (part), filed 3/23/60.] Repealed by Order 75-4, filed 2/18/76. Later promulgation, see WAC 490-12A-022.
- 490-12-024 Qualifications of teachers in trade and industrial extension classes—Teachers of general continuation classes. [Rules (part), filed 3/23/60.] Repealed by Order 75-4, filed 2/18/76. Later promulgation, see WAC 490-12A-024.
- 490-12-030 Qualifications of teachers of home economics education—Home economics teachers. [Rules (part), filed 3/23/60.] Repealed by Order 75-4, filed 2/18/76. Later promulgation, see WAC 490-12A-030.
- 490-12-032 Qualifications of teachers of home economics education—Teacher for child development laboratory in the home economics program. [Rules (part), filed 3/23/60.] Repealed by Order 75-4, filed 2/18/76. Later promulgation, see WAC 490-12A-032.
- 490-12-034 Qualifications of teachers of home economics education—Related subjects teacher. [Rules (part), filed 3/23/60.] Repealed by Order 75-4, filed 2/18/76. Later promulgation, see WAC 490-12A-034.
- 490-12-036 Qualifications of teachers of home economics education—Qualifications of teachers for out-of-school group. [Rules (part), filed 3/23/60.] Repealed by Order 75-4, filed 2/18/76. Later promulgation, see WAC 490-12A-036.
- 490-12-040 Distributive education—Qualification of teachers and coordinators—Evening extension classes. [Rules (part), filed 3/23/60.] Repealed by Order 75-4, filed 2/18/76. Later promulgation, see WAC 490-12A-040.
- 490-12-042 Distributive education—Qualification of teachers and coordinators—Part-time extension classes. [Rules (part), filed 3/23/60.] Repealed by Order 75-4, filed 2/18/76. Later promulgation, see WAC 490-12A-042.
- 490-12-044 Distributive education—Qualification of teachers and coordinators—Part-time cooperative classes. [Rules (part), filed 3/23/60.] Repealed by Order 75-4, filed 2/18/76. Later promulgation, see WAC 490-12A-044.
- 490-12-046 Distributive education—Qualification of teachers and coordinators—Teachers of related subjects. [Rules (part), filed 3/23/60.] Repealed by Order 75-4, filed 2/18/76. Later promulgation, see WAC 490-12A-046.

- 490-12-050 Qualifications of teachers of agriculture—Regular teacher for all-day, day-unit, young farmer, adult farmer or combinations of the same. [Rules (part), filed 3/23/60.] Repealed by Order 75-4, filed 2/18/76. Later promulgation, see WAC 490-12A-050.
- 490-12-052 Qualifications of teachers of agriculture—Special teachers. [Rules (part), filed 3/23/60.] Repealed by Order 75-4, filed 2/18/76. Later promulgation, see WAC 490-12A-052.

Chapter 490-12A

QUALIFICATIONS OF PERSONNEL

- 490-12A-010 Qualifications of teachers of practical nursing. [Order 75-3, § 490-12A-010, filed 12/18/75. Formerly WAC 490-12-010.] Repealed by 79-02-019 (Order 79-1, Resolution No. 78-32-3), filed 1/16/79. Statutory Authority: RCW 28C.04.060.
- 490-12A-020 Qualifications of teachers in trade and industrial extension classes—Shop and trade practice teachers. [Order 75-3, § 490-12A-020, filed 12/18/75. Formerly WAC 490-12-020.] Repealed by 79-02-019 (Order 79-1, Resolution No. 78-32-3), filed 1/16/79. Statutory Authority: RCW 28C.04.060.
- 490-12A-022 Qualifications of teachers in trade and industrial extension classes—Related technical teachers. [Order 75-3, § 490-12A-022, filed 12/18/75. Formerly WAC 490-12-022.] Repealed by 79-02-019 (Order 79-1, Resolution No. 78-32-3), filed 1/16/79. Statutory Authority: RCW 28C.04.060.
- 490-12A-024 Qualifications of teachers in trade and industrial extension classes—Teachers of general continuation classes. [Order 75-3, § 490-12A-024, filed 12/18/75. Formerly WAC 490-12-024.] Repealed by 79-02-019 (Order 79-1, Resolution No. 78-32-3), filed 1/16/79. Statutory Authority: RCW 28C.04.060.
- 490-12A-030 Qualifications of teachers of home economics education—Home economics teachers. [Order 75-3, § 490-12A-030, filed 12/18/75. Formerly WAC 490-12-030.] Repealed by 79-02-019 (Order 79-1, Resolution No. 78-32-3), filed 1/16/79. Statutory Authority: RCW 28C.04.060.
- 490-12A-032 Qualifications of teachers of home economics education—Teacher for child development laboratory in the home economics program. [Order 75-3, § 490-12A-032, filed 12/18/75. Formerly WAC 490-12-032.] Repealed by 79-02-019 (Order 79-1, Resolution No. 78-32-3), filed 1/16/79. Statutory Authority: RCW 28C.04.060.
- 490-12A-034 Qualifications of teachers of home economics education—Related subjects teacher. [Order 75-3, § 490-12A-034, filed 12/18/75. Formerly WAC 490-12-034.] Repealed by 79-02-019 (Order 79-1, Resolution No. 78-32-3), filed 1/16/79. Statutory Authority: RCW 28C.04.060.
- 490-12A-036 Qualifications of teachers of home economics education—Qualifications of teachers for out-of-school group. [Order 75-3, § 490-12A-036, filed 12/18/75. Formerly WAC 490-12-036.] Repealed by 79-02-019 (Order 79-1, Resolution No. 78-32-3), filed 1/16/79. Statutory Authority: RCW 28C.04.060.
- 490-12A-040 Distributive education—Qualification of teachers and coordinators—Evening extension classes. [Order 75-3, § 490-12A-040, filed 12/18/75. Formerly WAC 490-12-040.] Repealed by 79-02-019 (Order 79-1, Resolution No. 78-32-3), filed 1/16/79. Statutory Authority: RCW 28C.04.060.
- 490-12A-042 Distributive education—Qualification of teachers and coordinators—Part-time extension classes. [Order 75-3, § 490-12A-042, filed 12/18/75. Formerly WAC 490-12-042.] Repealed by 79-02-019 (Order 79-1, Resolution No. 78-32-3), filed 1/16/79. Statutory Authority: RCW 28C.04.060.
- 490-12A-044 Distributive education—Qualification of teachers and coordinators—Part-time cooperative classes. [Order 75-3, § 490-12A-044, filed 12/18/75. Formerly WAC 490-12-044.] Repealed by 79-02-019 (Order 79-1, Resolution No. 78-32-3), filed 1/16/79. Statutory Authority: RCW 28C.04.060.
- 490-12A-046 Distributive education—Qualification of teachers and coordinators—Teachers of related subjects. [Order 75-3,

§ 490-12A-046, filed 12/18/75. Formerly WAC 490-12-046.] Repealed by 79-02-019 (Order 79-1, Resolution No. 78-32-3), filed 1/16/79. Statutory Authority: RCW 28C.04.060.

- 490-12A-050 Qualifications of teachers of agriculture—Regular teacher for all-day, day-unit, young farmer, adult farmer or combinations of the same. [Order 75-3, § 490-12A-050, filed 12/18/75. Formerly WAC 490-12-050.] Repealed by 79-02-019 (Order 79-1, Resolution No. 78-32-3), filed 1/16/79. Statutory Authority: RCW 28C.04.060.
- 490-12A-052 Qualifications of teachers of agriculture—Special teachers. [Order 75-3, § 490-12A-052, filed 12/18/75. Formerly WAC 490-12-052.] Repealed by 79-02-019 (Order 79-1, Resolution No. 78-32-3), filed 1/16/79. Statutory Authority: RCW 28C.04.060.

Chapter 490-15

OCCUPATIONAL TRAINING OF REHABILITATION CLIENTS—APPROVAL OF SCHOOLS

- 490-15-001 Authorization. [Order 73-2, § 490-15-001, filed 5/3/73.] Repealed by Order 75-4, filed 2/18/76. Later promulgation, see WAC 490-15A-001.
- 490-15-004 Conditions required for approval. [Order 73-2, § 490-15-004, filed 5/3/73.] Repealed by Order 75-4, filed 2/18/76. Later promulgation, see WAC 490-15A-004.
- 490-15-008 Standards required for approval. [Order 73-2, § 490-15-008, filed 5/3/73.] Repealed by Order 75-4, filed 2/18/76. Later promulgation, see WAC 490-15A-008.
- 490-15-012 Procedures for approval. [Order 73-2, § 490-15-012, filed 5/3/73.] Repealed by Order 75-4, filed 2/18/76. Later promulgation, see WAC 490-15A-012.
- 490-15-016 Refund policy. [Order 73-2, § 490-15-016, filed 5/3/73.] Repealed by Order 75-4, filed 2/18/76. Later promulgation, see WAC 490-15A-016.
- 490-15-020 Advertising—Publicizing regulations. [Order 73-2, § 490-15-020, filed 5/3/73.] Repealed by Order 75-4, filed 2/18/76. Later promulgation, see WAC 490-15A-020.
- 490-15-024 Duration of approval—Nontransferability. [Order 73-2, § 490-15-024, filed 5/3/73.] Repealed by Order 75-4, filed 2/18/76. Later promulgation, see WAC 490-15A-024.
- 490-15-028 Reports—Visitation. [Order 73-2, § 490-15-028, filed 5/3/73.] Repealed by Order 75-4, filed 2/18/76. Later promulgation, see WAC 490-15A-028.

Chapter 490-15A

OCCUPATIONAL TRAINING OF REHABILITATION CLIENTS—APPROVAL OF SCHOOLS

- 490-15A-001 Authorization. [Order 75-3, § 490-15A-001, filed 12/18/75. Formerly WAC 490-15-001.] Repealed by 79-02-019 (Order 79-1, Resolution No. 78-32-3), filed 1/16/79. Statutory Authority: RCW 28C.04.060.
- 490-15A-004 Conditions required for approval. [Order 75-3, § 490-15A-004, filed 12/18/75. Formerly WAC 490-15-004.] Repealed by 79-02-019 (Order 79-1, Resolution No. 78-32-3), filed 1/16/79. Statutory Authority: RCW 28C.04.060.
- 490-15A-008 Standards required for approval. [Order 75-3, § 490-15A-008, filed 12/18/75. Formerly WAC 490-15-008.] Repealed by 79-02-019 (Order 79-1, Resolution No. 78-32-3), filed 1/16/79. Statutory Authority: RCW 28C.04.060.
- 490-15A-012 Procedures for approval. [Order 75-3, § 490-15A-012, filed 12/18/75. Formerly WAC 490-15-012.] Repealed by 79-02-019 (Order 79-1, Resolution No. 78-32-3), filed 1/16/79. Statutory Authority: RCW 28C.04.060.
- 490-15A-016 Refund policy. [Order 75-3, § 490-15A-016, filed 12/18/75. Formerly WAC 490-15-016.] Repealed by 79-02-019 (Order 79-1, Resolution No. 78-32-3), filed 1/16/79. Statutory Authority: RCW 28C.04.060.
- 490-15A-020 Advertising—Publicizing regulations. [Order 75-3, § 490-15A-020, filed 12/18/75. Formerly WAC 490-15-020.] Repealed by 79-02-019 (Order 79-1, Resolution No. 78-32-3), filed 1/16/79. Statutory Authority: RCW 28C.04.060.
- 490-15A-024 Duration of approval—Nontransferability. [Order 75-3, § 490-15A-024, filed 12/18/75. Formerly WAC 490-15-

024.] Repealed by 79-02-019 (Order 79-1, Resolution No. 78-32-3), filed 1/16/79. Statutory Authority: RCW 28C.04.060.

- 490-15A-028 Reports—Visitation. [Order 75-3, § 490-15A-028, filed 12/18/75. Formerly WAC 490-15-028.] Repealed by 79-02-019 (Order 79-1, Resolution No. 78-32-3), filed 1/16/79. Statutory Authority: RCW 28C.04.060.

Chapter 490-16

OCCUPATIONAL TRAINING OF VETERANS—APPROVAL OF SCHOOLS

- 490-16-001 Authorization. [Rules (part), filed 8/12/66.] Repealed by Order 75-4, filed 2/18/76. Later promulgation, see WAC 490-16A-001.
- 490-16-005 Importance of approval. [Rules (part), filed 8/12/66.] Repealed by Order 75-4, filed 2/18/76. Later promulgation, see WAC 490-16A-005.
- 490-16-008 Conditions required for approval. [Rules (part), filed 8/12/66.] Repealed by Order 75-4, filed 2/18/76. Later promulgation, see WAC 490-16A-008.
- 490-16-010 Applicability of standards. [Rules (part), filed 8/12/66.] Repealed by Order 75-4, filed 2/18/76. Later promulgation, see WAC 490-16A-010.
- 490-16-015 General standards—Prior operation. [Rules (part), filed 8/12/66.] Repealed by Order 75-4, filed 2/18/76. Later promulgation, see WAC 490-16A-015.
- 490-16-020 General standards—Minimum number of nonveteran students required. [Rules (part), filed 8/12/66.] Repealed by Order 75-4, filed 2/18/76. Later promulgation, see WAC 490-16A-020.
- 490-16-025 General standards—Prior accreditation or licensing. [Rules (part), filed 8/12/66.] Repealed by Order 75-4, filed 2/18/76. Later promulgation, see WAC 490-16A-025.
- 490-16-030 General standards—Accredited and nonaccredited courses. [Rules (part), filed 8/12/66.] Repealed by Order 75-4, filed 2/18/76. Later promulgation, see WAC 490-16A-030.
- 490-16-035 General standards—Approval by state board. [Rules (part), filed 8/12/66.] Repealed by Order 75-4, filed 2/18/76. Later promulgation, see WAC 490-16A-035.
- 490-16-040 General standards—Business organization and ethics. [Rules (part), filed 8/12/66.] Repealed by Order 75-4, filed 2/18/76. Later promulgation, see WAC 490-16A-040.
- 490-16-045 General standards—Admission requirements. [Rules (part), filed 8/12/66.] Repealed by Order 75-4, filed 2/18/76. Later promulgation, see WAC 490-16A-045.
- 490-16-050 General standards—Qualifications of instructors. [Rules (part), filed 8/12/66.] Repealed by Order 75-4, filed 2/18/76. Later promulgation, see WAC 490-16A-050.
- 490-16-055 General standards—Number of teachers and student load. [Rules (part), filed 8/12/66.] Repealed by Order 75-4, filed 2/18/76. Later promulgation, see WAC 490-16A-055.
- 490-16-060 General standards—Instructional content. [Rules (part), filed 8/12/66.] Repealed by Order 75-4, filed 2/18/76. Later promulgation, see WAC 490-16A-060.
- 490-16-065 General standards—Facilities. [Rules (part), filed 8/12/66.] Repealed by Order 75-4, filed 2/18/76. Later promulgation, see WAC 490-16A-065.
- 490-16-070 General standards—Equipment. [Rules (part), filed 8/12/66.] Repealed by Order 75-4, filed 2/18/76. Later promulgation, see WAC 490-16A-070.
- 490-16-080 Regulations—Advertising and/or publicizing. [Rules (part), filed 8/12/66.] Repealed by Order 75-4, filed 2/18/76. Later promulgation, see WAC 490-16A-080.
- 490-16-085 Regulations—Length of time of approval. [Rules (part), filed 8/12/66.] Repealed by Order 75-4, filed 2/18/76. Later promulgation, see WAC 490-16A-085.
- 490-16-090 Regulations—Limited and specific nature of approval. [Rules (part), filed 8/12/66.] Repealed by Order 75-4, filed 2/18/76. Later promulgation, see WAC 490-16A-090.

Title 490**Title 490 WAC: Work Force Training—Vocational Rehab.**

- 490-16-095 Regulations—Change of location or ownership. [Rules (part), filed 8/12/66.] Repealed by Order 75-4, filed 2/18/76. Later promulgation, see WAC 490-16A-095.
- 490-16-100 Regulations—Approvals are not precedents. [Rules (part), filed 8/12/66.] Repealed by Order 75-4, filed 2/18/76. Later promulgation, see WAC 490-16A-100.
- 490-16-105 Regulations—Reports. [Rules (part), filed 8/12/66.] Repealed by Order 75-4, filed 2/18/76. Later promulgation, see WAC 490-16A-105.
- 490-16-110 Regulations—Visitations. [Rules (part), filed 8/12/66.] Repealed by Order 75-4, filed 2/18/76. Later promulgation, see WAC 490-16A-110.
- 490-16-115 Regulations—Misrepresentation. [Rules (part), filed 8/12/66.] Repealed by Order 75-4, filed 2/18/76. Later promulgation, see WAC 490-16A-115.
- 490-16-120 Regulations—Supporting evidence. [Rules (part), filed 8/12/66.] Repealed by Order 75-4, filed 2/18/76. Later promulgation, see WAC 490-16A-120.
- 490-16-130 Regulations—Procedures. [Rules (part), filed 8/12/66.] Repealed by Order 75-4, filed 2/18/76. Later promulgation, see WAC 490-16A-130.

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

- 490-16A-001 Authorization. [Order 75-3, § 490-16A-001, filed 12/18/75. Formerly WAC 490-16-001.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-16A-005 Importance of approval. [Order 75-3, § 490-16A-005, filed 12/18/75. Formerly WAC 490-16-005.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-16A-008 Conditions required for approval. [Order 75-3, § 490-16A-008, filed 12/18/75. Formerly WAC 490-16-008.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-16A-010 Applicability of standards. [Order 75-3, § 490-16A-010, filed 12/18/75. Formerly WAC 490-16-010.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-16A-015 General standards—Prior operation. [Order 75-3, § 490-16A-015, filed 12/18/75. Formerly WAC 490-16-015.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-16A-020 General standards—Minimum number of nonveteran students required. [Order 75-3, § 490-16A-020, filed 12/18/75. Formerly WAC 490-16-020.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-16A-025 General standards—Prior accreditation or licensing. [Order 75-3, § 490-16A-025, filed 12/18/75. Formerly WAC 490-16-025.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-16A-030 General standards—Accredited and nonaccredited courses. [Order 75-3, § 490-16A-030, filed 12/18/75. Formerly WAC 490-16-030.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-16A-035 General standards—Approval by state board. [Order 75-3, § 490-16A-035, filed 12/18/75. Formerly WAC 490-16-035.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-16A-040 General standards—Business organization and ethics. [Order 75-3, § 490-16A-040, filed 12/18/75. Formerly WAC 490-16-040.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-16A-045 General standards—Admission requirements. [Order 75-3, § 490-16A-045, filed 12/18/75. Formerly WAC 490-16-045.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-16A-050 General standards—Qualifications of instructors. [Order 75-3, § 490-16A-050, filed 12/18/75. Formerly WAC 490-16-050.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-16A-055 General standards—Qualifications of instructors—Number of teachers and student load. [Order 75-3, § 490-16A-055, filed 12/18/75. Formerly WAC 490-16-055.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-16A-060 General standards—Instructional content. [Order 75-3, § 490-16A-060, filed 12/18/75. Formerly WAC 490-16-060.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.

- 490-16A-065 General standards—Facilities. [Order 75-3, § 490-16A-065, filed 12/18/75. Formerly WAC 490-16-065.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-16A-070 General standards—Equipment. [Order 75-3, § 490-16A-070, filed 12/18/75. Formerly WAC 490-16-070.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-16A-080 Regulations—Advertising and/or publicizing. [Order 75-3, § 490-16A-080, filed 12/18/75. Formerly WAC 490-16-080.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-16A-085 Regulations—Length of time of approval. [Order 75-3, § 490-16A-085, filed 12/18/75. Formerly WAC 490-16-085.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-16A-090 Regulations—Limited and specific nature of approval. [Order 75-3, § 490-16A-090, filed 12/18/75. Formerly WAC 490-16-090.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-16A-095 Regulations—Change of location or ownership. [Order 75-3, § 490-16A-095, filed 12/18/75. Formerly WAC 490-16-095.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-16A-100 Regulations—Approvals are not precedents. [Order 75-3, § 490-16A-100, filed 12/18/75. Formerly WAC 490-16-100.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-16A-105 Regulations—Reports. [Order 75-3, § 490-16A-105, filed 12/18/75. Formerly WAC 490-16-105.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-16A-110 Regulations—Visitations. [Order 75-3, § 490-16A-110, filed 12/18/75. Formerly WAC 490-16-110.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-16A-115 Regulations—Misrepresentation. [Order 75-3, § 490-16A-115, filed 12/18/75. Formerly WAC 490-16-115.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-16A-120 Regulations—Supporting evidence. [Order 75-3, § 490-16A-120, filed 12/18/75. Formerly WAC 490-16-120.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-16A-130 Regulations—Procedures. [Order 75-3, § 490-16A-130, filed 12/18/75. Formerly WAC 490-16-130.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.

Chapter 490-20**VOCATIONAL REHABILITATION**

- 490-20-010 Standards for personnel providing services—General policies. [Regulation 17.1, filed 4/3/64; Regulation 17.1, filed 6/21/63.] Repealed by Order 72-3, filed 4/24/72.
- 490-20-015 Standards for personnel providing services—Medical diagnosis and treatment. [Regulation 17.2 (part), filed 4/3/64; Regulation 17.2 (part), filed 6/21/63.] Repealed by Order 72-3, filed 4/24/72.
- 490-20-020 Standards for personnel providing services—Dental diagnosis and treatment. [Regulation 17.2 (part), filed 4/3/64; Regulation 17.2 (part), filed 6/21/63.] Repealed by Order 72-3, filed 4/24/72.
- 490-20-025 Standards for personnel providing services—Other personnel. [Regulation 17.2 (part), filed 4/3/64; Regulation 17.2 (part), filed 6/21/63.] Repealed by Order 72-3, filed 4/24/72.
- 490-20-030 Standards for personnel providing services—Maintenance of standards. [Regulation 17.3, filed 4/3/64; Regulation 17.3, filed 6/21/63.] Repealed by Order 72-3, filed 4/24/72.
- 490-20-035 Standards for personnel providing services—Guides for agency personnel. [Regulation 17.4, filed 4/3/64; Regulation 17.4, filed 6/21/63.] Repealed by Order 72-3, filed 4/24/72.
- 490-20-100 Nondisabled service of the division of vocational rehabilitation—General provisions. [Regulation 1, filed 6/21/63; Regulation 1, filed 3/24/60.] Repealed by Order 72-3, filed 4/24/72.
- 490-20-110 Nondisabled service of the division of vocational rehabilitation—Administrative organization. [Regulation 2, filed 6/21/63.] Repealed by Order 72-3, filed 4/24/72.
- 490-20-120 Nondisabled service of the division of vocational rehabilitation—Scope of agency program—Objectives and servic-

- 490-20-130 es. [Rule 6, filed 6/21/63; Rule 4, filed 3/24/60.] Repealed by Order 72-3, filed 4/24/72. Nondisabled service of the division of vocational rehabilitation—Case referral and acceptance. [Regulation 7, filed 6/21/63; Regulation 3, filed 3/24/60.] Repealed by Order 72-3, filed 4/24/72.
- 490-20-140 Nondisabled service of the division of vocational rehabilitation—Eligibility for services. [Regulation 8, filed 6/21/63; Section 2, filed 3/24/60.] Repealed by Order 72-3, filed 4/24/72.
- 490-20-150 Nondisabled service of the division of vocational rehabilitation—Economic need. [Regulation 13, filed 6/21/63.] Repealed by Order 72-3, filed 4/24/72.
- 490-20-160 Nondisabled service of the division of vocational rehabilitation—Confidential information. [Regulation 15, filed 6/21/63; Regulation 6, filed 3/24/60.] Repealed by Order 72-3, filed 4/24/72.
- 490-20-170 Nondisabled service of the division of vocational rehabilitation—Services provided. [Regulation 20, filed 6/21/63; Section 4, filed 3/24/60.] Repealed by Order 72-3, filed 4/24/72.

Chapter 490-24

PROVISION FOR PUBLIC HEARINGS, PUBLIC MEETINGS AND PUBLIC INFORMATION

- 490-24-010 Public hearings procedures. [Orders 72-3 and 72-4, § 490-24-010, filed 4/24/72.] Repealed by Order 75-4, filed 2/18/76. Later promulgation, see WAC 490-24A-010.
- 490-24-020 Public meeting procedures. [Orders 72-3 and 72-4, § 490-24-020, filed 4/24/72.] Repealed by Order 75-4, filed 2/18/76. Later promulgation, see WAC 490-24A-020.
- 490-24-030 Public information procedures. [Order 73-1, § 490-24-030, filed 11/1/73; Orders 72-3 and 72-4, § 490-24-030, filed 4/24/72.] Repealed by Order 75-4, filed 2/18/76. Later promulgation, see WAC 490-24A-030.

Chapter 490-24A

PROVISION FOR PUBLIC HEARINGS, PUBLIC MEETINGS AND PUBLIC INFORMATION

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

Chapter 490-25

RULES AND REGULATIONS RELATING TO PUBLIC RECORDS OF THE COORDINATING COUNCIL FOR OCCUPATIONAL EDUCATION

- 490-25-010 Purpose. [Order 73-1, § 490-25-010, filed 5/3/73.] Repealed by Order 75-4, filed 2/18/76. Later promulgation, see WAC 490-25A-010.
- 490-25-015 Definitions. [Order 73-1, § 490-25-015, filed 5/3/73.] Repealed by Order 75-4, filed 2/18/76. Later promulgation, see WAC 490-25A-015.
- 490-25-020 Description of central and field organization of CCOE. [Order 73-1, § 490-25-020, filed 5/3/73.] Repealed by Order 75-4, filed 2/18/76. Later promulgation, see WAC 490-25A-020.
- 490-25-025 Public records available. [Order 73-1, § 490-25-025, filed 5/3/73.] Repealed by Order 75-4, filed 2/18/76. Later promulgation, see WAC 490-25A-025.
- 490-25-030 Requests for public records. [Order 73-1, § 490-25-030, filed 5/3/73.] Repealed by Order 75-4, filed 2/18/76. Later promulgation, see WAC 490-25A-030.
- 490-25-035 Copying. [Order 73-1, § 490-25-035, filed 5/3/73.] Repealed by Order 75-4, filed 2/18/76. Later promulgation, see WAC 490-25A-035.
- 490-25-040 Exemptions. [Order 73-1, § 490-25-040, filed 5/3/73.] Repealed by Order 75-4, filed 2/18/76. Later promulgation, see WAC 490-25A-040.

- 490-25-045 Review of denials of public records requests. [Order 73-1, § 490-25-045, filed 5/3/73.] Repealed by Order 75-4, filed 2/18/76. Later promulgation, see WAC 490-25A-045.
- 490-25-050 Protection of public records. [Order 73-1, § 490-25-050, filed 5/3/73.] Repealed by Order 75-4, filed 2/18/76. Later promulgation, see WAC 490-25A-050.
- 490-25-055 Records index. [Order 73-1, § 490-25-055, filed 5/3/73.] Repealed by Order 75-4, filed 2/18/76. Later promulgation, see WAC 490-25A-055.
- 490-25-060 Adoption of form—Appendix A. [Order 73-1, § 490-25-060, filed 5/3/73.] Repealed by Order 75-4, filed 2/18/76. Later promulgation, see WAC 490-25A-060.

Chapter 490-25A

RULES AND REGULATIONS RELATING TO PUBLIC RECORDS OF THE COMMISSION FOR VOCATIONAL EDUCATION

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

Chapter 490-28

MINIMUM QUALIFICATIONS OF PERSONNEL

- 490-28-010 Minimum qualifications of personnel. [Order 73-1, § 490-28-010, filed 11/1/73; Orders 72-3 and 72-4, § 490-28-010, filed 4/24/72.] Repealed by Order 75-4, filed 2/18/76. Later promulgation, see WAC 490-28A-010.
- 490-28-011 Appeal procedures. [Order 73-1, § 490-28-011, filed 11/1/73.] Repealed by Order 75-4, filed 2/18/76. Later promulgation, see WAC 490-28A-011.
- 490-28-012 Minimum standards for local vocational administrative personnel. [Order 73-1, § 490-28-012, filed 11/1/73.] Repealed by Order 75-4, filed 2/18/76. Later promulgation, see WAC 490-28A-012.
- 490-28-013 Minimum standards of state agency personnel. [Order 73-1, § 490-28-013, filed 11/1/73.] Repealed by Order 75-4, filed 2/18/76. Later promulgation, see WAC 490-28A-013.
- 490-28-020 Compliance with WAC 490-28-010 by operating agencies. [Order 73-1, § 490-28-020, filed 11/1/73; Orders 72-3 and 72-4, § 490-28-020, filed 4/24/72.] Repealed by Order 75-4, filed 2/18/76. Later promulgation, see WAC 490-28A-020.

Title 490**Title 490 WAC: Work Force Training—Vocational Rehab.**

- 490-28-030 Professional improvement. [Order 73-1, § 490-28-030, filed 11/1/73; Orders 72-3 and 72-4, § 490-28-030, filed 4/24/72.] Repealed by Order 75-4, filed 2/18/76. Later promulgation, see WAC 490-28A-030.
- 490-28-040 Review and modification of personnel qualification standards. [Order 73-1, § 490-28-040, filed 11/1/73.] Repealed by Order 75-4, filed 2/18/76. Later promulgation, see WAC 490-28A-040.
- 490-28-050 Program evaluation. [Order 73-1, § 490-28-050, filed 11/1/73.] Repealed by Order 75-4, filed 2/18/76. Later promulgation, see WAC 490-28A-050.
- 490-28-060 Review and evaluation of personnel preparation and development. [Order 73-1, § 490-28-060, filed 11/1/73.] Repealed by Order 75-4, filed 2/18/76. Later promulgation, see WAC 490-28A-060.

Chapter 490-28A
MINIMUM QUALIFICATIONS OF PERSONNEL

- 490-28A-001 Minimum qualifications of vocational education personnel. [Statutory Authority: RCW 28C.04.060. 79-02-019 (Order 79-1, Resolution No. 78-32-3), § 490-28A-001, filed 1/16/79.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-28A-002 Minimum standards for full-time teaching personnel. [Statutory Authority: RCW 28C.04.060. 79-02-019 (Order 79-1, Resolution No. 78-32-3), § 490-28A-002, filed 1/16/79.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-28A-003 Minimum standards for trainers of vocational education personnel. [Statutory Authority: RCW 28C.04.060. 83-10-003 (Order 83-1, Resolution No. 82-54-12/3), § 490-28A-003, filed 4/21/83.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-28A-010 Minimum qualifications of personnel. [Order 75-3, § 490-28A-010, filed 12/18/75. Formerly WAC 490-28-010.] Repealed by 79-02-019 (Order 79-1, Resolution No. 78-32-3), filed 1/16/79. Statutory Authority: RCW 28C.04.060.
- 490-28A-011 Appeal procedures. [Order 75-3, § 490-28A-011, filed 12/18/75. Formerly WAC 490-28-011.] Repealed by 79-02-019 (Order 79-1, Resolution No. 78-32-3), filed 1/16/79. Statutory Authority: RCW 28C.04.060.
- 490-28A-012 Minimum standards for local vocational administrative personnel. [Statutory Authority: RCW 28C.04.060. 79-02-019 (Order 79-1, Resolution No. 78-32-3), § 490-28A-012, filed 1/16/79; Order 75-3, § 490-28A-012, filed 12/18/75. Formerly WAC 490-28-012.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-28A-013 Minimum standards of state agency personnel. [Statutory Authority: RCW 28C.04.060. 81-09-072 (Order 81-1, Resolution No. 81-45-2), § 490-28A-013, filed 4/22/81; 79-02-019 (Order 79-1, Resolution No. 78-32-3), § 490-28A-013, filed 1/16/79; Order 75-3, § 490-28A-013, filed 12/18/75. Formerly WAC 490-28-013.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-28A-014 Safety and occupational health practices standards. [Statutory Authority: RCW 28C.04.060. 79-02-019 (Order 79-1, Resolution No. 78-32-3), § 490-28A-014, filed 1/16/79.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-28A-020 Compliance with WAC 490-28A-010 by operating agencies. [Order 75-3, § 490-28A-020, filed 12/18/75. Formerly WAC 490-28-020.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-28A-030 Professional improvement. [Order 75-3, § 490-28A-030, filed 12/18/75. Formerly WAC 490-28-030.] Repealed by 79-02-019 (Order 79-1, Resolution No. 78-32-3), filed 1/16/79. Statutory Authority: RCW 28C.04.060.
- 490-28A-040 Review and modification of personnel qualification standards. [Order 75-3, § 490-28A-040, filed 12/18/75. Formerly WAC 490-28-040.] Repealed by 79-02-019 (Order 79-1, Resolution No. 78-32-3), filed 1/16/79. Statutory Authority: RCW 28C.04.060.
- 490-28A-050 Program evaluation. [Order 75-3, § 490-28A-050, filed 12/18/75. Formerly WAC 490-28-050.] Repealed by 79-

- 02-019 (Order 79-1, Resolution No. 78-32-3), filed 1/16/79. Statutory Authority: RCW 28C.04.060.
- 490-28A-060 Review and evaluation of personnel preparation and development. [Order 75-3, § 490-28A-060, filed 12/18/75. Formerly WAC 490-28-060.] Repealed by 79-02-019 (Order 79-1, Resolution No. 78-32-3), filed 1/16/79. Statutory Authority: RCW 28C.04.060.

Chapter 490-29
VOCATIONAL EDUCATION PERSONNEL TRAINING

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

Chapter 490-30
STATE PLAN ADOPTED PURSUANT TO FEDERAL LAW

[Sections 1 through 26, 6/27/69.] Repealed by Order 72-3, filed 4/24/72.

Chapter 490-31
APPRENTICESHIP PROGRAMS

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

Chapter 490-32
DEFINITIONS FOR TERMS COMMONLY USED IN VOCATIONAL EDUCATION ACTIVITIES

- 490-32-010 Definitions for terms commonly used in vocational education activities. [Orders 72-3 and 72-4, § 490-32-010, filed 4/24/72.] Repealed by Order 75-4, filed 2/18/76. Later promulgation, see WAC 490-32A-010.

Chapter 490-32A
DEFINITIONS FOR TERMS COMMONLY USED IN VOCATIONAL EDUCATION ACTIVITIES

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

Chapter 490-33
CO-OP EDUCATION

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

Chapter 490-34
PROGRAM EVALUATION AND COMPLIANCE AUDITING

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

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

Chapter 490-36**CONDITIONS FOR APPROVAL OF LOCAL EDUCATIONAL AGENCY PROGRAMS**

- 490-36-010 Requirement for conformance to standards. [Orders 72-3 and 72-4, § 490-36-010, filed 4/24/72.] Repealed by Order 75-4, filed 2/18/76. Later promulgation, see WAC 490-36A-010.
- 490-36-020 Advisory committees. [Orders 72-3 and 72-4, § 490-36-020, filed 4/24/72.] Repealed by Order 75-4, filed 2/18/76. Later promulgation, see WAC 490-36A-020.

Chapter 490-36A**CONDITIONS FOR APPROVAL OF LOCAL EDUCATIONAL AGENCY PROGRAMS**

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

Chapter 490-37**ADJUDICATION AND REVIEW RULES AND PROCEDURES**

- 490-37-010 Purpose. [Order 76-1, § 490-37-010, filed 7/1/76.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-37-020 Scope. [Order 76-1, § 490-37-020, filed 7/1/76.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-37-030 Standing. [Order 76-1, § 490-37-030, filed 7/1/76.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-37-031 Questions involving programs beyond districts—Conditions precedent. [Order 77-3, § 490-37-031, filed 11/29/77.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-37-032 Decisions on new or expanded programs—Factors to be considered. [Order 77-3, § 490-37-032, filed 11/29/77.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-37-040 Program standards issues. [Order 76-1, § 490-37-040, filed 7/1/76.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-37-050 Definitions. [Order 76-1, § 490-37-050, filed 7/1/76.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-37-060 Responsibilities and conditions. [Order 76-1, § 490-37-060, filed 7/1/76.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-37-070 Notice of dispute—Prehearing procedures. [Order 76-1, § 490-37-070, filed 7/1/76.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.

- 490-37-080 Review inquiry—Prehearing procedures. [Order 76-1, § 490-37-080, filed 7/1/76.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-37-090 Hearing officer selection. [Order 76-1, § 490-37-090, filed 7/1/76.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-37-100 General provisions governing hearings. [Order 76-1, § 490-37-100, filed 7/1/76.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-37-110 Special review inquiry. [Order 76-1, § 490-37-110, filed 7/1/76.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-37-120 Decision-making process. [Order 76-1, § 490-37-120, filed 7/1/76.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-37-130 Decision-making criteria. [Order 76-1, § 490-37-130, filed 7/1/76.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-37-140 Compliance auditing. [Order 76-1, § 490-37-140, filed 7/1/76.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.

Chapter 490-38**SERVICE AREAS OF THE VOCATIONAL-TECHNICAL INSTITUTES AND OUTSIDE PROGRAMS**

- 490-38-010 Purpose. [Order 77-1, § 490-38-010, filed 9/28/77.] Repealed by 80-05-062 (Order 80-1, Resolution No. 80-40-4), filed 4/22/80. Statutory Authority: Chapter 28C.04 RCW.
- 490-38-020 Authority. [Order 77-1, § 490-38-020, filed 9/28/77.] Repealed by 80-05-062 (Order 80-1, Resolution No. 80-40-4), filed 4/22/80. Statutory Authority: Chapter 28C.04 RCW.
- 490-38-030 Definitions. [Statutory Authority: RCW 28C.04.020(6) and 28C.04.150. 78-02-058 (Order 78-1), § 490-38-030, filed 1/20/78; Order 77-1, § 490-38-030, filed 9/28/77.] Repealed by 80-05-062 (Order 80-1, Resolution No. 80-40-4), filed 4/22/80. Statutory Authority: Chapter 28C.04 RCW.
- 490-38-040 Vocational-technical institute service areas defined. [Order 77-1, § 490-38-040, filed 9/28/77.] Repealed by 80-05-062 (Order 80-1, Resolution No. 80-40-4), filed 4/22/80. Statutory Authority: Chapter 28C.04 RCW.
- 490-38-050 Operation of programs beyond district boundaries. [Order 77-2, § 490-38-050, filed 11/29/77; Order 77-1, § 490-38-050, filed 9/28/77.] Repealed by 80-05-062 (Order 80-1, Resolution No. 80-40-4), filed 4/22/80. Statutory Authority: Chapter 28C.04 RCW.
- 490-38-051 Ongoing courses—Authority to complete. [Order 77-1, § 490-38-051, filed 9/28/77.] Repealed by 80-05-062 (Order 80-1, Resolution No. 80-40-4), filed 4/22/80. Statutory Authority: Chapter 28C.04 RCW.
- 490-38-060 Operation of vocational education programs outside of districts—Authorized by the commission. [Order 77-2, § 490-38-060, filed 11/29/77; Order 77-1, § 490-38-060, filed 9/28/77.] Repealed by 80-05-062 (Order 80-1, Resolution No. 80-40-4), filed 4/22/80. Statutory Authority: Chapter 28C.04 RCW.
- 490-38-070 Notice of intent—Content—Form. [Order 77-1, § 490-38-070, filed 9/28/77.] Repealed by 80-05-062 (Order 80-1, Resolution No. 80-40-4), filed 4/22/80. Statutory Authority: Chapter 28C.04 RCW.
- 490-38-080 Program approval—Factors to be considered. [Order 77-1, § 490-38-080, filed 9/28/77.] Repealed by 80-05-062 (Order 80-1, Resolution No. 80-40-4), filed 4/22/80. Statutory Authority: Chapter 28C.04 RCW.
- 490-38-090 Purpose. [Statutory Authority: Chapter 28C.04 RCW. 80-05-062 (Order 80-1, Resolution No. 80-40-4), § 490-38-090, filed 4/22/80.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-38-100 Authority. [Statutory Authority: Chapter 28C.04 RCW. 80-05-062 (Order 80-1, Resolution No. 80-40-4), § 490-38-100, filed 4/22/80.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-38-110 Definitions. [Statutory Authority: Chapter 28C.04 RCW. 80-05-062 (Order 80-1, Resolution No. 80-40-4), § 490-

- 38-110, filed 4/22/80.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-38-120 Vocational-technical institute service areas defined. [Statutory Authority: Chapter 28C.04 RCW. 80-05-062 (Order 80-1, Resolution No. 80-40-4), § 490-38-120, filed 4/22/80.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-38-130 Operation of programs beyond district boundaries. [Statutory Authority: Chapter 28C.04 RCW. 80-05-062 (Order 80-1, Resolution No. 80-40-4), § 490-38-130, filed 4/22/80.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-38-131 Ongoing courses—Authority to complete. [Statutory Authority: Chapter 28C.04 RCW. 80-05-062 (Order 80-1, Resolution No. 80-40-4), § 490-38-131, filed 4/22/80.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-38-140 Operation of vocational education programs outside of districts—Authorized by the commission. [Statutory Authority: Chapter 28C.04 RCW. 80-05-062 (Order 80-1, Resolution No. 80-40-4), § 490-38-140, filed 4/22/80.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-38-150 Notice of intent—Content—Form. [Statutory Authority: Chapter 28C.04 RCW. 80-05-062 (Order 80-1, Resolution No. 80-40-4), § 490-38-150, filed 4/22/80.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-38-160 Program approval—Factors to be considered. [Statutory Authority: Chapter 28C.04 RCW. 80-05-062 (Order 80-1, Resolution No. 80-40-4), § 490-38-160, filed 4/22/80.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.

Chapter 490-40

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

- 490-40-010 Vocational education program development contracts and agreements. [Orders 72-3 and 72-4, § 490-40-010, filed 4/24/72.] Repealed by Order 75-4, filed 2/18/76. Later promulgation, see WAC 490-40A-010.
- 490-40-020 Agreements with other state agencies. [Orders 72-3 and 72-4, § 490-40-020, filed 4/24/72.] Repealed by Order 75-4, filed 2/18/76. Later promulgation, see WAC 490-40A-020.
- 490-40-030 Programs, services and activities undertaken by local educational agencies. [Order 73-1, § 490-40-030, filed 11/1/73; Orders 72-3 and 72-4, § 490-40-030, filed 4/24/72.] Repealed by Order 75-4, filed 2/18/76. Later promulgation, see WAC 490-40A-030.
- 490-40-040 Agreements regarding handicapped and disadvantaged persons. [Orders 72-3 and 72-4, § 490-40-040, filed 4/24/72.] Repealed by Order 75-4, filed 2/18/76. Later promulgation, see WAC 490-40A-040.
- 490-40-050 Economically depressed areas of high unemployment areas. [Orders 72-3 and 72-4, § 490-40-050, filed 4/24/72.] Repealed by Order 75-4, filed 2/18/76. Later promulgation, see WAC 490-40A-050.
- 490-40-060 Areas of high youth unemployment or school dropouts. [Order 73-1, § 490-40-060, filed 11/1/73; Orders 72-3 and 72-4, § 490-40-060, filed 4/24/72.] Repealed by Order 75-4, filed 2/18/76. Later promulgation, see WAC 490-40A-060.
- 490-40-070 Agreements with private post-secondary vocational training institutions. [Order 73-1, § 490-40-070, filed 11/1/73; Orders 72-3 and 72-4, § 490-40-070, filed 4/24/72.] Repealed by Order 75-4, filed 2/18/76. Later promulgation, see WAC 490-40A-070.
- 490-40-080 Programs, services and activities undertaken by the coordinating council for occupational education. [Order 73-1, § 490-40-080, filed 11/1/73; Orders 72-3 and 72-4, § 490-40-080, filed 4/24/72.] Repealed by Order 75-4, filed 2/18/76. Later promulgation, see WAC 490-40A-080.
- 490-40-090 Agreements with the department of employment security, state of Washington. [Order 73-1, § 490-40-090, filed 11/1/73; Orders 72-3 and 72-4, § 490-40-090, filed 4/24/72.] Repealed by Order 75-4, filed 2/18/76. Later promulgation, see WAC 490-40A-090.

- 490-40-100 Agreements with other states. [Order 73-1, § 490-40-100, filed 11/1/73; Orders 72-3 and 72-4, § 490-40-100, filed 4/24/72.] Repealed by Order 75-4, filed 2/18/76. Later promulgation, see WAC 490-40A-100.
- 490-40-110 Compliance with federal reporting requirements. [Orders 72-3 and 72-4, § 490-40-110, filed 4/24/72.] Repealed by Order 75-4, filed 2/18/76. Later promulgation, see WAC 490-40A-110.

Chapter 490-40A

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

- 490-40A-010 Vocational education contracts and agreements. [Statutory Authority: RCW 28C.04.060. 79-02-019 (Order 79-1, Resolution No. 78-32-3), § 490-40A-010, filed 1/16/79; Order 75-3, § 490-40A-010, filed 12/18/75. Formerly WAC 490-40-010.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-40A-020 Agreements with other state agencies. [Statutory Authority: RCW 28C.04.060. 79-02-019 (Order 79-1, Resolution No. 78-32-3), § 490-40A-020, filed 1/16/79; Order 75-3, § 490-40A-020, filed 12/18/75. Formerly WAC 490-40-020.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-40A-030 Programs, services and activities undertaken by local educational agencies. [Order 75-3, § 490-40A-030, filed 12/18/75. Formerly WAC 490-40-030.] Repealed by 79-02-019 (Order 79-1, Resolution No. 78-32-3), filed 1/16/79. Statutory Authority: RCW 28C.04.060.
- 490-40A-040 Agreements regarding handicapped and disadvantaged persons. [Statutory Authority: RCW 28C.04.060. 79-02-019 (Order 79-1, Resolution No. 78-32-3), § 490-40A-040, filed 1/16/79; Order 75-3, § 490-40A-040, filed 12/18/75. Formerly WAC 490-40-040.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-40A-050 Economically depressed areas or high unemployment areas. [Order 75-3, § 490-40A-050, filed 12/18/75. Formerly WAC 490-40-050.] Repealed by 79-02-019 (Order 79-1, Resolution No. 78-32-3), filed 1/16/79. Statutory Authority: RCW 28C.04.060.
- 490-40A-060 Areas of high youth unemployment or school dropouts. [Order 75-3, § 490-40A-060, filed 12/18/75. Formerly WAC 490-40-060.] Repealed by 79-02-019 (Order 79-1, Resolution No. 78-32-3), filed 1/16/79. Statutory Authority: RCW 28C.04.060.
- 490-40A-070 Agreements with private postsecondary vocational training institutions. [Order 75-3, § 490-40A-070, filed 12/18/75. Formerly WAC 490-40-070.] Repealed by 79-02-019 (Order 79-1, Resolution No. 78-32-3), filed 1/16/79. Statutory Authority: RCW 28C.04.060.
- 490-40A-080 Programs, services and activities undertaken by the Commission for Vocational Education. [Order 75-3, § 490-40A-080, filed 12/18/75. Formerly WAC 490-40-080.] Repealed by 79-02-019 (Order 79-1, Resolution No. 78-32-3), filed 1/16/79. Statutory Authority: RCW 28C.04.060.
- 490-40A-090 Agreements with the department of employment security, state of Washington. [Order 75-3, § 490-40A-090, filed 12/18/75. Formerly WAC 490-40-090.] Repealed by 79-02-019 (Order 79-1, Resolution No. 78-32-3), filed 1/16/79. Statutory Authority: RCW 28C.04.060.
- 490-40A-100 Agreements with other states. [Order 75-3, § 490-40A-100, filed 12/18/75. Formerly WAC 490-40-100.] Repealed by 79-02-019 (Order 79-1, Resolution No. 78-32-3), filed 1/16/79. Statutory Authority: RCW 28C.04.060.
- 490-40A-110 Compliance with federal reporting requirements. [Order 75-3, § 490-40A-110, filed 12/18/75. Formerly WAC 490-40-110.] Repealed by 79-02-019 (Order 79-1, Resolution No. 78-32-3), filed 1/16/79. Statutory Authority: RCW 28C.04.060.

Chapter 490-44
ALLOCATION OF FUNDS

- 490-44-010 Allocation of funds among educational agencies. [Orders 72-3 and 72-4, § 490-44-010, filed 4/24/72.] Repealed by Order 75-4, filed 2/18/76. Later promulgation, see WAC 490-44A-010.
- 490-44-020 Allocation of funds to local educational agencies for programs, services and activities—Content of local applications. [Order 73-1, § 490-44-020, filed 11/1/73; Orders 72-3 and 72-4, § 490-44-020, filed 4/24/72.] Repealed by Order 75-4, filed 2/18/76. Later promulgation, see WAC 490-44A-020.
- 490-44-030 Construction requirements. [Orders 72-3 and 72-4, § 490-44-030, filed 4/24/72.] Repealed by Order 75-4, filed 2/18/76. Later promulgation, see WAC 490-44A-030.
- 490-44-040 Procedures for processing local applications for construction. [Order 73-1, § 490-44-040(3), filed 11/1/73; Orders 72-3 and 72-4, § 490-44-040, filed 4/24/72.] Repealed by Order 75-4, filed 2/18/76. Later promulgation, see WAC 490-44A-040.
- 490-44-050 Maintenance of effort. [Orders 72-3 and 72-4, § 490-44-050, filed 4/24/72.] Repealed by Order 75-4, filed 2/18/76. Later promulgation, see WAC 490-44A-050.
- 490-44-060 Overall state matching. [Orders 72-3 and 72-4, § 490-44-060, filed 4/24/72.] Repealed by Order 75-4, filed 2/18/76. Later promulgation, see WAC 490-44A-060.
- 490-44-070 Reasonable tax effort. [Orders 72-3 and 72-4, § 490-44-070, filed 4/24/72.] Repealed by Order 75-4, filed 2/18/76. Later promulgation, see WAC 490-44A-070.
- 490-44-080 Criteria for determining relative priority of local applications. [Order 73-1, § 490-44-080, filed 11/1/73; Orders 72-3 and 72-4, § 490-44-080, filed 4/24/72.] Repealed by Order 75-4, filed 2/18/76. Later promulgation, see WAC 490-44A-080.

Chapter 490-44A
ALLOCATION OF FUNDS

- 490-44A-010 Allocation of funds among educational agencies. [Order 75-3, § 490-44A-010, filed 12/18/75. Formerly WAC 490-44-010.] Repealed by 79-02-019 (Order 79-1, Resolution No. 78-32-3), filed 1/16/79. Statutory Authority: RCW 28C.04.060.
- 490-44A-020 Allocation of funds to local educational agencies for programs, services and activities—Content of local applications. [Order 75-3, § 490-44A-020, filed 12/18/75. Formerly WAC 490-44-020.] Repealed by 79-02-019 (Order 79-1, Resolution No. 78-32-3), filed 1/16/79. Statutory Authority: RCW 28C.04.060.
- 490-44A-030 Construction requirements. [Order 75-3, § 490-44A-030, filed 12/18/75. Formerly WAC 490-44-030.] Repealed by 79-02-019 (Order 79-1, Resolution No. 78-32-3), filed 1/16/79. Statutory Authority: RCW 28C.04.060.
- 490-44A-040 Procedures for processing local applications for construction. [Order 75-3, § 490-44A-040, filed 12/18/75. Formerly WAC 490-44-040.] Repealed by 79-02-019 (Order 79-1, Resolution No. 78-32-3), filed 1/16/79. Statutory Authority: RCW 28C.04.060.
- 490-44A-050 Maintenance of effort. [Order 75-3, § 490-44A-050, filed 12/18/75. Formerly WAC 490-44-050.] Repealed by 79-02-019 (Order 79-1, Resolution No. 78-32-3), filed 1/16/79. Statutory Authority: RCW 28C.04.060.
- 490-44A-060 Overall state matching. [Order 75-3, § 490-44A-060, filed 12/18/75. Formerly WAC 490-44-060.] Repealed by 79-02-019 (Order 79-1, Resolution No. 78-32-3), filed 1/16/79. Statutory Authority: RCW 28C.04.060.
- 490-44A-070 Reasonable tax effort. [Order 75-3, § 490-44A-070, filed 12/18/75. Formerly WAC 490-44-070.] Repealed by 79-02-019 (Order 79-1, Resolution No. 78-32-3), filed 1/16/79. Statutory Authority: RCW 28C.04.060.
- 490-44A-080 Criteria for determining relative priority of local applications. [Order 75-3, § 490-44A-080, filed 12/18/75. Formerly WAC 490-44-080.] Repealed by 79-02-019 (Order 79-1, Resolution No. 78-32-3), filed 1/16/79. Statutory Authority: RCW 28C.04.060.

Chapter 490-48
VOCATIONAL YOUTH ORGANIZATIONS

- 490-48-010 Vocational student organizations. [Order 73-1, § 490-48-010, filed 11/1/73; Orders 72-3 and 72-4, § 490-48-010, filed 4/24/72.] Repealed by Order 75-4, filed 2/18/76. Later promulgation, see WAC 490-48A-010.

Chapter 490-48A
VOCATIONAL YOUTH ORGANIZATIONS

- 490-48A-010 Vocational student organizations. [Statutory Authority: RCW 28C.04.060. 79-02-019 (Order 79-1, Resolution No. 78-32-3), § 490-48A-010, filed 1/16/79; Order 75-3, § 490-48A-010, filed 12/18/75. Formerly WAC 490-48-010.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.

Chapter 490-52
EVALUATION AND RESEARCH

- 490-52-010 State research coordinating unit. [Order 73-1, § 490-52-010, filed 11/1/73; Orders 72-3 and 72-4, § 490-52-010, filed 4/24/72.] Repealed by Order 75-4, filed 2/18/76. Later promulgation, see WAC 490-52A-010.
- 490-52-020 Effective use of results of program and experience. [Orders 72-3 and 72-4, § 490-52-020, filed 4/24/72.] Repealed by Order 75-4, filed 2/18/76. Later promulgation, see WAC 490-52A-020.
- 490-52-030 Research grant application procedures. [Orders 72-3 and 72-4, § 490-52-030, filed 4/24/72.] Repealed by Order 75-4, filed 2/18/76. Later promulgation, see WAC 490-52A-030.

Chapter 490-52A
EVALUATION AND RESEARCH

- 490-52A-010 State research coordinating unit. [Order 75-3, § 490-52A-010, filed 12/18/75. Formerly WAC 490-52-010.] Repealed by 79-02-019 (Order 79-1, Resolution No. 78-32-3), filed 1/16/79. Statutory Authority: RCW 28C.04.060.
- 490-52A-020 Effective use of results of program and experience. [Order 75-3, § 490-52A-020, filed 12/18/75. Formerly WAC 490-52-020.] Repealed by 79-02-019 (Order 79-1, Resolution No. 78-32-3), filed 1/16/79. Statutory Authority: RCW 28C.04.060.
- 490-52A-030 Research grant application procedures. [Order 75-3, § 490-52A-030, filed 12/18/75. Formerly WAC 490-52-030.] Repealed by 79-02-019 (Order 79-1, Resolution No. 78-32-3), filed 1/16/79. Statutory Authority: RCW 28C.04.060.

Chapter 490-53
PROGRAM IMPROVEMENT

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

Chapter 490-56
EXEMPLARY PROGRAMS AND PROJECTS

- 490-56-010 Federal funding of state plan. [Orders 72-3 and 72-4, § 490-56-010, filed 4/24/72.] Repealed by Order 75-4, filed 2/18/76. Later promulgation, see WAC 490-56A-010.
- 490-56-020 Application procedures. [Orders 72-3 and 72-4, § 490-56-020, filed 4/24/72.] Repealed by Order 75-4, filed 2/18/76. Later promulgation, see WAC 490-56A-020.
- 490-56-030 Program or project requirements. [Orders 72-3 and 72-4, § 490-56-030, filed 4/24/72.] Repealed by Order 75-4, filed 2/18/76. Later promulgation, see WAC 490-56A-030.

Chapter 490-56A
EXEMPLARY PROGRAMS AND PROJECTS

- 490-56A-010 Federal funding of state plan. [Order 75-3, § 490-56A-010, filed 12/18/75. Formerly WAC 490-56-010.] Repealed by 79-02-019 (Order 79-1, Resolution No. 78-32-3), filed 1/16/79. Statutory Authority: RCW 28C.04.060.
- 490-56A-020 Application procedures. [Order 75-3, § 490-56A-020, filed 12/18/75. Formerly WAC 490-56-020.] Repealed by 79-02-019 (Order 79-1, Resolution No. 78-32-3), filed 1/16/79. Statutory Authority: RCW 28C.04.060.
- 490-56A-030 Program or project requirements. [Order 75-3, § 490-56A-030, filed 12/18/75. Formerly WAC 490-56-030.] Repealed by 79-02-019 (Order 79-1, Resolution No. 78-32-3), filed 1/16/79. Statutory Authority: RCW 28C.04.060.

Chapter 490-60
HOME AND FAMILY LIFE EDUCATION

- 490-60-010 Consumer and homemaking education. [Orders 72-3 and 72-4, § 490-60-010, filed 4/24/72.] Repealed by Order 75-4, filed 2/18/76. Later promulgation, see WAC 490-60A-010.
- 490-60-020 Establishing and operating programs. [Order 74-2, § 490-60-020, filed 9/18/74; Order 73-1, § 490-60-020 (part), filed 11/1/73; Orders 72-3 and 72-4, § 490-60-020, filed 4/24/72.] Repealed by Order 75-4, filed 2/18/76. Later promulgation, see WAC 490-60A-020.

Chapter 490-60A
HOME AND FAMILY LIFE EDUCATION

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

Chapter 490-64
COOPERATIVE VOCATIONAL EDUCATION PROGRAMS

- 490-64-010 Cooperative vocational education programs. [Orders 72-3 and 72-4, § 490-64-010, filed 4/24/72.] Repealed by Order 75-4, filed 2/18/76. Later promulgation, see WAC 490-64A-010.
- 490-64-020 Procedures for approval of cooperative vocational education programs. [Order 73-1, § 490-64-020, filed 11/1/73; Orders 72-3 and 72-4, § 490-64-020, filed 4/24/72.] Repealed by Order 75-4, filed 2/18/76. Later promulgation, see WAC 490-64A-020.
- 490-64-030 Additional costs. [Order 73-1, § 490-64-030, filed 11/1/73; Orders 72-3 and 72-4, § 490-64-030, filed 4/24/72.] Repealed by Order 75-4, filed 2/18/76. Later promulgation, see WAC 490-64A-030.
- 490-64-040 Participation of students in nonprofit private schools. [Order 73-1, § 490-64-040, filed 11/1/73; Orders 72-3 and 72-4, § 490-64-040, filed 4/24/72.] Repealed by Order 75-4, filed 2/18/76. Later promulgation, see WAC 490-64A-040.
- 490-64-050 Noncommingling of funds. [Order 73-1, § 490-64-050, filed 11/1/73; Orders 72-3 and 72-4, § 490-64-050, filed 4/24/72.] Repealed by Order 75-4, filed 2/18/76. Later promulgation, see WAC 490-64A-050.
- 490-64-060 Local evaluation and follow-up procedures. [Order 73-1, § 490-64-060, filed 11/1/73; Orders 72-3 and 72-4, § 490-64-060, filed 4/24/72.] Repealed by Order 75-4, filed 2/18/76. Later promulgation, see WAC 490-64A-060.
- 490-64-070 Ancillary services and activities. [Order 73-1, § 490-64-070, filed 11/1/73; Orders 72-3 and 72-4, § 490-64-070, filed 4/24/72.] Repealed by Order 75-4, filed 2/18/76. Later promulgation, see WAC 490-64A-070.

Chapter 490-64A
COOPERATIVE VOCATIONAL EDUCATION PROGRAMS

- 490-64A-010 Cooperative vocational education programs. [Order 75-3, § 490-64A-010, filed 12/18/75. Formerly WAC 490-64-010.] Repealed by 79-02-019 (Order 79-1, Resolution No. 78-32-3), filed 1/16/79. Statutory Authority: RCW 28C.04.060.
- 490-64A-020 Procedures for approval of cooperative vocational education programs. [Order 75-3, § 490-64A-020, filed 12/18/75. Formerly WAC 490-64-020.] Repealed by 79-02-019 (Order 79-1, Resolution No. 78-32-3), filed 1/16/79. Statutory Authority: RCW 28C.04.060.
- 490-64A-030 Additional costs. [Order 75-3, § 490-64A-030, filed 12/18/75. Formerly WAC 490-64-030.] Repealed by 79-02-019 (Order 79-1, Resolution No. 78-32-3), filed 1/16/79. Statutory Authority: RCW 28C.04.060.
- 490-64A-040 Participation of students in nonprofit private schools. [Order 75-3, § 490-64A-040, filed 12/18/75. Formerly WAC 490-64-040.] Repealed by 79-02-019 (Order 79-1, Resolution No. 78-32-3), filed 1/16/79. Statutory Authority: RCW 28C.04.060.
- 490-64A-050 Noncommingling of funds. [Order 75-3, § 490-64A-050, filed 12/18/75. Formerly WAC 490-64-050.] Repealed by 79-02-019 (Order 79-1, Resolution No. 78-32-3), filed 1/16/79. Statutory Authority: RCW 28C.04.060.
- 490-64A-060 Local evaluation and follow-up procedures. [Order 75-3, § 490-64A-060, filed 12/18/75. Formerly WAC 490-64-060.] Repealed by 79-02-019 (Order 79-1, Resolution No. 78-32-3), filed 1/16/79. Statutory Authority: RCW 28C.04.060.
- 490-64A-070 Ancillary services and activities. [Order 75-3, § 490-64A-070, filed 12/18/75. Formerly WAC 490-64-070.] Repealed by 79-02-019 (Order 79-1, Resolution No. 78-32-3), filed 1/16/79. Statutory Authority: RCW 28C.04.060.

Chapter 490-68
WORK-STUDY PROGRAMS

- 490-68-010 Work-study programs. [Order 73-1, § 490-68-010, filed 11/1/73; Orders 72-3 and 72-4, § 490-68-010, filed 4/24/72.] Repealed by Order 75-4, filed 2/18/76. Later promulgation, see WAC 490-68A-010.
- 490-68-020 Approval of work-study programs. [Order 73-1, § 490-68-020, filed 11/1/73; Orders 72-3 and 72-4, § 490-68-020, filed 4/24/72.] Repealed by Order 75-4, filed 2/18/76. Later promulgation, see WAC 490-68A-020.
- 490-68-030 Requirements for work-study program. [Order 73-1, § 490-68-030, filed 11/1/73; Orders 72-3 and 72-4, § 490-68-030, filed 4/24/72.] Repealed by Order 75-4, filed 2/18/76. Later promulgation, see WAC 490-68A-030.
- 490-68-040 Use of funds for state plan development and administration. [Order 73-1, § 490-68-040, filed 11/1/73; Orders 72-3 and 72-4, § 490-68-040, filed 4/24/72.] Repealed by Order 75-4, filed 2/18/76. Later promulgation, see WAC 490-68A-040.

Chapter 490-68A
WORK-STUDY PROGRAMS

- 490-68A-010 Work-study programs. [Order 75-3, § 490-68A-010, filed 12/18/75. Formerly WAC 490-68-010.] Repealed by 79-02-019 (Order 79-1, Resolution No. 78-32-3), filed 1/16/79. Statutory Authority: RCW 28C.04.060.
- 490-68A-020 Approval of work-study programs. [Order 75-3, § 490-68A-020, filed 12/18/75. Formerly WAC 490-68-020.] Repealed by 79-02-019 (Order 79-1, Resolution No. 78-32-3), filed 1/16/79. Statutory Authority: RCW 28C.04.060.
- 490-68A-030 Requirements for work-study program. [Order 75-3, § 490-68A-030, filed 12/18/75. Formerly WAC 490-68-030.] Repealed by 79-02-019 (Order 79-1, Resolution No. 78-32-3), filed 1/16/79. Statutory Authority: RCW 28C.04.060.
- 490-68A-040 Use of funds for state plan development and administration. [Order 75-3, § 490-68A-040, filed 12/18/75. Formerly WAC 490-68-040.] Repealed by 79-02-019

(Order 79-1, Resolution No. 78-32-3), filed 1/16/79. Statutory Authority: RCW 28C.04.060.

Chapter 490-72

RESIDENTIAL VOCATIONAL EDUCATION SCHOOLS

- 490-72-010 Residential vocational education schools. [Orders 72-3 and 72-4, § 490-72-010, filed 4/24/72.] Repealed by Order 75-4, filed 2/18/76. Later promulgation, see WAC 490-72A-010.
- 490-72-020 Procedures for establishing residential facilities. [Orders 72-3 and 72-4, § 490-72-020, filed 4/24/72.] Repealed by Order 75-4, filed 2/18/76. Later promulgation, see WAC 490-72A-020.
- 490-72-030 Requirements for construction and operation. [Orders 72-3 and 72-4, § 490-72-030, filed 4/24/72.] Repealed by Order 75-4, filed 2/18/76. Later promulgation, see WAC 490-72A-030.
- 490-72-040 Notification to commissioner. [Orders 72-3 and 72-4, § 490-72-040, filed 4/24/72.] Repealed by Order 75-4, filed 2/18/76. Later promulgation, see WAC 490-72A-040.

Chapter 490-72A

RESIDENTIAL VOCATIONAL EDUCATION SCHOOLS

- 490-72A-010 Residential vocational education schools. [Order 75-3, § 490-72A-010, filed 12/18/75. Formerly WAC 490-72-010.] Repealed by 79-02-019 (Order 79-1, Resolution No. 78-32-3), filed 1/16/79. Statutory Authority: RCW 28C.04.060.
- 490-72A-020 Procedures for establishing residential facilities. [Order 75-3, § 490-72A-020, filed 12/18/75. Formerly WAC 490-72-020.] Repealed by 79-02-019 (Order 79-1, Resolution No. 78-32-3), filed 1/16/79. Statutory Authority: RCW 28C.04.060.
- 490-72A-030 Requirements for construction and operation. [Order 75-3, § 490-72A-030, filed 12/18/75. Formerly WAC 490-72-030.] Repealed by 79-02-019 (Order 79-1, Resolution No. 78-32-3), filed 1/16/79. Statutory Authority: RCW 28C.04.060.
- 490-72A-040 Notification to commissioner. [Order 75-3, § 490-72A-040, filed 12/18/75. Formerly WAC 490-72-040.] Repealed by 79-02-019 (Order 79-1, Resolution No. 78-32-3), filed 1/16/79. Statutory Authority: RCW 28C.04.060.

Chapter 490-76

FISCAL CONTROL AND FUND ACCOUNTING PROCEDURES

- 490-76-010 Custody of federal funds. [Orders 72-3 and 72-4, § 490-76-010, filed 4/24/72.] Repealed by Order 75-4, filed 2/18/76. Later promulgation, see WAC 490-76A-010.
- 490-76-020 Expenditure of federal funds. [Orders 72-3 and 72-4, § 490-76-020, filed 4/24/72.] Repealed by Order 75-4, filed 2/18/76. Later promulgation, see WAC 490-76A-020.
- 490-76-030 Allotment availability. [Orders 72-3 and 72-4, § 490-76-030, filed 4/24/72.] Repealed by Order 75-4, filed 2/18/76. Later promulgation, see WAC 490-76A-030.
- 490-76-040 Programs and services. [Order 73-1, § 490-76-040(6), filed 11/1/73; Orders 72-3 and 72-4, § 490-76-040, filed 4/24/72.] Repealed by Order 75-4, filed 2/18/76. Later promulgation, see WAC 490-76A-040.
- 490-76-050 Construction costs contracts. [Orders 72-3 and 72-4, § 490-76-050, filed 4/24/72.] Repealed by Order 75-4, filed 2/18/76. Later promulgation, see WAC 490-76A-050.
- 490-76-060 Fiscal records. [Order 73-1, § 490-76-060(4), filed 11/1/73; Orders 72-3 and 72-4, § 490-76-060, filed 4/24/72.] Repealed by Order 75-4, filed 2/18/76. Later promulgation, see WAC 490-76A-060.

Chapter 490-76A

FISCAL CONTROL AND FUND ACCOUNTING PROCEDURES

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

- 490-76A-020 Expenditure of federal funds. [Statutory Authority: RCW 28C.04.060. 79-02-019 (Order 79-1, Resolution 78-32-3), § 490-76A-020, filed 1/16/79; Order 75-3, § 490-76A-020, filed 12/18/75. Formerly WAC 490-76-020.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-76A-030 Allotment availability. [Order 75-3, § 490-76A-030, filed 12/18/75. Formerly WAC 490-76-030.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-76A-040 Programs and services. [Order 75-3, § 490-76A-040, filed 12/18/75. Formerly WAC 490-76-040.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-76A-050 Construction costs contracts. [Order 75-3, § 490-76A-050, filed 12/18/75. Formerly WAC 490-76-050.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-76A-060 Fiscal records. [Order 75-3, § 490-76A-060, filed 12/18/75. Formerly WAC 490-76-060.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.

Chapter 490-300

JOB SKILLS PROGRAM

- 490-300-010 Authority. [Statutory Authority: RCW 28C.04.420. 84-07-006 (Order 84-3, Resolution No. 83-61-9), § 490-300-010, filed 3/9/84.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-300-020 Purposes. [Statutory Authority: RCW 28C.04.420. 84-07-006 (Order 84-3, Resolution No. 83-61-9), § 490-300-020, filed 3/9/84.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-300-030 Definitions. [Statutory Authority: RCW 28C.04.420. 84-07-006 (Order 84-3, Resolution No. 83-61-9), § 490-300-030, filed 3/9/84.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-300-040 Priority for funding. [Statutory Authority: RCW 28C.04.420. 84-07-006 (Order 84-3, Resolution No. 83-61-9), § 490-300-040, filed 3/9/84.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-300-050 Eligible educational institutions. [Statutory Authority: RCW 28C.04.420. 84-07-006 (Order 84-3, Resolution No. 83-61-9), § 490-300-050, filed 3/9/84.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-300-060 Private sector participation. [Statutory Authority: RCW 28C.04.420. 84-07-006 (Order 84-3, Resolution No. 83-61-9), § 490-300-060, filed 3/9/84.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-300-070 Recruitment and selection of trainees. [Statutory Authority: RCW 28C.04.420. 84-07-006 (Order 84-3, Resolution No. 83-61-9), § 490-300-070, filed 3/9/84.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-300-080 Grant application procedures—Proposed content. [Statutory Authority: RCW 28C.04.420. 84-07-006 (Order 84-3, Resolution No. 83-61-9), § 490-300-080, filed 3/9/84.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-300-085 Grant application procedures—Proposal review. [Statutory Authority: RCW 28C.04.420. 84-07-006 (Order 84-3, Resolution No. 83-61-9), § 490-300-085, filed 3/9/84.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-300-090 JSP proposal review committee. [Statutory Authority: RCW 28C.04.420. 84-07-006 (Order 84-3, Resolution No. 83-61-9), § 490-300-090, filed 3/9/84.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-300-100 Notification of project approval. [Statutory Authority: RCW 28C.04.420. 84-07-006 (Order 84-3, Resolution No. 83-61-9), § 490-300-100, filed 3/9/84.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-300-110 Responsibilities of the employment security department. [Statutory Authority: RCW 28C.04.420. 84-07-006 (Order 84-3, Resolution No. 83-61-9), § 490-300-110, filed 3/9/84.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.
- 490-300-120 Responsibilities of the department of commerce and economic development. [Statutory Authority: RCW 28C.04.420. 84-07-006 (Order 84-3, Resolution No. 83-61-9), § 490-300-120, filed 3/9/84.] Decodified under RCW 34.05.210(6), letter dated 8/30/91.

Chapter 490-325

COMMISSION FOR VOCATIONAL EDUCATION

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

Chapter 490-600

EDUCATIONAL SERVICES REGISTRATION

- 490-600-010 Authority. [Statutory Authority: Chapter 28B.05 RCW. 80-01-065 (Order 79-2, Resolution No. 79-38-2), § 490-600-010, filed 12/21/79.] Repealed by 86-15-076 (Order 86-78-4, Resolution No. 86-78-4), filed 7/23/86. Statutory Authority: RCW 28C.10.010 through 28C.10.220.
- 490-600-020 Purpose. [Statutory Authority: Chapter 28B.05 RCW. 80-01-065 (Order 79-2, Resolution No. 79-38-2), § 490-600-020, filed 12/21/79.] Repealed by 86-15-076 (Order 86-78-4, Resolution No. 86-78-4), filed 7/23/86. Statutory Authority: RCW 28C.10.010 through 28C.10.220.
- 490-600-030 Definitions. [Statutory Authority: RCW 28B.05.050, 81-21-003 (Order 81-3, Resolution No. 81-47-3), § 490-600-030, filed 10/8/81. Statutory Authority: Chapter 28B.05 RCW. 80-01-065 (Order 79-2, Resolution No. 79-38-2), § 490-600-030, filed 12/21/79.] Repealed by 86-15-076 (Order 86-78-4, Resolution No. 86-78-4), filed 7/23/86. Statutory Authority: RCW 28C.10.010 through 28C.10.220.
- 490-600-045 Exemptions. [Statutory Authority: RCW 28B.05.050(3) and chapter 28B.05 RCW. 84-07-007 (Order 84-4, Resolution No. 83-41-4), § 490-600-045, filed 3/9/84; 80-15-037 (Order 80-3, Resolution No. 80-42-2), § 490-600-045, filed 10/9/80; 80-01-065 (Order 79-2, Resolution No. 79-38-2), § 490-600-045, filed 12/21/79.] Repealed by 86-15-076 (Order 86-78-4, Resolution No. 86-78-4), filed 7/23/86. Statutory Authority: RCW 28C.10.010 through 28C.10.220.
- 490-600-046 Recognition of accrediting agencies and associations. [Statutory Authority: Chapter 28B.05 RCW. 80-01-065 (Order 79-2, Resolution No. 79-38-2), § 490-600-046, filed 12/21/79.] Repealed by 86-15-076 (Order 86-78-4, Resolution No. 86-78-4), filed 7/23/86. Statutory Authority: RCW 28C.10.010 through 28C.10.220.
- 490-600-050 Application, annual renewal and amendments. [Statutory Authority: RCW 28B.05.050(3) and chapter 28B.05 RCW. 80-15-037 (Order 80-3, Resolution No. 80-42-2), § 490-600-050, filed 10/9/80; 80-01-065 (Order 79-2, Resolution No. 79-38-2), § 490-600-050, filed 12/21/79.] Repealed by 86-15-076 (Order 86-78-4, Resolution No. 86-78-4), filed 7/23/86. Statutory Authority: RCW 28C.10.010 through 28C.10.220.

- 490-600-060 Education standards. [Statutory Authority: Chapter 28B.05 RCW. 80-01-065 (Order 79-2, Resolution No. 79-38-2), § 490-600-060, filed 12/21/79.] Repealed by 86-15-076 (Order 86-78-4, Resolution No. 86-78-4), filed 7/23/86. Statutory Authority: RCW 28C.10.010 through 28C.10.220.
- 490-600-061 Educational standards—Correspondence schools. [Statutory Authority: Chapter 28B.05 RCW. 80-01-065 (Order 79-2, Resolution No. 79-38-2), § 490-600-061, filed 12/21/79.] Repealed by 86-15-076 (Order 86-78-4, Resolution No. 86-78-4), filed 7/23/86. Statutory Authority: RCW 28C.10.010 through 28C.10.220.
- 490-600-070 Business practices. [Statutory Authority: Chapter 28B.05 RCW. 80-01-065 (Order 79-2, Resolution No. 79-38-2), § 490-600-070, filed 12/21/79.] Repealed by 86-15-076 (Order 86-78-4, Resolution No. 86-78-4), filed 7/23/86. Statutory Authority: RCW 28C.10.010 through 28C.10.220.
- 490-600-071 Minimum cancellation and refund policy. [Statutory Authority: RCW 28B.05.050(3) and chapter 28B.05 RCW. 84-07-007 (Order 84-4, Resolution No. 83-41-4), § 490-600-071, filed 3/9/84. Statutory Authority: RCW 28B.05.050, 81-21-003 (Order 81-3, Resolution No. 81-47-3), § 490-600-071, filed 10/8/81. Statutory Authority: RCW 28B.05.050(3) and chapter 28B.05 RCW. 80-15-037 (Order 80-3, Resolution No. 80-42-2), § 490-600-071, filed 10/9/80; 80-01-065 (Order 79-2, Resolution No. 79-38-2), § 490-600-071, filed 12/21/79.] Repealed by 86-15-076 (Order 86-78-4, Resolution No. 86-78-4), filed 7/23/86. Statutory Authority: RCW 28C.10.010 through 28C.10.220.
- 490-600-072 Enrollment agreement (contract) checklist. [Statutory Authority: Chapter 28B.05 RCW. 80-01-065 (Order 79-2, Resolution No. 79-38-2), § 490-600-072, filed 12/21/79.] Repealed by 86-15-076 (Order 86-78-4, Resolution No. 86-78-4), filed 7/23/86. Statutory Authority: RCW 28C.10.010 through 28C.10.220.
- 490-600-073 Bonding. [Statutory Authority: Chapter 28B.05 RCW. 80-01-065 (Order 79-2, Resolution No. 79-38-2), § 490-600-073, filed 12/21/79.] Repealed by 86-15-076 (Order 86-78-4, Resolution No. 86-78-4), filed 7/23/86. Statutory Authority: RCW 28C.10.010 through 28C.10.220.
- 490-600-075 Complaints and violations. [Statutory Authority: RCW 28B.05.050(3) and chapter 28B.05 RCW. 80-15-037 (Order 80-3, Resolution No. 80-42-2), § 490-600-075, filed 10/9/80; 80-01-065 (Order 79-2, Resolution No. 79-38-2), § 490-600-075 (codified as WAC 490-600-075), filed 12/21/79.] Repealed by 86-15-076 (Order 86-78-4, Resolution No. 86-78-4), filed 7/23/86. Statutory Authority: RCW 28C.10.010 through 28C.10.220.
- 490-600-076 Appeals. [Statutory Authority: Chapter 28B.05 RCW. 80-01-065 (Order 79-2, Resolution No. 79-38-2), § 490-600-076, filed 12/21/79.] Repealed by 86-15-076 (Order 86-78-4, Resolution No. 86-78-4), filed 7/23/86. Statutory Authority: RCW 28C.10.010 through 28C.10.220.
- 490-600-077 Hearings. [Statutory Authority: Chapter 28B.05 RCW. 80-01-065 (Order 79-2, Resolution No. 79-38-2), § 490-600-077, filed 12/21/79.] Repealed by 86-15-076 (Order 86-78-4, Resolution No. 86-78-4), filed 7/23/86. Statutory Authority: RCW 28C.10.010 through 28C.10.220.
- 490-600-080 Duties of the commission. [Statutory Authority: Chapter 28B.05 RCW. 80-01-065 (Order 79-2, Resolution No. 79-38-2), § 490-600-080, filed 12/21/79.] Repealed by 86-15-076 (Order 86-78-4, Resolution No. 86-78-4), filed 7/23/86. Statutory Authority: RCW 28C.10.010 through 28C.10.220.

Chapter 490-04B WAC
WORK FORCE TRAINING AND EDUCATION
COORDINATING BOARD

WAC

490-04B-010 Time and place of board meetings.

WAC 490-04B-010 Time and place of board meetings. The work force training and education coordinating board shall hold at least six regular meetings annually and such special meetings as may be requested by the chair of the board or by a majority of the members of the board and announced in accordance with law.

All regular and special meetings of the board are open to the general public, except for lawful executive sessions.

No official business may be conducted by the board except during a regular or special meeting.

[Statutory Authority: Chapter 28C.18 RCW. 93-06-005, § 490-04B-010, filed 2/18/93, effective 2/18/93.]

Chapter 490-08B WAC
PRACTICE AND PROCEDURE

WAC

490-08B-010 Adoption of model rules of procedure.
490-08B-020 Appointment of presiding officers.
490-08B-030 Method of recording.
490-08B-040 Application for adjudicative proceeding.
490-08B-050 Brief adjudicative procedures.
490-08B-060 Discovery.
490-08B-070 Procedure for closing parts of hearings.
490-08B-080 Recording devices.

WAC 490-08B-010 Adoption of model rules of procedure. The model rules of procedure adopted by the chief administrative law judge pursuant to RCW 34.05.250 are adopted for use by the work force training and education coordinating board. Those rules may be found in chapter 10-08 WAC. Other procedural rules adopted in this title are supplementary to the model rules of procedure. In the case of a conflict between the model rules of procedure and procedural rules adopted by the board, the model rules prevail.

[Statutory Authority: Chapter 28C.18 RCW. 93-06-005, § 490-08B-010, filed 2/18/93, effective 2/18/93.]

WAC 490-08B-020 Appointment of presiding officers. The board's executive director or his/her designee shall designate a presiding officer for an adjudicative proceeding. The presiding officer shall be an administrative law judge, a member in good standing of the Washington State Bar Association, a panel of individuals, the executive director or his or her designee, or any combination of the above. Where more than one individual is designated to be the presiding officer, the executive director or his/her designee shall designate one person to make decisions concerning discovery, closure, means of recording adjudicative proceedings, and similar matters.

[Statutory Authority: Chapter 28C.18 RCW. 93-06-005, § 490-08B-020, filed 2/18/93, effective 2/18/93.]

WAC 490-08B-030 Method of recording. Proceedings shall be recorded by a method determined by the presiding officer, among those available under the model rules of procedure.

[Statutory Authority: Chapter 28C.18 RCW. 93-06-005, § 490-08B-030, filed 2/18/93, effective 2/18/93.]

WAC 490-08B-040 Application for adjudicative proceeding. An application for adjudicative proceeding shall be in writing. Application forms are available at the following address: Building 17, Airdustrial Park, Olympia, Washington.

Written application for an adjudicative proceeding should be submitted to P.O. Box 43105, Olympia, Washington, 98504-3105 within twenty days of the agency action giving rise to the application unless provided for otherwise by statute or rule.

[Statutory Authority: Chapter 28C.18 RCW. 93-06-005, § 490-08B-040, filed 2/18/93, effective 2/18/93.]

WAC 490-08B-050 Brief adjudicative procedures. This rule is adopted in accordance with RCW 34.05.482 through 34.05.494, the provisions of which are adopted by reference. Brief adjudicative procedures shall be used in all matters related to adjudicative appeals filed under RCW 28C.10.120.

[Statutory Authority: Chapter 28C.18 RCW. 93-06-005, § 490-08B-050, filed 2/18/93, effective 2/18/93.]

WAC 490-08B-060 Discovery. Discovery in adjudicative proceedings may be permitted at the discretion of the presiding officer. In permitting discovery, the presiding officer shall refer to the civil rules of procedure. The presiding officer may control the frequency and nature of discovery permitted and order discovery conferences to discuss discovery issues.

[Statutory Authority: Chapter 28C.18 RCW. 93-06-005, § 490-08B-060, filed 2/18/93, effective 2/18/93.]

WAC 490-08B-070 Procedure for closing parts of hearings. Any party may apply for a protective order to close part of a hearing. The party making the request shall state the reasons for making the application to the presiding officer. If the other party opposes the request, a written response to the request shall be made within ten days of the request to the presiding officer. The presiding officer shall determine which, if any, parts of the proceeding shall be closed and state the reasons in writing within twenty days of receiving the request.

[Statutory Authority: Chapter 28C.18 RCW. 93-06-005, § 490-08B-070, filed 2/18/93, effective 2/18/93.]

WAC 490-08B-080 Recording devices. No cameras or recording devices are allowed in those parts of proceedings that the presiding officer has determined shall be closed under WAC 490-08B-070, except for the method of official recording selected by the work force training and education coordinating board.

[Statutory Authority: Chapter 28C.18 RCW. 93-06-005, § 490-08B-080, filed 2/18/93, effective 2/18/93.]

Chapter 490-10 WAC
ORGANIZATION

WAC

490-10-010 Organization—Operation—Information.

WAC 490-10-010 Organization—Operation—Information. (1) Organization. The work force training and education coordinating board is established in chapter 28C.18 RCW. The composition of the board is established under RCW 28C.18.020.

The board employs an executive director, who acts as the chief executive officer of the board.

(2) Operation. The administrative office is located at the following address: Building 17, Airdustrial Park, Olympia, Washington, 98504-3105.

The office hours are eight o'clock a.m. to five o'clock p.m., Monday through Friday, except legal holidays.

[Statutory Authority: Chapter 28C.18 RCW. 93-06-005, § 490-10-010, filed 2/18/93, effective 2/18/93.]

Chapter 490-13 WAC

DESIGNATION OF RULES COORDINATOR

WAC

490-13-010 Rules coordinator.

WAC 490-13-010 Rules coordinator. The rules coordinator for the work force training and education coordinating board is designated by the executive director and can be addressed at Building 17, Airdustrial Park, P.O. Box 43105, Olympia, Washington, 98504-3105.

[Statutory Authority: Chapter 28C.18 RCW. 93-06-005, § 490-13-010, filed 2/18/93, effective 2/18/93.]

Chapter 490-100 WAC

PRIVATE VOCATIONAL SCHOOL REGULATIONS

WAC

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

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

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

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

WAC 490-100-015 Delegation. (See RCW 28C.10.060.) Unless otherwise indicated, the agency delegates authority for administering the act and these rules to the executive director, who may further delegate as necessary and appropriate.

[Statutory Authority: Chapter 28C.10 RCW. 91-01-056, recodified as § 490-100-015, filed 12/13/90, effective 12/13/90; 87-02-019 (Resolution No. 86-81-3), § 490-800-015, filed 12/31/86.]

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

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

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

(2) To qualify for exemption under this subsection, an entity must apply to the agency on a form created for that purpose and secure approval. The term of any exemption issued shall be limited to one calendar year and is subject to annual renewal on application.

(a) "Programs of continuing professional education" include review programs offered solely as preparation for

tests leading to certification in specific disciplines, but not purporting to provide occupational competencies.

(b) Test preparation programs to which such exemption applies include those leading to: Certification by a state board of accountancy (CPA); certification by the institute of certified management accounting (CMA); admission to practice before a state bar; certification in health occupations initiated by the American Medical Association, American Dental Association, and/or their respective professional auxiliaries; and may include other pretesting review programs related to acquiring public certificates of convenience and necessity.

(3) The term "revoke" as used in RCW 28C.10.050(3) and elsewhere in these regulations means that the agency terminates the school license. When the license is revoked, the school is no longer legally authorized to continue operating.

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

(5) The term "to operate" as used in RCW 28C.10.020(10) and elsewhere under the act and these regulations is further defined to encompass any facility established, kept, or maintained within the state of Washington where, from, or through which education is offered and/or activities consistent with the definition of "private vocational school" under RCW 28C.10.020(7) are being conducted.

[Statutory Authority: Chapter 28C.10 RCW. 93-22-034, § 490-100-030, filed 10/28/93, effective 10/28/93; 91-08-029, § 490-100-030, filed 3/29/91, effective 3/29/91; 91-01-056, recodified as § 490-100-030, filed 12/13/90, effective 12/13/90; 87-02-019 (Resolution No. 86-81-3), § 490-800-030, filed 12/31/86. Statutory Authority: RCW 28C.10.010 through 28C.10.220. 86-15-075 (Order 86-78-3, Resolution No. 86-78-3), § 490-800-030, filed 7/23/86.]

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

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

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

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

(b) To provide a single, specialized kind of training activity, generally on a short-term basis, under circumstances

that cannot readily be accommodated at the licensed facility; or

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

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

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

(b) The address of the auxiliary facility will not be represented as a school location and can not be included in advertising. No enrollment can be completed at an auxiliary facility.

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

[Statutory Authority: Chapter 28C.10 RCW. 93-22-034, § 490-100-035, filed 10/28/93, effective 10/28/93; 91-08-029, § 490-100-035, filed 3/29/91, effective 3/29/91; 91-01-056, codified as § 490-100-035, filed 12/13/90, effective 12/13/90.]

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

(1) Refunds applicable to resident training programs:

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

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

(c) After five business days (excluding Sundays and holidays), the school may retain an established registration fee equal to ten percent of the total tuition cost, or one hundred dollars, whichever is less. "Registration fee" refers to any fee, however named, covering those expenses incurred by an institution in processing student applications and establishing a student records system;

(d) The official date of termination of a student shall be the last date of recorded attendance:

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

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

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

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

(i) Termination during first week or ten percent of contracted instructional time, whichever is less. School may retain ten percent of tuition cost plus registration fee established under (c) of this subsection;

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

(iii) Termination after completion of first twenty-five percent and up to and including fifty percent of contracted instructional time. School may retain fifty percent of tuition cost plus registration fee established under (c) of this subsection;

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

(2) Correspondence/home study programs.

(a) A student may request cancellation in whatever manner. Upon cancellation, all money due the student must be refunded within thirty calendar days.

(b) The following applies as a minimum policy for home study courses without mandatory resident training:

(i) An enrollment may be canceled by an applicant student within five calendar days after midnight of the day on which the enrollment agreement is signed. In the event of dispute over timely notice, the burden to prove service rests on the sender.

(ii) From five calendar days after midnight of the day on which the enrollment agreement is signed and until such time that the school receives the first completed lesson assignment from the student, the student may cancel the enrollment contract and the school is entitled to retain only a registration fee of either fifty dollars or an amount equal to fifteen percent of the tuition; but in no case is the school entitled to a registration fee greater than one hundred fifty dollars.

(iii) After the school receives the first completed lesson assignment and until the student completes half the total number of lesson assignments in the program, he/she is obligated to the school according to the following:

(iv) Up to and including the first ten percent of the program, ten percent of the total tuition cost plus the amount of the registration fee;

(v) After completing more than ten percent of the program and up to and including completion of twenty-five percent of the program, twenty-five percent of the total tuition cost plus the registration fee;

(vi) After completing more than twenty-five percent of the program and up to and including completion of fifty percent of the program, fifty percent of the total tuition cost plus the amount of the registration fee;

(vii) If the student completes more than one-half of the program, the school shall have earned the full amount of the tuition and registration fee.

(viii) The amount of the course completed shall be calculated by factoring the number of completed lesson assignments received by the school into the total number of lesson assignments contained in the program.

(c) The following applies as minimum requirements for a correspondence/home study program which includes mandatory resident training courses. Programs which include optional resident training, seminars, or other optional contact hours of instruction, shall be subject to refund as home study programs under (b)(i) through (viii) of this subsection. Separate charges may not be made for optional resident training.

(i) For a course that contains mandatory resident training, the tuition price for the home study portion and the tuition price for the resident portion must be separately stated on the enrollment agreement/contract. The total of the two is the price of the program.

(ii) For cancellation and settlement of the home study portion of the combination program, the provisions of (b)(i) through (viii) of this subsection shall apply.

(iii) For the mandatory resident portion of the program, commencing from the first resident class session if the student requests a cancellation, the provisions of subsection (1)(e)(i) through (iv) of this section shall apply.

(iv) The amount of resident training completed shall be calculated by factoring the number of instructional days the student attends resident training into the total number of training days provided in the resident training program.

(d) Upon cancellation, a home study student whose tuition is paid in full shall be entitled to receive all course materials, including kits and equipment.

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

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

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

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

(d) Requests for refunds pursuant to this provision must be made in writing by the enrolled student within ninety calendar days following discontinuation of the program. Money due the applicant/student shall be refunded within thirty calendar days after receipt of the request.

[Statutory Authority: Chapter 28C.10 RCW. 93-22-034, § 490-100-040, filed 10/28/93, effective 10/28/93; 91-08-029, § 490-100-040, filed 3/29/91, effective 3/29/91; 91-01-056, recodified as § 490-100-040, filed 12/13/90, effective 12/13/90; 87-02-019 (Resolution No. 86-81-3), § 490-800-040, filed 12/31/86. Statutory Authority: RCW 28C.10.010 through 28C.10.220.

86-15-075 (Order 86-78-3, Resolution No. 86-78-3), § 490-800-040, filed 7/23/86.]

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

- (1) Date of publication;
- (2) Names of owners having a ten percent or more equity ownership and officers, including any governing boards, and the name and address of its parent corporation, if a subsidiary;
- (3) Names, addresses, and telephone numbers of the school's administrative offices and all auxiliary facilities;
- (4) Names and qualifications of teaching faculty. Such lists shall be accurate as of the date of catalog publication. Any changes of faculty shall be noted on a catalog errata sheet provided each student prior to entering classes;
- (5) The school calendar, including hours of operation, holidays, enrollment periods, and the beginning and ending dates of terms, courses, or programs as may be appropriate;
- (6) Admission procedures including, policies and regulations describing accurately and completely all prerequisites (e.g., GED, physical requirements, etc.) needed by an average student to:
 - (a) Fulfill the skills assessment requirements adopted/developed by the school and applied to each applicant as part of the admissions process;
 - (b) Successfully complete the programs of study in which they are interested; and
 - (c) Qualify for the fields of employment for which their education is designed.
- (7) A description of the exact nature and kind of placement assistance offered, if any. If no assistance is offered, the school shall make this fact known;
- (8) The school's policy regarding student conduct, including causes for dismissal and conditions for readmission;
- (9) The school's policy and regulations relative to leave, absences, class cuts, makeup work, tardiness, and interruptions for unsatisfactory attendance;
- (10) The school's policy and regulations relative to standards of progress required of the student. This policy will define the grading system of the school, the minimum grades considered satisfactory, conditions for interruption for unsatisfactory grades or progress, and a description of the probationary period, if any, allowed by the school, and conditions for reentrance for those students dismissed for unsatisfactory progress. A statement will be furnished to the student regarding the student's progress.
- (11) An accurate description, whether through words, photos, or other means, of the school's facilities, equipment, and physical plant used for training together with a description of the equipment available for student use, the maximum or usual class size and the average student/teacher ratio;
- (12) Total cost of training including registration fee, if any, tuition, books, supplies, equipment, laboratory usage,

student activities, insurance and all other charges and expenses necessary for completion of the program;

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

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

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

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

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

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

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

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

(15) The following statement shall appear prominently on either the first or last printed page or inside the front or back cover: THIS SCHOOL IS LICENSED UNDER CHAPTER 28C.10 RCW; INQUIRIES OR COMPLAINTS REGARDING THIS OR ANY OTHER PRIVATE VOCATIONAL SCHOOL MAY BE MADE TO THE: WORK FORCE TRAINING AND EDUCATION COORDINATING BOARD, BUILDING 17, AIRDUSTRIAL PARK, P.O. BOX 43105, OLYMPIA, WASHINGTON 98504-3105 (206/753-5673);

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

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

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

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

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

[Statutory Authority: Chapter 28C.10 RCW. 93-22-034, § 490-100-050, filed 10/28/93, effective 10/28/93; 91-08-029, § 490-100-050, filed 3/29/91, effective 3/29/91; 91-01-056, recodified as § 490-100-050, filed 12/13/90, effective 12/13/90; 87-02-019 (Resolution No. 86-81-3), § 490-800-050, filed 12/31/86. Statutory Authority: RCW 28C.10.010 through 28C.10.220. 86-15-075 (Order 86-78-3, Resolution No. 86-78-3), § 490-800-050, filed 7/23/86.]

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

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

(2) The following statement: THIS SCHOOL IS LICENSED UNDER CHAPTER 28C.10 RCW; INQUIRIES OR COMPLAINTS REGARDING THIS OR ANY OTHER PRIVATE VOCATIONAL SCHOOL MAY BE MADE TO THE: WORK FORCE TRAINING AND EDUCATION COORDINATING BOARD, BUILDING 17, AIRDUSTRIAL PARK, P.O. BOX 43105, OLYMPIA, WASHINGTON 98504-3105 (206/753-5673);

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

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

(b) The program or course title as that appears in the school's catalog, date training is to begin, and the number of hours or units of instruction or lessons for which the student is enrolled;

(c) An itemization of all charges, fees, and required purchases being incurred by the student or his/her sponsor in order to complete the training, such as tuition; fees; books; supplies (where appropriate), and all other items of expense required by the school. The student enrollment agreement shall also contain the methods of payment and/or payment schedule being established;

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

(4) A statement that any changes in the agreement shall not be binding on either the student or the school unless such changes have been acknowledged in writing by the chief administrative officer or an authorized representative of the school and by the student or the student's parent or guardian if he/she is a minor;

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

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

(b) ALL PAGES OF THE CONTRACT ARE BINDING.

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

(d) YOU ARE ENTITLED TO AN EXACT COPY OF THE AGREEMENT, SCHOOL CATALOG AND ANY OTHER PAPERS YOU SIGN AND ARE REQUIRED TO SIGN A STATEMENT ACKNOWLEDGING RECEIPT OF THOSE.

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

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

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

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

[Statutory Authority: Chapter 28C.10 RCW. 93-22-034, § 490-100-060, filed 10/28/93, effective 10/28/93; 91-08-029, § 490-100-060, filed 3/29/91, effective 3/29/91; 91-01-056, recodified as § 490-100-060, filed 12/13/90, effective 12/13/90; 87-02-019 (Resolution No. 86-81-3), § 490-800-060, filed 12/31/86. Statutory Authority: RCW 28C.10.010 through 28C.10.220. 86-15-075 (Order 86-78-3, Resolution No. 86-78-3), § 490-800-060, filed 7/23/86.]

WAC 490-100-070 Time of application. (See RCW 28C.10.060.) (1) **Initial licensing.** Any entity must initially be licensed by the agency at least thirty calendar days prior to the date on which it first makes offers of educational services or operates as a private vocational school;

(2) **Renewal.** Each private vocational school must annually renew its license. No later than thirty calendar days prior to the anniversary date of its license, the private vocational school must file with the agency a completed application for license renewal, including a financial statement, attested to by the chief administrative officer; amend any statements or materials on file which are no longer accurate; and pay the required fees.

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

[Statutory Authority: Chapter 28C.10 RCW. 93-22-034, § 490-100-070, filed 10/28/93, effective 10/28/93; 91-08-029, § 490-100-070, filed 3/29/91, effective 3/29/91; 91-01-056, recodified as § 490-100-070, filed 12/13/90, effective 12/13/90; 87-02-019 (Resolution No. 86-81-3), § 490-800-070, filed 12/31/86. Statutory Authority: RCW 28C.10.010 through 28C.10.220. 86-15-075 (Order 86-78-3, Resolution No. 86-78-3), § 490-800-070, filed 7/23/86.]

WAC 490-100-080 Display of licenses—Loss or destruction—Change of name—Change of location. (See

RCW 28C.10.060.) (1) Licenses shall be issued in the name of the applicant school showing that name, its address, and phone number. In the instance of schools under a common ownership, the name of the owning entity shall also be shown.

(2) A certificate shall be issued to each auxiliary facility for which approval is requested and granted in accordance with the provisions of WAC 490-100-035. It shall contain the identifications described under subsection (1) of this section.

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

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

(5) Change of name. No licensee shall adopt or make a change in its name without providing prior written notification to the agency together with payment of the appropriate license reissuance fee. See WAC 490-100-120(5).

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

[Statutory Authority: Chapter 28C.10 RCW. 93-22-034, § 490-100-080, filed 10/28/93, effective 10/28/93; 91-08-029, § 490-100-080, filed 3/29/91, effective 3/29/91; 91-01-056, recodified as § 490-100-080, filed 12/13/90, effective 12/13/90; 87-02-019 (Resolution No. 86-81-3), § 490-800-080, filed 12/31/86. Statutory Authority: RCW 28C.10.010 through 28C.10.220, 86-15-075 (Order 86-78-3, Resolution No. 86-78-3), § 490-800-080, filed 7/23/86.]

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

(a) A sale by the sole proprietor of a school: *Provided*, That for the purposes of this section, ownership is not deemed to have changed if the selling proprietor becomes the sole stockholder of the buying corporation and that no change of control in school operations results therefrom;

(b) A change in the majority interest of general partners of a partnership owning a school; or

(c) A sale or transfer of stock occurs that creates a change in the majority interest in the issued and outstanding shares of a corporation owning a school.

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

(3) The provisions of subsection (2) of this section notwithstanding, to maintain a continuity of operation the new ownership may make application for a new license no less than fifteen calendar days prior to the change of ownership. On receipt of such advance application, the agency may extend the existing license for a maximum sixty calendar days beyond the date that ownership changes: *Provided*, That the new applicant's chief administrative

officer furnishes a written statement asserting that all conditions set forth in the act and these rules are being met or will be met before offering training or education in the period during which the application for new license is pending.

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

[Statutory Authority: Chapter 28C.10 RCW. 93-22-034, § 490-100-090, filed 10/28/93, effective 10/28/93; 91-08-029, § 490-100-090, filed 3/29/91, effective 3/29/91; 91-01-056, recodified as § 490-100-090, filed 12/13/90, effective 12/13/90; 87-02-019 (Resolution No. 86-81-3), § 490-800-090, filed 12/31/86. Statutory Authority: RCW 28C.10.010 through 28C.10.220, 86-15-075 (Order 86-78-3, Resolution No. 86-78-3), § 490-800-090, filed 7/23/86.]

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

(1) Owners, shareholders, and directors:

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

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

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

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

(e) "Ownership" of a school means:

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

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

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

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

(a) Each license issued to a private vocational school under common ownership shall be valid only for the location

listed in the initial and renewal applications and the name of the owning entity shall be shown thereon in addition to information identifying the individual site.

(b) A single location may be designated by the owning entity as the principal facility for recordkeeping via prior written notice to the agency.

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

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

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

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

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

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

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

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

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

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

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

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

(7) Administrators/instructors educational and occupational records, employing qualification forms supplied by the

agency for that purpose, evidencing names, Social Security numbers, addresses, phone numbers, positions, education, experience, prior school affiliations, and birthdates.

[Statutory Authority: Chapter 28C.10 RCW. 93-22-034, § 490-100-100, filed 10/28/93, effective 10/28/93; 91-08-029, § 490-100-100, filed 3/29/91, effective 3/29/91; 91-01-056, recodified as § 490-100-100, filed 12/13/90, effective 12/13/90; 87-14-007 (Resolution No. 87-86-4), § 490-800-100, filed 6/22/87; 87-02-019 (Resolution No. 86-81-3), § 490-800-100, filed 12/31/86. Statutory Authority: RCW 28C.10.010 through 28C.10.220. 86-15-075 (Order 86-78-3, Resolution No. 86-78-3), § 490-800-100, filed 7/23/86.]

WAC 490-100-105 Application to operate as agent of private vocational school. (See RCW 28C.10.060.) (1) No person shall act in this state as an agent for a private vocational school for more than thirty calendar days after employment unless the agency has approved the individual's registration as an agent as part of the school's license.

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

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

(b) The name, current address, and phone number of the employing school;

(c) The employment history of the applicant;

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

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

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

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

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

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

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

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

[Statutory Authority: Chapter 28C.10 RCW. 93-22-034, § 490-100-105, filed 10/28/93, effective 10/28/93; 91-08-029, § 490-100-105, filed 3/29/91, effective 3/29/91; 91-01-056, recodified as § 490-100-105, filed 12/13/90, effective 12/13/90; 87-02-019 (Resolution No. 86-81-3), § 490-800-105, filed 12/31/86. Statutory Authority: RCW 28C.10.010 through 28C.10.220. 86-15-075 (Order 86-78-3, Resolution No. 86-78-3), § 490-800-105, filed 7/23/86.]

WAC 490-100-110 Notice of actions by governmental entities or accrediting commissions—Change of

circumstances. (See RCW 28C.10.060.) At the time of original and renewal applications, the entity shall present the agency with details of any consent orders with the Federal Trade Commission and notification of any adverse actions which have been taken by any federal or state agencies, including courts or accrediting commissions and shall inform the agency in writing of actions being taken to correct deficiencies cited. Any change of circumstance, including bankruptcy, which would amend information reported in the application for initial license/license renewal form must be filed with the agency within ten calendar days of the change by the chief administrative officer.

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

WAC 490-100-120 Fees. (See RCW 28C.10.060(3).)

No fee accompanying an application for a license or permit is refundable and no right to license or permit being sought is established or implied through the payment thereof.

(1) Annual fee:

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

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

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

Total Annual Tuition Income	Application Fee
Up to \$25,000	\$ 250
\$25,001 to \$50,000	\$ 500
\$50,001 to \$100,000	\$ 600
\$100,001 to \$250,000	\$ 750
\$250,001 to \$500,000	\$1,000
\$500,001 to \$1,000,000	\$1,500
\$1,000,001 to \$2,500,000	\$2,000
Over \$2,500,001	\$2,500

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

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

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

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

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

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

[Statutory Authority: Chapter 28C.10 RCW. 93-22-034, § 490-100-120, filed 10/28/93, effective 10/28/93; 91-08-029, § 490-100-120, filed 3/29/91, effective 3/29/91; 91-01-056, recodified as § 490-100-120, filed 12/13/90, effective 12/13/90; 87-02-019 (Resolution No. 86-81-3), § 490-800-120, filed 12/31/86. Statutory Authority: RCW 28C.10.010 through 28C.10.220. 86-15-075 (Order 86-78-3, Resolution No. 86-78-3), § 490-800-120, filed 7/23/86.]

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

(1) Fulfill its contracted obligations to students;

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

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

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

[Statutory Authority: Chapter 28C.10 RCW. 93-22-034, § 490-100-130, filed 10/28/93, effective 10/28/93; 91-08-029, § 490-100-130, filed 3/29/91, effective 3/29/91; 91-01-056, recodified as § 490-100-130, filed 12/13/90, effective 12/13/90; 87-14-007 (Resolution No. 87-86-4), § 490-800-130, filed 6/22/87; 87-02-019 (Resolution No. 86-81-3), § 490-800-130, filed 12/31/86. Statutory Authority: RCW 28C.10.010 through 28C.10.220. 86-15-075 (Order 86-78-3, Resolution No. 86-78-3), § 490-800-130, filed 7/23/86.]

WAC 490-100-135 Admissions standards. (See RCW 28C.10.050 (1)(g).)

Prior to enrolling any individual into a program of study each school shall assess in accordance with the following guidelines the appropriate employment prerequisites, basic skills, and relevant aptitudes of each individual applying for enrollment to determine that he/she has the ability to complete and benefit from the program or programs he/she is considering.

(1) Within sixty calendar days following the adoption of this section, each current licensee shall file with the agency a description of the methodology it employs to comply with the requirements under this section and each entity applying to be licensed as a private vocational school under chapter 28C.10 RCW shall include such information in its application. Any subsequent substantive change(s) in the methodology initially submitted shall be reported to the agency no more than fifteen calendar days after such change is adopted.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

WAC 490-100-140 Program standards. (See RCW 28C.10.050 and 28C.10.060.) The school shall design and implement programs that by content and instructional strategies have the capacity to provide educational services that will adequately achieve the stated objectives for which the educational services are offered. In evaluating program offerings, the agency will use as a guideline their comparability, if any, to similar programs leading to similar educational objectives that have been established by other comparable schools.

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

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

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

(3) Each licensee shall establish and enforce specific written policies setting standards for qualification, supervi-

sion, and evaluation of administrators, faculty, and staff. As a minimum, the following qualifications shall be required:

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

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

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

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

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

(i) Any felony within the prior seven years;

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

(iii) A misdemeanor that involved any sexual offense.

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

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

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

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

(2) The physical structure, classrooms, laboratories, faculty and staff accommodations, study and study lounge areas, restroom/sanitary facilities, and heating/ventilation

capabilities of the school shall be commensurate in size, accommodations, and condition to meet the purposes of the school and the program objectives. The school must provide a modern and effective learning environment containing enough classroom, laboratory, and shop space for the number of students to be trained.

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

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

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

[Statutory Authority: Chapter 28C.10 RCW. 93-22-034, § 490-100-170, filed 10/28/93, effective 10/28/93; 91-08-029, § 490-100-170, filed 3/29/91, effective 3/29/91; 91-01-056, recodified as § 490-100-170, filed 12/13/90, effective 12/13/90; 87-02-019 (Resolution No. 86-81-3), § 490-800-170, filed 12/31/86. Statutory Authority: RCW 28C.10.010 through 28C.10.220. 86-15-075 (Order 86-78-3, Resolution No. 86-78-3), § 490-800-170, filed 7/23/86.]

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

Total Annual Tuition Income:	Liability Limit:
\$ 0.00 to \$ 50,000	\$ 5,000
\$ 50,001 to \$ 75,000	\$ 7,500
\$ 75,001 to \$ 100,000	\$ 10,000
\$ 100,001 to \$ 150,000	\$ 15,000
\$ 150,001 to \$ 200,000	\$ 20,000
\$ 200,001 to \$ 250,000	\$ 25,000
\$ 250,001 to \$ 350,000	\$ 35,000
\$ 350,001 to \$ 500,000	\$ 50,000
\$ 500,001 to \$ 750,000	\$ 75,000
\$ 750,001 to \$ 1,000,000	\$ 100,000
\$1,000,001 to \$ 1,250,000	\$ 125,000
\$1,250,001 to \$ 1,500,000	\$ 150,000
\$1,500,001 to \$ 1,750,000	\$ 175,000
\$1,750,001 to \$ 2,000,000	\$ 200,000
\$2,000,001 to \$ 2,250,000	\$ 225,000
\$2,250,001 to \$ 2,500,000	\$ 250,000
\$2,500,001 to \$ 2,750,000	\$ 275,000

Provided: (a) That the calculation of total annual tuition for a school located outside the state of Washington shall include only that income derived from residents of this state during the entity's preceding fiscal year of operation, as evidenced in the financial statement required by WAC 490-

100-100(4); (b) institutions not yet in operation or otherwise lacking a full year's financial data prior to initial licensing, shall have a liability limit calculated on the basis of the total annual tuition estimate that institution supplies under the provisions of WAC 490-100-100(4); (c) no liability established in any circumstance shall be less than five thousand dollars.

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

Level of Liability (Subsection 1):	Prorated Participatory Share for the First Five Years:
\$ 5,000	\$0.15%
\$ 7,500	\$0.23%
\$ 10,000	\$0.30%
\$ 15,000	\$0.46%
\$ 20,000	\$0.61%
\$ 25,000	\$0.76%
\$ 35,000	\$1.07%
\$ 50,000	\$1.52%
\$ 75,000	\$2.28%
\$ 100,000	\$3.05%
\$ 125,000	\$3.81%
\$ 150,000	\$4.57%
\$ 175,000	\$5.33%
\$ 200,000	\$6.10%
\$ 225,000	\$6.86%
\$ 250,000	\$7.62%
\$ 275,000	\$8.38%

Level of Liability Subsection (1):	Prorated Participatory Share for the Second Five Years:
\$ 5,000	\$0.04%
\$ 7,500	\$0.06%
\$ 10,000	\$0.08%
\$ 15,000	\$0.12%
\$ 20,000	\$0.33%
\$ 25,000	\$0.41%
\$ 35,000	\$0.58%
\$ 50,000	\$0.82%
\$ 75,000	\$1.24%
\$ 100,000	\$1.65%
\$ 125,000	\$2.06%
\$ 150,000	\$2.47%
\$ 175,000	\$2.89%
\$ 200,000	\$3.30%
\$ 225,000	\$3.71%
\$ 250,000	\$4.12%
\$ 275,000	\$4.53%

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

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

\$200,000	\$12,186
\$225,000	\$13,710
\$250,000	\$15,233
\$275,000	\$16,757

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

Level of Liability (Subsection 1):	Schedule 1 Semiannual Deposit Required for First Five Years:
\$ 5,000	\$ 122
\$ 7,500	\$ 183
\$ 10,000	\$ 244
\$ 15,000	\$ 366
\$ 20,000	\$ 487
\$ 25,000	\$ 609
\$ 35,000	\$ 853
\$ 50,000	\$ 1,219
\$ 75,000	\$ 1,828
\$100,000	\$ 2,437
\$125,000	\$ 3,046
\$150,000	\$ 3,656
\$175,000	\$ 4,265
\$200,000	\$ 4,874
\$225,000	\$ 5,483
\$250,000	\$ 6,092
\$275,000	\$ 6,702

Level of Liability Subsection (1):	Schedule 2 Semiannual Deposit Required for Second Five Years:
\$ 5,000	\$ 61
\$ 7,500	\$ 92
\$ 10,000	\$ 122
\$ 15,000	\$ 183
\$ 20,000	\$ 244
\$ 25,000	\$ 305
\$ 35,000	\$ 407
\$ 50,000	\$ 543
\$ 75,000	\$ 739
\$100,000	\$ 935
\$125,000	\$ 1,131
\$150,000	\$ 1,327
\$175,000	\$ 1,523
\$200,000	\$ 1,719
\$225,000	\$ 1,915
\$250,000	\$ 2,111
\$275,000	\$ 2,307

(5) Transition back into tuition recovery trust fund.

(a) Participants under the fund who completed an assigned schedule of ten semiannual deposits under provisions of RCW 28C.10.084, referenced under subsection (4) of this section as schedule 1, prior to enactment of chapter 445, Laws of 1993, are required thereby to make an additional ten semiannual deposits into the fund under the provisions of schedule 2, as referenced under subsection (4) of this section. The first such deposit under schedule 2 shall be made on or before January 1, 1994. Billings for the correct amount of deposit due shall be created by the agency

and mailed to each affected participant prior to December 1, 1993.

(b) Participants under the fund who failed to complete an assigned schedule of ten semiannual deposits under provisions of RCW 28C.10.084, referenced under subsection (4) of this section as schedule 1, prior to the enactment of chapter 445, Laws of 1993, are required to continue making deposits required by schedule 1 until all have been completed. Six months thereafter, such participants shall commence making an additional ten semiannual deposits into the fund under the provisions of schedule 2, as referenced under subsection (4) of this section. Billings for the correct amount of deposit due shall be created by the agency and mailed to each affected participant one month prior to the due date.

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

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

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

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

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

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

(8) Within thirty calendar days after disbursements made to settle claims reduce the operating balance below two hundred thousand dollars until June 30, 1998, or below one million dollars thereafter and recovery of such funds has not been ensured under the provisions of RCW 28C.10.084 (9)(d) and/or (10), the agency shall assess each licensee a pro rata share of an amount required to restore the deficiency created by such disbursements. In making calculations of each respective share the agency shall employ the same percentages of liability established under subsection (2) of this section. In the event that the amount of any single such assessment equals or is less than the semiannual amount of deposit established for a licensee under subsection (4) of this section, the assessment shall be paid within thirty calendar days of notice. In the event any single assessment exceeds the amount of its semiannual deposit, the entity may apply to the agency for a schedule of deferred payments. The agency shall grant such deferrals on application, but in no case shall the time extended exceed one year beyond the date of an assessment.

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

exceed one year beyond the date of the initial demand notice.

(10) Any award due to claimants with an outstanding balance on federal student loans under Title IV of the Higher Education Act will be disbursed by the agency to the particular federal financial aid program in accordance with federal law. Implementation of this provision will be effected through an interagency agreement with the Northwest Education Loan Association.

[Statutory Authority: Chapter 28C.10 RCW. 93-22-034, § 490-100-180, filed 10/28/93, effective 10/28/93; 91-08-029, § 490-100-180, filed 3/29/91, effective 3/29/91; 91-01-056, recodified as § 490-100-180, filed 12/13/90, effective 12/13/90; 87-14-007 (Resolution No. 87-86-4), § 490-800-180, filed 6/22/87; 87-02-019 (Resolution No. 86-81-3), § 490-800-180, filed 12/31/86. Statutory Authority: RCW 28C.10.010 through 28C.10.220. 86-15-075 (Order 86-78-3, Resolution No. 86-78-3), § 490-800-180, filed 7/23/86.]

WAC 490-100-190 Prohibitions. (See RCW 28C.10.110(11).) (1) In addition to the act, it is deemed an unfair business practice for a private vocational school or agent to:

(a) Advertise, offer, sell, or award any educational credential without requiring the consumer to enroll in and successfully complete a prescribed program of study, as outlined in the school's catalog or brochure;

(b) Sell, discount, or transfer contracts or promissory notes for tuition to third parties without the signed consent of the student or his/her financial sponsors, and a statement notifying all parties that the cancellation and refund policy continues to apply;

(c) Misrepresent to students the availability and/or amount of federal grants/loans potentially available.

(d) Employ the term "accredited" in advertising of any form or manner and/or including that term in any publication(s) unless:

(i) The institution holds a current grant of accreditation;

(ii) The term "accredited" is accompanied with equal prominence by the full name and/or seal of the agency or body from whom the licensee holds a current grant of accreditation; and

(iii) In the event the referenced accrediting agency is not included in the listing of accrediting agencies currently recognized by the United States Secretary of Education under the provisions of the Higher Education Act (Chapter 34 CFR), as amended, the licensee shall, prior to making such a representation, supply the agency with evidence of its grant of accreditation and such other information as the agency may require regarding the nature and scope of the referenced accrediting agency. The agency will approve or disapprove its use.

(2) A school is prohibited under RCW 28C.10.110(3) from advertising in portions of publications devoted to recruiting employees for available jobs -- commonly called "help wanted columns": *Provided however*, That a school can advertise under a help wanted classification for the purposes of:

(a) Making an offer of employment for its own bona fide job openings;

(b) Soliciting job opportunities for available graduates.

(c) To establish consistency in the implementation of this section, the following definitions will apply:

(i) "Advertise" means the publishing by a school of information that establishes its identity, location, and nature of course offerings available, and that may or may not contain an offer of training.

(ii) "Help wanted section" means any classified advertising section/subdivision in a publication that contains offers of employment. The particular wording any publication may choose to caption such a section is not material.

(iii) "Newspaper" means a printed publication usually issued daily or weekly, containing news, editorials, advertisements, etc. The proportionate mixture of contents is immaterial. The definition extends, for example, to tabloids such as "nickel-savers" that contain primarily or exclusively advertising. It is not material whether the publication is sold or given away.

(d) For purposes of this section, it is not considered "advertising" if a licensee elects to insert a notice in a "help wanted column" for the purpose of referring the reader to different classified heading in the same issue of the same publication, provided that:

(i) An offer of training is being made by the licensee under an appropriate other section in the same issue of the same publication; and

(ii) Such referral notice contains only the name of the licensee and not its address, telephone number, or description of program(s); and

(iii) The overall size and general appearance of what appears as a notice is consistent with its purpose only to refer readers elsewhere.

(3) A school is prohibited from making offers of training in any form or manner without including therein the full name and/or d/b/a under which it is licensed. Permutations of its name and/or d/b/a such as initials or nicknames can be employed only with prior written permission of the agency.

(4) RCW 28C.10.110(12) makes it an unfair business practice to attempt to recruit students within forty feet of a building that contains a welfare or unemployment office. The term "recruiting" is defined by statute. Other terms employed in the statute are further defined as follows:

(a) The distance of "forty feet from a building" shall be measured in a straight line from any doorway affording public access, extended parallel to the building in all directions along sidewalks or curb lines and extending at right angles to the building into adjacent spaces such as, but not limited to, parking lots. In instances of buildings with multiple entrances, the furthest distant point from any part of the structure that can be determined by the described methodology shall prevail throughout as the minimum distance permitted.

(b) "Welfare or unemployment office" means when applied to state government, buildings offering public access to provide services to clients of:

(i) Employment security department: Employment services division; family independence/opportunities branch; labor exchange branch; and special program branch; and

(ii) Department of social and health services: Children, youth and family services administration; economic and medical services administration; aging and adult services administration; and health and rehabilitative services administration.

(c) In the instance of county and municipal agencies, "welfare or unemployment office" means those buildings offering public access for the purpose of providing shelter, food, employment, health, and social services.

(d) The term "welfare or unemployment office" includes established locations operated by community-based, nonprofit organizations for the purpose of providing shelter, food, employment, health, and social services to disadvantaged populations.

[Statutory Authority: Chapter 28C.10 RCW. 93-22-034, § 490-100-190, filed 10/28/93, effective 10/28/93; 91-01-056, recodified as § 490-100-190, filed 12/13/90, effective 12/13/90; 87-02-019 (Resolution No. 86-81-3), § 490-800-190, filed 12/31/86. Statutory Authority: RCW 28C.10.010 through 28C.10.220. 86-15-075 (Order 86-78-3, Resolution No. 86-78-3), § 490-800-190, filed 7/23/86.]

WAC 490-100-200 Complaints. (See RCW 28C.10.080(5) and 28C.10.120.) (1) To be adjudicated under this chapter, a complaint against a licensee by an eligible former student must be filed no more than one calendar year following the student's last recorded date of attendance or, in the case of correspondence students, one calendar year following the date on which the school received the most recently submitted test for grading or, if the school ceases to provide educational services, within sixty calendar days of the date it ceases. Such time may be extended by the agency based on a showing that good faith efforts to obtain satisfaction from the school were being pursued by the student during the time elapsed.

(2) The term "a person" used to reference a claimant under RCW 28C.10.120(1) is further defined to mean only such individual(s) who established a fiduciary responsibility through their enrollment in a school or, in the case of a minor, his/her parent or guardian.

(a) No access is provided for private or public agencies, employers, or other entities who contract with a private vocational school to provide services for "a person" or persons.

(b) In any instance where a person established a fiduciary responsibility for only a portion of the contracted costs and was subsidized for the remainder as described under (a) of this subsection, his or her claim will be pro rated to recognizing only the unsubsidized amount.

(3) The term "unfair business practices" under RCW 28C.10.120(1) is further defined to mean those practices described under RCW 28C.10.110 and those described as "prohibited" under WAC 490-100-190.

(4) Complaints shall be made in writing on a form provided by the agency requiring the following information:

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

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

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

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

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

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

(6) The form supplied shall include instructions related to its filing, information regarding the complainant's rights and responsibilities, and examples of expenses that may qualify for reimbursement.

(6) In determining any losses suffered by a complainant, the agency shall consider the following as eligible costs:

(a) Tuition charges paid to the school;

(b) Registration fees paid to the school as defined under WAC 490-100-040(3);

(c) Costs of transportation;

(d) Costs incurred for purchase of required books, supplies, equipment, uniforms and protective clothing or devices, lab and other user fees or rental charges related to the foregoing; and

(e) Costs incurred for required insurance.

(7) In estimating a student's costs for nontuition expenses related to an educational program, the agency may employ applicable standard tables developed under Title IV of the Higher Education Act and/or those of the Washington state departments of employment security and social and health services.

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

(a) Evaluate the complaint for completeness and to determine eligibility within ten working days after receipt;

(b) Accept or reject the complaint and so notify the complainant;

(c) Forward a bona fide complaint to the school by mail including a copy of the complaint and any attachments received from the complainant;

(d) Investigate the facts supplied by all parties;

(e) Adjudicate the complaint; and

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

(9) The institution is afforded fifteen working days to respond: *Provided*, That the failure by an institution to submit a timely response will be considered by the agency as evidencing that it has no defense to offer:

[Statutory Authority: Chapter 28C.10 RCW. 93-22-034, § 490-100-200, filed 10/28/93, effective 10/28/93; 91-08-029, § 490-100-200, filed 3/29/91, effective 3/29/91; 91-01-056, recodified as § 490-100-200, filed 12/13/90, effective 12/13/90; 87-02-019 (Resolution No. 86-81-3), § 490-800-200, filed 12/31/86. Statutory Authority: RCW 28C.10.010 through 28C.10.220. 86-15-075 (Order 86-78-3, Resolution No. 86-78-3), § 490-800-200, filed 7/23/86.]

WAC 490-100-205 Appeals. (See RCW 28C.10.120 and 34.05.410.) Any entity disputing the following actions may request a hearing pursuant to WAC 490-100-208 and chapter 34.05 RCW:

(1) A denial of an exemption under RCW 28C.10.030(6).

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

[Statutory Authority: Chapter 28C.10 RCW. 93-22-034, § 490-100-205, filed 10/28/93, effective 10/28/93; 91-08-029, § 490-100-205, filed 3/29/91, effective 3/29/91; 91-01-056, recodified as § 490-100-205, filed 12/13/90, effective 12/13/90; 87-02-019 (Resolution No. 86-81-3), § 490-800-205, filed 12/31/86.]

WAC 490-100-208 Hearings. (See RCW 28C.10.120.) (1) Any administrative hearing called for under the act or these rules shall be conducted by a designated hearings officer in accordance with the Administrative Procedure Act, chapter 34.05 RCW.

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

(3) The executive director may accept or reject, in whole or in part, any recommendations made by the hearings officer, may remand for further findings, or take any other action he or she deems appropriate under the circumstances, pursuant to the provisions of the act and these rules.

[Statutory Authority: Chapter 28C.10 RCW. 93-22-034, § 490-100-208, filed 10/28/93, effective 10/28/93; 91-08-029, § 490-100-208, filed 3/29/91, effective 3/29/91; 91-01-056, recodified as § 490-100-208, filed 12/13/90, effective 12/13/90; 87-02-019 (Resolution No. 86-81-3), § 490-800-208, filed 12/31/86.]

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

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

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

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

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

(c) Dates of attendance;

(d) Course of instruction or subjects attempted;

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

(f) Grade for each subject completed;

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

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

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

(j) Date that transcript is prepared.

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

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

(b) The student's payment record.

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

(6) Schools shall maintain for a minimum of at least one year from date of publication or airing a true and legible copy of all newspaper ads and direct mail solicitations

together with written or taped transcripts of all broadcast and television advertising purchased in that period.

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

[Statutory Authority: Chapter 28C.10 RCW. 93-22-034, § 490-100-210, filed 10/28/93, effective 10/28/93; 91-08-029, § 490-100-210, filed 3/29/91, effective 3/29/91; 91-01-056, recodified as § 490-100-210, filed 12/13/90, effective 12/13/90; 87-02-019 (Resolution No. 86-81-3), § 490-800-210, filed 12/31/86. Statutory Authority: RCW 28C.10.010 through 28C.10.220. 86-15-075 (Order 86-78-3, Resolution No. 86-78-3), § 490-800-210, filed 7/23/86.]

WAC 490-100-220 School closing/change of status. (See RCW 28C.10.060(4); 28C.10.084(9); and 28C.10.160.)

(1) "Ceases to provide educational services" means that a stoppage of training has occurred because:

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

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

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

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

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

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

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

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

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

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

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

and furnish a copy of such notice within three business days to the agency;

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

(4) If students are receiving instruction prior to the school's ceasing to provide educational services, the school shall file with the agency its plans if any, for teach-out; insuring that all affected students will continue to receive training of the same quality and content as that for which they contracted:

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

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

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

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

WAC 490-100-230 Declaratory rulings. (See RCW 28C.10.080(5), 28C.10.120, and 34.05.240.) As prescribed by RCW 34.05.240, any interested person may petition the agency's executive director or his/her designee for a declaratory ruling. The agency or executive director shall consider the petition and within a reasonable time shall:

(1) Issue a nonbinding declaratory ruling;

(2) Notify the person that no declaratory ruling is to be issued;

(3) Set a reasonable time and place for a hearing or the submission of written evidence upon the matter, and give reasonable notification to the person of the time and place for such hearing or submission and of the issues involved; or

(4) If a hearing is held or evidence is submitted as provided in subsection (3) of this section, the agency or executive director may issue a binding declaratory rule in addition to options in subsections (1) and (2) of this section.

[Statutory Authority: Chapter 28C.10 RCW. 91-01-056, recodified as § 490-100-230, filed 12/13/90, effective 12/13/90; 87-02-019 (Resolution No. 86-81-3), § 490-800-230, filed 12/31/86. Statutory Authority: RCW 28C.10.010 through 28C.10.220. 86-15-075 (Order 86-78-3, Resolution No. 86-78-3), § 490-800-230, filed 7/23/86.]

WAC 490-100-240 Declaratory rulings—Forms. (See RCW 34.05.240 (annotated).) The form for petitioning the agency for a declaratory judgment shall be substantially similar to that found in RCW 34.05.240 (annotated).

[Statutory Authority: Chapter 28C.10 RCW. 91-01-056, recodified as § 490-100-240, filed 12/13/90, effective 12/13/90. Statutory Authority: RCW 28C.10.010 through 28C.10.220. 86-15-075 (Order 86-78-3, Resolution No. 86-78-3), § 490-800-240, filed 7/23/86.]

WAC 490-100-250 Degree-granting private vocational schools—Applicable rules. (See RCW 28C.10.040(4).) (1) Nondegree programs offered by degree-granting private vocational schools shall be regulated pursuant to the terms of an interagency agreement executed between the higher education coordinating board and the work force training and education coordinating board. Copies of said agreement are available from either agency on request.

[Statutory Authority: RCW 28C.10.040(2). 93-06-006, § 490-100-250, filed 2/18/93, effective 2/18/93. Statutory Authority: Chapter 28C.10 RCW. 91-08-029, § 490-100-250, filed 3/29/91, effective 3/29/91; 91-01-056, recodified as § 490-100-250, filed 12/13/90, effective 12/13/90; 87-14-007 (Resolution No. 87-86-4), § 490-800-250, filed 6/22/87; 87-02-019 (Resolution No. 86-81-3), § 490-800-250, filed 12/31/86.]

Chapter 490-276 WAC

ACCESS TO PUBLIC RECORDS

WAC

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WAC 490-276-010 Purpose. The purpose of this chapter is to ensure that the work force training and education coordinating board complies with the provisions of chapter 42.17 RCW dealing with public records.

[Statutory Authority: Chapter 28C.18 RCW. 93-06-005, § 490-276-010, filed 2/18/93, effective 2/18/93.]

WAC 490-276-020 Definitions. (1) "Public record" includes any writing containing information relating to the conduct of government or the performance of any governmental or proprietary function prepared, owned, used, or retained by any state or local agency regardless of physical form or characteristics.

(2) "Writing" means handwriting, typewriting, printing, photostating, photographing, and every other means of recording any form of communication or representation, including but not limited to, letters, words, pictures, sounds or symbols, combination thereof, and all papers, maps, magnetic or paper tapes, photographic files and prints, motion picture, film and video recordings, magnetic or punched cards, disks, drums, diskettes, sound recordings, and other documents including existing data compilations from which information may be obtained or translated.

(3) "The work force training and education coordinating board" is an agency organized by statute pursuant to RCW 28C.18.020 and shall hereafter be referred to as the "board." Where appropriate, the term "board" also refers to the staff and employees of the board.

[Statutory Authority: Chapter 28C.18 RCW. 93-06-005, § 490-276-020, filed 2/18/93, effective 2/18/93.]

WAC 490-276-030 Description of the work force training and education coordinating board. (1) The work force training and education coordinating board is a state agency established and organized under the authority of chapter 28C.18 RCW for the purpose of implementing the work force training and education responsibilities established by the legislature in RCW 28C.18.060. The administrative office of the board is located at Building 17, Airdustrial Park, within the city of Olympia, Washington.

(2) The board employs an executive director and other employees as designated by the executive director. A detailed description of the administrative organization of the agency is contained within the *Policies and Procedures Manual* for the work force training and education coordinating board, a current copy of which is available for inspection at the administrative office of the board.

[Statutory Authority: Chapter 28C.18 RCW. 93-06-005, § 490-276-030, filed 2/18/93, effective 2/18/93.]

WAC 490-276-040 Operations and procedures. (1) Formal decision-making procedures are established by the board through rules promulgated in accordance with the requirements of chapter 34.05 RCW, the Administrative Procedure Act.

(2) Informal decision-making procedures of the agency are set forth in the *Policies and Procedures Manual* referred to under WAC 490-276-030(2).

[Statutory Authority: Chapter 28C.18 RCW. 93-06-005, § 490-276-040, filed 2/18/93, effective 2/18/93.]

WAC 490-276-050 Public records available. All public records of the board, as defined in this chapter, are deemed to be available for public inspection and copying pursuant to these rules, except as otherwise provided by RCW 42.17.310, 41.17.315, or other statutes.

[Statutory Authority: Chapter 28C.18 RCW. 93-06-005, § 490-276-050, filed 2/18/93, effective 2/18/93.]

WAC 490-276-060 Public records officer. The board's public records shall be in the charge of the public records officer designated by the executive director of the board and shall be located in the board administrative office. The public records officer shall be responsible for the following: Implementation of the board's rules regarding release of public records, coordinating board employees in this regard, and generally ensuring compliance by board employees with the public records disclosure requirements in chapter 42.17 RCW.

[Statutory Authority: Chapter 28C.18 RCW. 93-06-005, § 490-276-060, filed 2/18/93, effective 2/18/93.]

WAC 490-276-070 Office hours. Public records shall be available for inspection and copying during the customary office hours of the board. For purposes of this chapter, the customary office hours shall be from eight o'clock a.m. to noon and from one o'clock p.m. to five o'clock p.m., Monday through Friday, excluding legal holidays.

[Statutory Authority: Chapter 28C.18 RCW. 93-06-005, § 490-276-070, filed 2/18/93, effective 2/18/93.]

WAC 490-276-080 Requests for public records. In accordance with the requirements of RCW 42.17.290 that agencies prevent unreasonable invasions of privacy, protect public records from damage or disorganization, and prevent excessive interference with essential functions of the agency, public records are only obtainable by members of the public when those members of the public comply with the following procedures:

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

(a) The name of the person requesting the record;

(b) The time of day and calendar date on which the request was made;

(c) The nature of the request;

(d) If the matter requested is referenced within the current index maintained by the public records officer, a reference to the requested record as it is described in such current index; and

(e) If the requested matter is not identifiable by reference to the current index, an appropriate description of the record requested.

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

[Statutory Authority: Chapter 28C.18 RCW. 93-06-005, § 490-276-080, filed 2/18/93, effective 2/18/93.]

WAC 490-276-090 Copying. No fee shall be charged for the inspection of public records. The board may impose a reasonable charge for providing copies of public records and for the use by any person of agency equipment to copy public records as provided by RCW 42.17.300. Such charges shall not exceed the amount necessary to reimburse the board for its actual costs incident to such copying. No person shall be released a record so copied until and unless the person requesting the copied public record has tendered payment for such copying to the appropriate board official. All charges must be paid by money order, cashier's check, or cash in advance.

[Statutory Authority: Chapter 28C.18 RCW. 93-06-005, § 490-276-090, filed 2/18/93, effective 2/18/93.]

WAC 490-276-100 Determination regarding exempt records. (1) The board reserves the right to determine that a public record requested in accordance with the procedures

outlined in WAC 490-276-080 is exempt pursuant to the provisions set forth in RCW 42.17.310, 42.17.315, or other statute. Such determination may be made in consultation with the public records officer, the executive director of the board, or an assistant attorney general assigned to the board.

(2) Pursuant to RCW 42.17.260, the board reserves the right to delete identifying details when it makes available or publishes any public record when there is reason to believe that disclosure of such details would be an unreasonable invasion of personal privacy or impair a vital governmental interest: *Provided, However*, in each case, the justification for the deletion shall be explained fully in writing.

(3) Response to requests for a public record must be made promptly. For the purposes of this section, a prompt response occurs if the person requesting the public record is notified within five business days as to whether his request for a public record will be honored.

(4) All denials of a request for public records must be accompanied by a written statement, signed by the public records officer or his/her designee, specifying the reason for the denial, a statement of the specific exemption authorizing the withholding of the record, and a brief explanation of how the exemption applies to the public record withheld.

[Statutory Authority: Chapter 28C.18 RCW. 93-06-005, § 490-276-100, filed 2/18/93, effective 2/18/93.]

WAC 490-276-110 Review of denials of public records requests. (1) Any person who objects to the denial of a request for a public record may petition for prompt review of such decision by tendering a written request for review. The written request shall specifically refer to the written statement which constituted or accompanied the denial.

(2) The written request by a person demanding prompt review of a decision denying a public record shall be submitted to the executive director of the board, or his or her designee.

(3) Within two business days after receiving the written request by a person petitioning for a prompt review of a decision denying a public record, the executive director of the board, or his or her designee, shall complete such review.

(4) During the course of the review the executive director, or his or her designee, shall consider the obligations of the board to comply with the intent of chapter 42.17 RCW insofar as it requires providing full public access to official records, but shall also consider the exemptions provided in RCW 42.17.310 or other pertinent statutes, and the provisions of the statute which require the board to protect public records from damage or disorganization, prevent excessive interference with essential functions of the agency, and prevent any unreasonable invasion of personal privacy by deleting identifying details.

[Statutory Authority: Chapter 28C.18 RCW. 93-06-005, § 490-276-110, filed 2/18/93, effective 2/18/93.]

WAC 490-276-120 Protection of public records. Requests for public records shall be made at the administrative office of the board in Olympia, Washington. Public records and a facility for their inspection will be provided by the public records officer. Such records shall not be

removed from the place designated. Copies of such records may be arranged according to the provisions of WAC 490-276-090.

[Statutory Authority: Chapter 28C.18 RCW. 93-06-005, § 490-276-120, filed 2/18/93, effective 2/18/93.]

WAC 490-276-130 Records index. (1) The board has available for the use of all persons a current index which provides identifying information as to the following records issued, adopted, or promulgated after September 1, 1991:

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

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

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

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

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

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

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

[Statutory Authority: Chapter 28C.18 RCW. 93-06-005, § 490-276-130, filed 2/18/93, effective 2/18/93.]

WAC 490-276-140 Adoption of form. The agency has adopted and makes available a form for use by all persons requesting inspection and/or copying or copies of its public records. The form is available in the administrative office of the work force training and education coordinating board in Olympia.

[Statutory Authority: Chapter 28C.18 RCW. 93-06-005, § 490-276-140, filed 2/18/93, effective 2/18/93.]

Chapter 490-325A WAC

STATE ENVIRONMENTAL POLICY ACT RULES

WAC

490-325A-010 Implementation of State Environmental Policy Act.

WAC 490-325A-010 Implementation of State Environmental Policy Act. (1) It shall be the policy of the work force training and education coordinating board that all actions taken by the board shall comply with the provisions of chapter 43.21C RCW (the State Environmental Policy Act), chapters 197-11 and 132-24 WAC.

(2) The executive director of the board, or his or her designee, shall be responsible for administering and implementing this policy.

[Statutory Authority: Chapters 43.12C, 28C.18 RCW and chapters 197-11 and 132-34 WAC. 93-22-033, § 490-325A-010, filed 10/28/93, effective 10/28/93.]

Chapter 490-500 WAC

VOCATIONAL REHABILITATION AND SERVICES FOR HANDICAPPED PERSONS

WAC

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490-500-600	Independent living program—Independent living rehabilitation services.
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DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

490-500-140	Accepted for regular services. [Order 1050, § 490-500-140, filed 8/29/75; Order 775, § 490-500-140, filed 3/1/73.] Repealed by 79-04-064 (Order 1383), filed 3/28/79. Statutory Authority: RCW 28A.10.025.
490-500-150	Acceptability for services—Certification of acceptance. [Order 775, § 490-500-150, filed 3/1/73.] Repealed by Order 1050, filed 8/29/75.
490-500-155	Acceptability for services—Certification of nonacceptance. [Order 775, § 490-500-155, filed 3/1/73.] Repealed by Order 1050, filed 8/29/75.
490-500-160	Acceptability for services—Notice to applicant. [Order 775, § 490-500-160, filed 3/1/73.] Repealed by Order 1050, filed 8/29/75.
490-500-250	Vocational rehabilitation plan. [Order 775, § 490-500-250, filed 3/1/73.] Repealed by Order 1050, filed 8/29/75.
490-500-355	Vocational rehabilitation services provided—Evaluation and diagnosis. [Order 775, § 490-500-355, filed 3/1/73.] Repealed by Order 1050, filed 8/29/75.
490-500-360	Vocational rehabilitation services provided—Evaluation and diagnosis—Medical. [Order 775, § 490-500-360, filed 3/1/73.] Repealed by Order 1050, filed 8/29/75.
490-500-365	Vocational rehabilitation services provided—Evaluation and diagnosis—Psychological and psychiatric. [Order 775, § 490-500-365, filed 3/1/73.] Repealed by Order 1050, filed 8/29/75.
490-500-370	Vocational rehabilitation services provided—Evaluation and diagnosis—Social. [Order 775, § 490-500-370, filed 3/1/73.] Repealed by Order 1050, filed 8/29/75.
490-500-375	Vocational rehabilitation services provided—Evaluation and diagnosis—Vocational. [Order 775, § 490-500-375, filed 3/1/73.] Repealed by Order 1050, filed 8/29/75.
490-500-387	Vocational rehabilitation services—Public safety officer. [Order 1050, § 490-500-387, filed 8/29/75.] Repealed by 90-11-114 (Order 2982), filed 5/22/90, effective 6/22/90. Statutory Authority: RCW 74.29.025.

490-500-535 Termination of services—Refusal to accept services.
[Order 775, § 490-500-535, filed 3/1/73.] Repealed by
Order 1050, filed 8/29/75.

WAC 490-500-005 Definitions. (1) "Accepted for services" means the division determines the following conditions are met and may supply vocational rehabilitation services to an applicant:

(a) The division has certified the applicant as eligible to receive vocational rehabilitation services; and

(b) The division has sufficient funds, personnel, facilities, and other resources to undertake and complete the rehabilitation of the individual.

(2) "Act" means the Rehabilitation Act of 1973, including subsequent amendments under 29 U.S.C. chapter 16.

(3) "Applicant" means an individual submitting a letter or application to the division requesting vocational rehabilitation services. For a letter to be an application, the applicant's letter shall contain:

(a) The signature of the individual or the individual's representative; and

(b) The name, address, age, sex, nature of disability of the requesting individual, and source of referral.

(4) "Civil employee of the federal government" means a person employed by, or serving in a civilian capacity with, the United States government who was disabled in the line of duty under CFR 361.37.

(5) "Client" means any handicapped individual:

(a) Who has applied for vocational rehabilitation services or independent living services from the division; and

(b) For whom the division has not denied or terminated services.

(6) "Comparable services" mean services or resources, other than from the division, the VRC determines are available to the applicant or client to meet the cost of any vocational rehabilitation services under CFR 361.47b.

(7) "Department" means the department of social and health services.

(8) "Director" means the director of the division of vocational rehabilitation.

(9) "Division" means the division of vocational rehabilitation of the department of social and health services.

(10) "Eligible" or "eligibility," when used in relation to an individual's qualification for vocational rehabilitation services, means a certification that:

(a) The individual has a physical or mental disability which for such individual constitutes or results in a substantial handicap to employment; and

(b) Vocational rehabilitation services may reasonably benefit the individual in terms of employability.

(11) "Employability" means a determination was made that the provision of vocational rehabilitation services is likely to enable an individual to enter or retain employment consistent with the individual's capacities and abilities in:

(a) The competitive labor market;

(b) The practice of a profession;

(c) Self-employment;

(d) Homemaking;

(e) Farm or family work, including work for which payment is in-kind rather than in-cash;

(f) Sheltered employment;

(g) Homebound employment; or

(h) Other gainful work.

(12) "Evaluation of rehabilitation potential" means, as appropriate, in each case:

(a) A preliminary diagnostic study to determine:

(i) An individual has a physical or mental disability which constitutes or results in a substantial handicap to employment;

(ii) Vocational rehabilitation services may reasonably be expected to benefit the individual in terms of employability; and

(iii) The individual is eligible for vocational rehabilitation services.

(b) A thorough diagnostic study to determine which vocational rehabilitation services may be of benefit to the individual in terms of employability consisting of:

(i) A comprehensive evaluation of pertinent factors, which bear on the individual's handicap to employment and rehabilitation potential; and

(ii) An appraisal of the individual's:

(A) Work behavior; and

(B) Ability to develop work patterns suitable for successful job performance.

(c) Any other goods or services used to determine the nature of the handicap and whether the individual may benefit from vocational rehabilitation services in terms of employability; and

(d) Providing vocational rehabilitation services to an individual for an extended evaluation period not to exceed eighteen months. The services include initiation and continuing development of an individualized, written rehabilitation plan with periodic assessment of results of providing services. The purpose is to determine whether a vocational goal is feasible for the individual.

(13) "Family member" or "member of the family" means:

(a) Any relative, by blood, adoption, or marriage, of a handicapped individual; and

(b) Other individuals residing in the same household with whom the handicapped individual has a close interpersonal relationship.

(14) "Functional capacities" in terms of employability means:

(a) Mobility;

(b) Communication;

(c) Interpersonal skills;

(d) Self-care;

(e) Self-direction;

(f) Work tolerance; or

(g) Work skills.

(15) "Handicapped individual" means an individual:

(a) With a physical or mental disability constituting or resulting in a substantial handicap to employment; and

(b) Expecting to benefit in terms of employability from the provision of vocational rehabilitation services, or for whom an extended evaluation of rehabilitation potential is necessary to determine whether the individual may benefit in terms of employability from the provision of vocational rehabilitation services.

(16) "Independent living services" means any goods or services provided to a severely handicapped client enabling the individual to achieve maximum family or community participation in support of a vocational rehabilitation plan.

(17) "Individual's representative" means a client-selected representative who is the individual's parent, guardian, or other representative.

(18) "Initial stock and supplies" means items used, consumed, or sold in the normal process of an occupation or in the normal course of a business enterprise.

(19) "Local medical consultant" means a doctor of medicine employed under contract by the division to provide consultation to local office rehabilitation counselors concerning the medical aspects of rehabilitation, usually reviewing and discussing medical problems of individual clients.

(20) "Occupational license" means a license, permit, or other written authority required by a governmental unit as a prerequisite to entering a particular occupation.

(21) "Occupational tools and placement equipment" means tangible implements or appliances required for the efficient performance of a particular trade, business, or occupation.

(22) "On-the-job training services" means a program of organized training giving the client the opportunity to learn as an employee in an occupation under actual conditions of commercial, industrial, or other on-the-job employment.

(23) "Physical and mental restoration services" means services necessary to correct or substantially modify, within a reasonable period of time, a physical or mental condition which is stable or slowly progressive.

(24) "Physical or mental disability" means a physical or mental condition which materially limits, contributes to limiting or, if not corrected, will result in limiting an individual's activities or functions.

(25) "Public safety officer" means a person serving the United States or a state or unit of general local government, with or without compensation, in an activity pertaining to:

(a) The enforcement of the criminal laws, including highway patrol, or the maintenance of civil peace by the national guard or the armed forces;

(b) A correctional program, facility, or institution where the activity is potentially dangerous because of contact with criminal suspects, defendants, prisoners, probationers, or parolees;

(c) A court having criminal or juvenile delinquent jurisdiction where the activity is potentially dangerous because of contact with criminal suspects, defendants, prisoners, probationers, or parolees; or

(d) Firefighting, fire prevention, or emergency rescue missions.

(26) "Referral" means any individual referred to a vocational rehabilitation office by letter, telephone, direct contact, or by other means. The following minimum information shall be furnished for referral:

(a) Name and address;

(b) Disability;

(c) Age and sex;

(d) Date of referral; and

(e) Source of referral.

(27) "Rehabilitation facility" means a facility operated primarily to provide vocational rehabilitation services to handicapped individuals, and also provide one or more of the following services:

(a) Vocational rehabilitation services under one management including:

(i) Medical;

(ii) Psychological;

(iii) Social; and

(iv) Vocational services.

(b) Testing, fitting, or training in the use of prosthetic and orthotic devices;

(c) Prevocational conditioning or recreational therapy;

(d) Physical and occupational therapy;

(e) Speech and hearing therapy;

(f) Psychological and social services;

(g) Evaluation of rehabilitation potential;

(h) Personal and work adjustment;

(i) Vocational rehabilitation with a view toward career advancement in combination with other rehabilitation services;

(j) Evaluation or control of specific disabilities; and

(k) Transitional or extended employment for those handicapped individuals who cannot be readily absorbed in the competitive labor market. All medical and related health services shall be prescribed by, or under the formal supervision of, persons licensed to prescribe or supervise the provision of such services in the state.

(28) "Secretary," except when the context indicates otherwise, means the secretary of the department of social and health services.

(29) "Severely handicapped individual" means a handicapped individual:

(a) With a severe physical or mental disability which seriously limits one or more of the individual's functional capacities in terms of employability;

(b) Whose vocational rehabilitation can be expected to require multiple vocational rehabilitation services over an extended period of time; and

(c) With one or more physical or mental disabilities resulting from:

(i) Amputation;

(ii) Arthritis;

(iii) Autism;

(iv) Blindness;

(v) Burn injury;

(vi) Cancer;

(vii) Cerebral palsy;

(viii) Cystic fibrosis;

(ix) Deafness;

(x) Head injury;

(xi) Heart disease;

(xii) Hemiplegia;

(xiii) Hemophilia;

(xiv) Respiratory or pulmonary dysfunction;

(xv) Mental retardation;

(xvi) Mental illness;

(xvii) Multiple sclerosis;

(xviii) Muscular dystrophy;

(xix) Musculo-skeletal disorders;

(xx) Neurological disorders including stroke and epilepsy;

(xxi) Paraplegia;

(xxii) Quadriplegia;

(xxiii) Other spinal cord conditions;

(xxiv) Sickle cell anemia;

(xxv) Specific learning disability;

(xxvi) End-stage renal disease; or

(xxvii) Another disability or combination of disabilities determined to cause comparable substantial functional limitation based on an evaluation of rehabilitation potential.

(30) "Substantial handicap to employment" means a physical or mental disability which impedes an individual's occupational performance, by preventing the individual from:

- (a) Obtaining;
- (b) Retaining; or
- (c) Preparing for employment consistent with the individual's capacities and abilities.

(31) "Vocational rehabilitation counselor (VRC)" means an employee of the division having direct responsibility for authorizing, providing, or supervising the provision of all vocational rehabilitation services to a division client.

(32) "Vocational rehabilitation services" mean services under the vocational rehabilitation plan including one or more of the following:

(a) Any goods or services provided to a client likely to enable the client to enter or retain employment in the competitive labor market consistent with the client's capacities and abilities;

(b) Any goods or services provided to a client for the purpose of extended evaluation to determine the client's rehabilitation potential;

(c) The establishment, construction, development, operation, and maintenance of rehabilitation facilities; and

(d) The provision of facilities and services which promise to contribute substantially to the rehabilitation of a group of individuals but not related directly to the rehabilitation plan.

Vocational rehabilitation is a capped categorical program; thus, services appropriate and necessary for successful vocational rehabilitation are determined on an individual case-needs basis under CFR 361.42, dated January 19, 1981.

[Statutory Authority: RCW 74.29.025, 90-11-114 (Order 2982), § 490-500-005, filed 5/22/90, effective 6/22/90; Order 1050, § 490-500-005, filed 8/29/75; Order 775, § 490-500-005, filed 3/1/73.]

WAC 490-500-010 Application for services. (1) Any handicapped person may apply for vocational rehabilitation services, including persons who have previously applied for, have previously received, or have previously been denied such services.

(2) Any handicapped person seeking to obtain vocational rehabilitation services from the division shall submit a written application for services to the division.

(3) The written application for services shall be signed by the person requesting services or by his parent or guardian or other representative.

(4) The written application shall contain the following information:

- (a) The applicant's name and address;
- (b) The nature of the applicant's disability;
- (c) The applicant's age and sex;
- (d) The date of application;
- (e) The name of the person or agency, if any, who has referred the applicant to the division.

(5) The division shall not provide vocational rehabilitation services to any person who has failed to submit a signed application in writing containing the above information.

[Order 1050, § 490-500-010, filed 8/29/75; Order 775, § 490-500-010, filed 3/1/73.]

WAC 490-500-015 Initial interview. (1) An applicant for vocational rehabilitation services shall be interviewed personally by a VRC or by a vocational rehabilitation staff member under supervision of a VRC as soon as possible after application.

(2) At this initial interview the interviewer shall:

(a) Explain to the applicant the nature and operation of the vocational rehabilitation program as it relates to the applicant,

(b) Specifically inform the applicant of his right to appeal from any decision made by the division with regard to his case through administrative appeal and fair hearing procedures, and

(c) Inform the applicant of his right of confidentiality of information possessed by the division, and

(d) Obtain any general information from the applicant which might be useful in determining his eligibility for vocational rehabilitation services.

[Order 1050, § 490-500-015, filed 8/29/75; Order 775, § 490-500-015, filed 3/1/73.]

WAC 490-500-020 Preliminary diagnostic study. (1) A preliminary diagnostic study will be conducted to determine whether:

(a) The individual has a physical or mental disability which for such individual constitutes or results in a substantial handicap to employment; and

(b) Vocational rehabilitation services may reasonably be expected to benefit the individual in terms of employability, or whether an extended evaluation of rehabilitation potential is necessary to make such a determination.

(2) The preliminary diagnostic study will include such examinations and diagnostic studies as are necessary to determine eligibility, and

(a) In all cases, will include an appraisal of the current general health status of the individual.

(b) All cases of mental or emotional disorder, an examination will be provided by a physician skilled in the diagnosis and treatment of such disorders, or by a psychologist licensed or certified in accordance with state laws and regulations, in those states where such laws and regulations pertaining to the practice of psychology have been established.

(3) The division shall record in writing the results of each applicant's preliminary study.

[Order 1050, § 490-500-020, filed 8/29/75; Order 775, § 490-500-020, filed 3/1/73.]

WAC 490-500-025 Eligibility for services. (1) The division shall make an eligibility determination as to every applicant for vocational rehabilitation services. The determination of eligibility shall be made as soon as possible after application.

(2) The division shall base its eligibility determination on the results of the preliminary diagnostic study and extended evaluation, if any.

[Order 1050, § 490-500-025, filed 8/29/75; Order 775, § 490-500-025, filed 3/1/73.]

WAC 490-500-030 Eligibility for services—Criteria.

(1) Eligibility shall be based only upon:

(a) The presence of a physical or mental disability which for the individual constitutes or results in a substantial handicap to employment; and

(b) A reasonable expectation that vocational rehabilitation services may benefit the individual in terms of employability.

(2) Eligibility requirements will be provided by the division without regard to sex, race, age, creed, color, or national origin of the individual applying for service.

(3) No person or group of persons shall be found ineligible for services solely on the basis of type of disability.

(4) No person shall be found ineligible for services solely on the basis of age.

(5) No person shall be found ineligible for services based on residence requirement, durational or other.

[Order 1050, § 490-500-030, filed 8/29/75; Order 775, § 490-500-030, filed 3/1/73.]

WAC 490-500-050 Certification for decision of eligibility or ineligibility. (1) There will be a certification that the individual has met the basic eligibility requirements specified in eligibility criteria. The statement of eligibility will be dated and signed by the VRC.

(2) Whenever it has been determined that an individual is ineligible for vocational rehabilitation services, there shall be a certification, dated and signed by the VRC. Certification of ineligibility will be made only after full participation with the individual or, as appropriate, his parent, guardian, or other representative, or after affording a clear opportunity for such consultation.

[Statutory Authority: RCW 74.29.025. 84-18-023 (Order 2146), § 490-500-050, filed 8/29/84; Order 1050, § 490-500-050, filed 8/29/75; Order 775, § 490-500-050, filed 3/1/73.]

WAC 490-500-055 Notice to applicant. (1) The individual shall be notified in writing of the action taken on ineligibility.

(2) He shall be informed of the division's procedure for administrative review and fair hearings if he is dissatisfied with the division's decision.

(3) If the applicant was determined to be ineligible for vocational rehabilitation services, the certification shall specify in detail how he failed to meet the criteria of eligibility.

[Statutory Authority: RCW 74.29.025. 84-10-045 (Order 2098), § 490-500-055, filed 5/2/84; Order 1050, § 490-500-055, filed 8/29/75; Order 775, § 490-500-055, filed 3/1/73.]

WAC 490-500-060 Criteria for the severely handicapped. A severely handicapped individual is a handicapped individual:

(1) Who has a severe physical or mental disability seriously limiting his or her functional capacities (mobility, communication, self-care, self-direction, work tolerance, or work skills) in terms of employability; and

(2) Whose vocational rehabilitation can be expected to require multiple vocational rehabilitation services over an extended period of time; and

(3) Who has one or more physical or mental disabilities resulting from amputation, arthritis, blindness, cancer, cerebral palsy, cystic fibrosis, deafness, heart disease, hemiplegia, hemophilia, respiratory or pulmonary dysfunction, mental retardation, mental illness, multiple sclerosis, muscular dystrophy, musculo-skeletal disorders, neurological disorders (including stroke and epilepsy), paraplegia, quadriplegia, and other spinal cord conditions, sickle cell anemia and end-stage renal disease, or another disability or combination of disabilities determined on the basis of an evaluation of rehabilitation potential to cause comparable substantial functional limitation.

[Statutory Authority: RCW 28A.10.025. 83-17-100 (Order 2004), § 490-500-060, filed 8/23/83; Order 1050, § 490-500-060, filed 8/29/75.]

WAC 490-500-070 Extended evaluation. Extended evaluation is the process by which diagnostic and other vocational rehabilitation services are provided to an applicant for the limited purpose of facilitating the determination of his rehabilitation potential and eligibility. Extended evaluation is provided only when a determination of eligibility has not and can not be made within the usual eligibility determination procedure.

[Order 775, § 490-500-070, filed 3/1/73.]

WAC 490-500-075 Extended evaluation—Eligibility criteria. Furnishing of vocational rehabilitation services under an extended evaluation to determine rehabilitation potential shall be based only upon:

(1) The presence of a physical or mental disability which for the individual constitutes or results in a substantial handicap to employment; and

(2) An inability to make a determination that vocational rehabilitation services might benefit the individual in terms of employability unless there is an extended evaluation to determine rehabilitation potential.

[Order 1050, § 490-500-075, filed 8/29/75; Order 775, § 490-500-075, filed 3/1/73.]

WAC 490-500-077 Certification for extended evaluation to determine rehabilitation potential. Prior to, and as a basis for providing an extended evaluation to determine rehabilitation potential, there will be a certification that the individual has met the requirements. The certified statement will be dated and signed by the VRC.

[Order 1050, § 490-500-077, filed 8/29/75.]

WAC 490-500-080 Extended evaluation—Program. (1) After certification for extended evaluation to determine rehabilitation potential, an individualized written rehabilitation program shall be developed jointly by the VRC and the handicapped individual, or, as appropriate his parent, guardian or other representative.

(2) A copy of the written program and any amendments thereto shall be provided to the handicapped individual, or, as appropriate, parent, guardian or other representative.

(3) The program shall include the basis on which a determination of eligibility has been made that an extended evaluation of rehabilitation potential is necessary.

(4) The program shall specify the nature of the vocational rehabilitation services necessary to determine the client rehabilitation potential and shall specify the arrangements which shall be made to provide for and/or otherwise secure such necessary services.

(5) The projected rate for the initiation of each vocational rehabilitation service, the anticipated duration of each such service, and the time within which the objectives and goals for each individual might be achieved.

(6) The terms and conditions for the provision of vocational rehabilitation services including:

(a) Responsibilities of the handicapped individual in implementing the individualized written rehabilitation program,

(b) The extent of client participation in the cost of services based on the financial need of the client, and

(c) The extent to which the individual is eligible for similar benefits under any other programs.

(7) An assurance that the handicapped individual has been informed of his rights and the means by which he may express and seek remedy for his dissatisfactions, including the opportunity for an administrative review of the division's action or fair hearings.

(8) Where appropriate, assurance that the handicapped individual has been provided a detailed explanation of the availability of the resources within a client assistance project.

[Order 1050, § 490-500-080, filed 8/29/75; Order 775, § 490-500-080, filed 3/1/73.]

WAC 490-500-085 Extended evaluation—Services provided. The following vocational rehabilitation services will be available to individuals:

(1) Evaluation, including diagnostic and related services;

(2) Counseling and guidance;

(3) Physical and mental restoration services;

(4) Training, including personal and vocational adjustment, books, tools, and other training materials;

(5) Maintenance;

(6) Transportation;

(7) Services to members of a handicapped individual's family when such services are necessary to the adjustment of rehabilitation of the handicapped individual;

(8) Interpreter services for the deaf;

(9) Telecommunications, sensory and other technological aids and devices;

(10) Other goods and services which are necessary to determine the client's rehabilitation potential.

[Order 1050, § 490-500-085, filed 8/29/75; Order 775, § 490-500-085, filed 3/1/73.]

WAC 490-500-090 Extended evaluation—Services not provided. The following goods and services cannot be provided until decisions have been reached as to a client's specific employment objectives, and therefore shall not be provided under an extended evaluation plan:

(1) Placement;

(2) Occupational tools and equipment or initial stocks and supplies;

(3) Business enterprises;

(4) Occupational licenses.

[Order 775, § 490-500-090, filed 3/1/73.]

[Title 490 WAC—page 36]

WAC 490-500-095 Extended evaluation—Duration and scope of services. (1) Vocational rehabilitation services necessary for the determination of rehabilitation potential, including those provided within a thorough diagnostic study, may be provided to a handicapped individual for a total period not in excess of 18 months.

(2) Other conditions:

(a) The extended evaluation period shall begin with the date of the certification for extended evaluation to determine rehabilitation potential. Only one period not in excess of 18 months shall be permitted during the period that the case is open. If a case has been closed as a result of a determination that the handicapped individual's needs have changed, such case may be re-opened and a subsequent evaluation of rehabilitation potential may be carried out provided that the conditions in "basic conditions of extended evaluation to determine rehabilitation potential" are met.

(b) Vocational rehabilitation services, authorized after the expiration of the extended evaluation period will be provided only if the certification of eligibility required has been executed by the VRC.

[Order 1050, § 490-500-095, filed 8/29/75; Order 775, § 490-500-095, filed 3/1/73.]

WAC 490-500-100 Extended evaluation—Assessment. A thorough assessment of the individual's progress will be made as frequently as necessary but at least once in every 90 day period during the period in which services are being provided under an extended evaluation of rehabilitation potential, including periodic reports from the institution, facility, or person providing the services, to determine the results of the probation of such services and to determine whether such individual may be determined to be eligible or ineligible.

[Order 1050, § 490-500-100, filed 8/29/75; Order 775, § 490-500-100, filed 3/1/73.]

WAC 490-500-105 Extended evaluation—Revision of program. A program of extended evaluation may be revised at any time and shall be revised as necessary if the needs of the client have changed or problems have arisen which have interrupted the provision of extended evaluation services.

[Order 1050, § 490-500-105, filed 8/29/75; Order 775, § 490-500-105, filed 3/1/73.]

WAC 490-500-110 Extended evaluation—Termination. (1) At any time prior to the expiration of an eighteen month extended evaluation period, the extended evaluation for the determination of rehabilitation potential shall be terminated when:

(a) The individual is found eligible for vocational rehabilitation services since there is a reasonable assurance that he can be expected to benefit in terms of employability from vocational rehabilitation services; or

(b) The individual is found ineligible for any additional vocational rehabilitation services since it has been determined that he cannot be expected to benefit in terms of employability from vocational rehabilitation services.

(2) In such cases the procedures outlined in WAC 490-500-280 must be followed.

[Statutory Authority: RCW 74.29.025. 84-18-023 (Order 2146), § 490-500-110, filed 8/29/84; Order 1050, § 490-500-110, filed 8/29/75; Order 775, § 490-500-110, filed 3/1/73.]

WAC 490-500-120 Certification of termination of extended evaluation and notice. The certification of termination of extended evaluation and notice is applicable when the following is considered:

(1) Certification of eligibility for regular case services. Prior to, or simultaneously with acceptance of a handicapped individual for vocational rehabilitation services, there will be a certification that the individual has met the requirements specified. The certified statement will be dated and signed by the VRC.

(2) Certification of ineligibility. When it has been determined that an individual is ineligible for vocational rehabilitation services, there shall be a certification, dated and signed by the VRC. Such certification of ineligibility will be made only after full participation with the individual or, as appropriate, his parent, guardian, or other representative, or after affording a clear opportunity for such consultation.

[Statutory Authority: RCW 74.29.025. 84-18-023 (Order 2146), § 490-500-120, filed 8/29/84; Order 1050, § 490-500-120, filed 8/29/75; Order 775, § 490-500-120, filed 8/1/73.]

WAC 490-500-145 Criteria for selection of service—Individualized, written extended evaluation plan.

The division shall use the following order to determine eligibility in selecting handicapped individuals to be provided vocational rehabilitation services when the services cannot be provided to all persons who apply and are determined to be in need of services under an extended evaluation plan:

(1) Clients who are most severely handicapped shall be accepted for services first;

(2) Followed by other clients of the department of social and health services, disabled public safety officers, Native Americans, and disabled civil employees of the United States Government; and

(3) Then all other clients in order of precedence by date of application with earliest date of application having first priority.

[Statutory Authority: RCW 74.29.025. 90-11-114 (Order 2982), § 490-500-145, filed 5/22/90, effective 6/22/90. Statutory Authority: RCW 28A.10.025. 79-04-064 (Order 1383), § 490-500-145, filed 3/28/79; Order 1050, § 490-500-145, filed 8/29/75; Order 775, § 490-500-145, filed 3/1/73.]

WAC 490-500-180 Economic need. (1) The division shall provide the following services regardless of the economic need of the client receiving the services:

- (a) Diagnostic and related services,
- (b) Counseling,
- (c) Placement,

(d) All other services of the division will be provided only if the client who is to receive the services is eligible for such services on the basis of economic need as provided in WAC 490-500-190.

[Statutory Authority: RCW 28A.10.025. 82-04-078 (Order 1761), § 490-500-180, filed 2/3/82; Order 1050, § 490-500-180, filed 8/29/75; Order 775, § 490-500-180, filed 3/1/73.]

WAC 490-500-185 Economic need—Financial statement required. An applicant accepted for vocational rehabilitation services or accepted for extended evaluation to determine rehabilitation potential shall be required to furnish the division with:

(1) Such information in detail regarding his financial assets, income, debts, obligations, and expenses as may be necessary to enable the division to make a determination of his economic need;

(2) A signed statement indicating whether he is in need of financial assistance from the division to participate in those vocational rehabilitation services which are conditioned upon economic need.

[Order 1050, § 490-500-185, filed 8/29/75; Order 775, § 490-500-185, filed 3/1/73.]

WAC 490-500-190 Economic need—Standards for determining. (1) A client shall be eligible to receive vocational rehabilitation services or extended evaluation services from the division when total obligations, debts, and expenses equals or exceeds income and nonexempt assets and resources.

When income and nonexempt assets are greater than the value of obligations, debts, and expenses, the excess is to be made available by the client to pay for rehabilitation services unless the service is exempted by law and/or WAC 490-500-180.

(2) Determination of a client's economic need involves an evaluation of the income, assets, debts, obligations, and expenses of his or her entire family unit, including his or her dependents or, if the client is an unemancipated minor, his or her parents.

(3) The following shall be considered income for the purpose of determining the economic need of a client:

(a) Wages paid to the client and to any dependent family members living in the home. For purposes of this section, wages shall be equal to gross wages less deductions for income taxes, Social Security, taxes, retirement deductions, and other involuntary deductions.

(b) Contributions from relatives or others, in cash or in kind, on a regular and predictable basis;

(c) Net profit from roomers or boarders;

(d) Net profit from property rentals;

(e) Net profit from farm products;

(f) Net profit from business enterprises;

(g) Scholarship or fellowship funds;

(h) Income from public or private welfare agencies; or

(i) Any other income received on a regular and predictable basis, including but not limited to alimony, dividends from stocks, annuity payment, unemployment compensation, insurance, pensions, etc.

(4) The following types of property shall be considered exempt assets and may not be considered in determining the client's economic need:

(a) The home occupied by the client or his or her family, including any contiguous real property. A house trailer is an exempt asset when it is being regularly occupied by the client or his or her family as the principle place of residence or when it will be so occupied in the predictable future.

(b) Household furniture, clothing, life insurance, and other personal effects;

(c) An automobile when one or more of the following conditions is met:

(i) The client and his or her family have only one automobile, or

(ii) All automobiles used by the family are for the purpose of transportation to work or school, or

(iii) The automobile has been furnished in whole or in part to the client or to one of his or her dependents by the Veterans' Administration, or

(iv) The automobile is essential to the client's vocational rehabilitation objective.

(d) Vocational equipment and machinery owned by the client is an exempt asset if the equipment and/or machinery is being used to provide part or all of the living expenses of the client and his or her dependents or if the equipment and/or machinery may be so used after completion of the vocational rehabilitation plan;

(e) Livestock is an exempt asset to the extent the livestock produces income or otherwise helps the client to meet normal living requirements.

(5) All types of tangible and intangible property, including but not limited to real property, personal property, stocks, bonds, savings accounts, and checking accounts, which are not exempt under subsection (4) of this section shall constitute the client's nonexempt assets and shall be considered in determining the client's economic need. The value of a nonexempt asset shall be equal to the nonexempt assets fair market value less any unpaid encumbrances of record.

(6) The following obligations, debts, and expenses shall be deducted from the client's income and nonexempt assets in determining the client's economic need:

(a) The client's actual shelter and living expenses,

(b) Shelter and living expenses for the client's dependents,

(c) Payments which the client is required to make under court order,

(d) Outstanding taxes on earnings or personal or real property,

(e) Insurance premium payments,

(f) Contractual payments on real or personal property if such obligations were incurred prior to the client's application for vocational rehabilitation services.

(7) When maintenance is to be paid by the division of vocational rehabilitation to a client, the maintenance paid shall be in the amount the division has determined to be necessary to maintain the client up to a maximum of the current one-person payment standard as defined in WAC 388-29-100.

[Statutory Authority: RCW 74.29.025. 86-05-010 (Order 2341), § 490-500-190, filed 2/12/86; 84-19-023 (Order 2149), § 490-500-190, filed 9/12/84. Statutory Authority: RCW 28A.10.025. 83-17-100 (Order 2004), § 490-500-190, filed 8/23/83; 82-04-078 (Order 1761), § 490-500-190, filed 2/3/82; 79-04-064 (Order 1383), § 490-500-190, filed 3/28/79; Order 1050, § 490-500-190, filed 8/29/75; Order 775, § 490-500-190, filed 3/1/73.]

WAC 490-500-200 Economic need—Notification of decision. When it is determined that the client shall be required to contribute financially to his rehabilitation, the division shall explain to him when, how, and for what services his funds will be used.

[Order 1050, § 490-500-200, filed 8/29/75; Order 775, § 490-500-200, filed 3/1/73.]

WAC 490-500-255 Thorough diagnostic study. (1)

There will be a thorough diagnostic study which will determine the nature and scope of services needed by the individual, and which will consist of a comprehensive evaluation of pertinent medical, psychological, vocational, educational, and other related factors which bear on the individual's handicap to employment and rehabilitation needs.

(2) The thorough diagnostic study will be sufficient in each case to determine the vocational rehabilitation services which are needed to attain vocational goals of the handicapped individual and that the findings of such study will be recorded in the individualized written rehabilitation program.

(3) The thorough evaluation shall include, to the extent necessary, an appraisal of the following factors:

(a) Intelligence level;

(b) Educational achievements;

(c) Work experience;

(d) Personal, vocational and social adjustment;

(e) Employment opportunities;

(f) Patterns of work behavior;

(g) Ability to acquire occupational skill;

(h) Capacity for successful job performance which may include trial job situations (simulated or real) to assess capabilities to perform adequately in a work environment.

(4) The thorough evaluation shall include specialty medical examinations as required below whenever the individual is known to have the following conditions:

(a) Visual impairment - ophthalmological or optometric evaluation;

(b) Hearing impairment or deafness - otological and audio-logical evaluation;

(c) Mental retardation - psychological evaluation.

[Order 1050, § 490-500-255, filed 8/29/75; Order 775, § 490-500-255, filed 3/1/73.]

WAC 490-500-257 Individualized, written rehabilitation plan. Before providing services, the division shall initiate and continuously develop an individualized written rehabilitation plan for each client.

[Statutory Authority: RCW 74.29.025. 90-11-114 (Order 2982), § 490-500-257, filed 5/22/90, effective 6/22/90; Order 1050, § 490-500-257, filed 8/29/75.]

WAC 490-500-260 Individualized, written rehabilitation plan—Content. When developing an individualized written rehabilitation plan, the division shall place primary emphasis on the determination and achievement of a vocational goal. The plan shall include, but not be limited to, appropriate statements concerning the following:

(1) The basis on which the determination of eligibility has been made;

(2) The long-range employment goals established for the individual and the intermediate rehabilitation objectives related to the attainment of the goals, for which the division utilizes a prioritization of services, are as follows:

(a) Medical restoration enabling the client to return to previous employment;

(b) Job restructuring enabling the client to return to employment similar to the type previously held;

(c) Utilizing transferable skills placing the client in suitable employment; or

(d) Retraining necessary to obtain current marketable job skills within the client's limitations for employment available in the current labor market.

(3) The determination of the specific vocational rehabilitation services provided to achieve established employment goals and the terms and conditions for the provision of the services;

(4) The projected rate for the initiation of each vocational rehabilitation service, the anticipated duration of each service, and the time within which the objectives and goals for each individual might be achieved, including periodic progress reviews;

(5) The views of the handicapped individual, or the individual's representative, concerning the individual's goals and objectives and the vocational rehabilitation services provided;

(6) The terms and conditions for the provision of vocational rehabilitation services including responsibilities of the handicapped individual in implementing the individualized written rehabilitation plan:

(a) Extent of client participation in the cost of services based on the financial need of the client, and

(b) Extent to which the individual is eligible for comparable services under other programs;

(7) An assurance the handicapped individual is informed of the:

(a) Individual's rights;

(b) Means by which the individual may express dissatisfactions; and

(c) Means by which the individual may seek remedy for dissatisfactions, including the opportunity for:

(i) Client assistance program services;

(ii) An administrative review of action; or

(iii) A fair hearing.

(8) Assurance the handicapped individual is provided a detailed explanation of the availability of the resources within a client assistance program;

(9) The basis on which the individual shall be determined to be rehabilitated; and

(10) Plans for the provision of post-employment services after a suitable employment objective is achieved and the basis on which the plans are developed when required.

[Statutory Authority: RCW 74.29.025, 90-11-114 (Order 2982), § 490-500-260, filed 5/22/90, effective 6/22/90; Order 1050, § 490-500-260, filed 8/29/75; Order 775, § 490-500-260, filed 3/1/73.]

WAC 490-500-270 Individualized, written rehabilitation plan—Participation of client. The VRC and the handicapped individual or the individual's representative shall jointly develop the individualized, written rehabilitation plan. The division shall provide the individual or the individual's representative a copy of the written rehabilitation plan and subsequent amendments.

[Statutory Authority: RCW 74.29.025, 90-11-114 (Order 2982), § 490-500-270, filed 5/22/90, effective 6/22/90; Order 1050, § 490-500-270, filed 8/29/75; Order 775, § 490-500-270, filed 3/1/73.]

WAC 490-500-275 Individualized, written rehabilitation plan—Annual review. (1) The division shall review for appropriateness with the individual or the individual's representative the individualized, written rehabilitation plan:

(a) On an annual basis; or

(b) As often as necessary.

(2) At the time of review, the handicapped individual or the individual's representative shall be involved in the review and, if necessary, jointly redevelop the terms.

[Statutory Authority: RCW 74.29.025, 90-11-114 (Order 2982), § 490-500-275, filed 5/22/90, effective 6/22/90; Order 1050, § 490-500-275, filed 8/29/75; Order 775, § 490-500-275, filed 3/1/73.]

WAC 490-500-280 Individualized, written rehabilitation plan—Termination. (1) When a handicapped individual is not capable of achieving a vocational goal and is no longer eligible, the division shall terminate services under the written rehabilitation plan.

(a) The division shall make the decision to terminate services with the involvement of the individual or the individual's representative.

(b) The VRC shall:

(i) Record the views of the individual or the individual's representative concerning the decision; and

(ii) Document the rationale for such decision.

(2) When the division terminates services, the division shall inform the individual the division will review the individual's case within twelve months. The annual review shall offer the individual a clear opportunity for:

(a) Involvement; and

(b) Reconsideration of the decision regarding ineligibility. The division shall make subsequent reviews only upon the individual's request.

(3) The division shall not schedule an annual review if:

(a) There is a recorded statement by the individual indicating the individual does not want to have further consideration;

(b) The individual is uncooperative and shows lack of interest;

(c) The individual is no longer in the state;

(d) The individual's whereabouts are unknown;

(e) The individual's medical condition is rapidly progressive or terminal; or

(f) There are other strong reasons that would make an annual review impractical.

[Statutory Authority: RCW 74.29.025, 90-11-114 (Order 2982), § 490-500-280, filed 5/22/90, effective 6/22/90; Order 1050, § 490-500-280, filed 8/29/75; Order 775, § 490-500-280, filed 3/1/73.]

WAC 490-500-300 Objective of vocational rehabilitation. The objective of vocational rehabilitation services is to enable an individual to enter or retain employment consistent with his capacities and abilities in the competitive labor market, the practice of a profession, self-employment, home-making, farm or family work (including work for which payment is in kind rather than in cash; sheltered employment; homebound employment; or other gainful work). Vocational rehabilitation services will be limited to the amount necessary in the individual case to fit the client for his vocational objective not only for the moment, but

have suitable continuing employment in varying economic conditions.

[Order 1050, § 490-500-300, filed 8/29/75; Order 775, § 490-500-300, filed 3/1/73.]

WAC 490-500-325 Services available from other agencies. The division of vocational rehabilitation funds shall not be expended to purchase services for which a client is eligible from another agency which has primary responsibility for providing the needed service. In all cases, full consideration will be given to any similar benefits available to a handicapped individual on any other program.

[Order 1050, § 490-500-325, filed 8/29/75; Order 775, § 490-500-325, filed 3/1/73.]

WAC 490-500-340 Criteria for selection of service—Individualized, written rehabilitation plan. The division shall use the following order to determine eligibility in selecting handicapped individuals to be provided vocational rehabilitation services when the services cannot be provided to all persons who apply and are determined eligible:

(1) Clients who are most severely handicapped shall be accepted for service first;

(2) Followed by other clients of the department of social and health services, disabled public safety officers, Native Americans, and disabled civil employees of the United States Government; and

(3) Then all other clients in order of precedence by date of application, with earliest date of application having first priority.

[Statutory Authority: RCW 74.29.025. 90-11-114 (Order 2982), § 490-500-340, filed 5/22/90, effective 6/22/90.]

WAC 490-500-350 Vocational rehabilitation services. The division shall only provide rehabilitation services when preauthorized by the VRC. The division shall provide a thorough diagnostic study to determine rehabilitation services necessary to attain the client's rehabilitation objective. Rehabilitation services may include, but are not limited to:

- (1) Evaluation of rehabilitation potential;
- (2) Counseling and guidance;
- (3) Physical and mental restoration services;
- (4) Vocational and other training services, including personal and vocational adjustment, books, tools and other training materials;
- (5) Maintenance;
- (6) Transportation;
- (7) Services to the client's family members when the services are necessary for the client's rehabilitation;
- (8) Interpreter services for the deaf;
- (9) Reader services, rehabilitation teaching services, and orientation and mobility services for the blind;
- (10) Telecommunications, sensory and other technological aids and devices;
- (11) Recruitment and training services providing new employment opportunities and other appropriate public service employment;
- (12) Placement in suitable employment;

(13) Post-employment services, necessary to assist the client in maintaining suitable employment;

(14) Occupational licenses, tools, equipment, initial stocks and supplies; and

(15) Other goods and services which in the opinion of the VRC benefit the client's employability.

[Statutory Authority: RCW 74.29.025. 90-11-114 (Order 2982), § 490-500-350, filed 5/22/90, effective 6/22/90; Order 1050, § 490-500-350, filed 8/29/75; Order 775, § 490-500-350, filed 3/1/73.]

WAC 490-500-380 Vocational rehabilitation services—Counseling and guidance. (1) Counseling and guidance shall be provided by the division when necessary to

(a) Assist the client to understand his capacities, aptitudes, and interests,

(b) Assist the client to understand his limitations and the health problems, personal problems, and social problems which may be encountered during the course of and after completion of the rehabilitation process,

(c) Assist the client to select a suitable and realistic vocational goal,

(d) Assist the client to understand the services available to him from the division and other community resources and to understand how such resources can best be obtained and utilized in his rehabilitation process,

(e) Assist the client to adjust to situations encountered during the rehabilitation process, e.g., control of anxieties concerning physical restoration, development of appropriate study and work habits, improvement of personal appearance, management of finances, preparation for job interviews and tests, and establishment and maintenance of effective interpersonal relationships,

(f) Counsel and assist family members, relatives, and friends of the client to aid and assist in the rehabilitation process,

(g) Counsel with prospective employers to determine whether the individual has chosen a feasible and appropriate vocational goal.

(2) Counseling and guidance shall be provided without regard to economic need.

[Order 1050, § 490-500-380, filed 8/29/75; Order 775, § 490-500-380, filed 3/1/73.]

WAC 490-500-385 Vocational rehabilitation services—Physical and mental restoration. (1) Physical and mental restoration shall be provided to a client to the extent necessary to achieve his vocational rehabilitation objective provided the clinical status of his condition is stable or slowly progressive, and provided that physical and mental restoration services may be expected to eliminate or substantially reduce the handicapping condition within a reasonable period of time.

(2) Physical and mental restoration services shall be provided to a client accepted for extended evaluation to the extent necessary to complete the evaluation, regardless of whether his condition is stable or slowly progressive.

(3) Physical and mental restoration services shall include all medical and related services exclusive of organ transplantation and experimental procedures by means of which a physical, mental, or emotional disability may be rendered less incapacitating, such as:

(a) Medical treatment including but not limited to therapeutic programs under medical supervision, necessary laboratory work, and necessary medication,

(b) Surgical treatment; surgery for cardiac or gynecological conditions shall be provided only if approved by the regional medical consultant,

(c) Psychiatric treatment only when the diagnostic study clearly indicates a favorable prognosis for relatively short term therapy. A program of psychiatric treatment which will extend beyond twelve months must have the prior approval of the regional medical consultant,

(d) Dental treatment only when it will significantly increase employability or remove an established vocational handicap, or in emergency situations involving pain, acute infections, or injury. Examples of disabling dental conditions for which restorative services may be authorized include widespread ulceration of teeth, destruction of tooth structures, decay which seriously affects the individual's ability to eat, badly malformed or positioned teeth, or rejection of the individual from employment on the basis of his appearance. Restorative dental services will not be provided when the restoration will not directly affect employability;

(e) Nursing services,

(f) Hospital (either inpatient or outpatient care) and clinic services,

(g) Convalescent, nursing, or rest home care only when there is an expectation of a normal period of convalescence after which other appropriate services leading to the rehabilitation of the client may be initiated or resumed. Such care shall not be provided by the division as a long-term process for conditions not expected to improve,

(h) Drugs and supplies,

(i) Prosthetic, orthoptic or other assistive devices essential to obtaining or retaining employment,

(j) Eyeglasses and visual services,

(k) Podiatry;

(l) Physical therapy; physical therapy shall consist of the employment of the physically beneficial properties of light, heat, cold, water, electricity, massage, manipulation, exercise, and mechanical devices as treatment of disease or injury.

(m) Occupational therapy; occupational therapy shall include all manual skills and recreational activities which provide specific active exercise for physical disabilities and shall include psychologic rehabilitation techniques,

(n) Medical or medically related social work services,

(o) Medically directed speech or hearing therapy,

(p) Treatment of medical applications and emergencies, either acute or chronic, which are associated with or arise out of the provision of physical restoration services, or are inherent in the condition under treatment, and

(q) Short term treatment of minor or temporary illness which, if not cared for, would constitute a hazard to the achievement of the vocational objective (or to the completion of extended evaluation); such short term medical treatment shall not exceed thirty days in the case of any one illness,

(4) Physical and mental restoration services shall be provided by persons licensed to practice in the field of their specialties. It shall be required that physicians providing medical and/or surgical treatment services shall demonstrate eligibility for or certification by the appropriate medical

specialty board. Any exceptions to this policy can only be made by the state medical consultant. The state medical consultant for the department shall be responsible for establishing standards of competence for vendors of physical restoration services provided clients of the department where licensure or other regulatory standards have not been established in the Washington Administrative Code, as amended.

(5) The provision of physical and mental restoration services shall be conditioned on the economic need of the client.

[Statutory Authority: RCW 74.29.025, 85-03-071 (Order 2193), § 490-500-385, filed 1/17/85; Order 1050, § 490-500-385, filed 8/29/75; Order 775, § 490-500-385, filed 3/1/73.]

WAC 490-500-389 Vocational rehabilitation services—Telecommunications. The provision of telecommunications, sensory or other technological aids and devices, individualized prescriptions and fittings must be performed by individuals licensed to fill such prescriptions and licensed to perform such fittings in accordance with state licensure laws, or be appropriately certified professionals. Aids and devices not requiring individual fittings must meet engineering and safety standards recognized by experts in the field.

[Order 1050, § 490-500-389, filed 8/29/75.]

WAC 490-500-390 Vocational rehabilitation services—Training. (1) The division may provide rehabilitation training services to a client who:

(a) Has the mental, physical, and emotional qualifications and capacity to benefit from the training; and

(b) Requires the training to achieve the client's rehabilitation goal.

(2) Vocational rehabilitation training services may include, as necessary:

(a) All vocational;

(b) Pre-vocational;

(c) Educational;

(d) Personal adjustment;

(e) Work adjustment; or

(f) Other types of training contributing to the client's rehabilitation.

(3) Vocational rehabilitation training may be:

(a) Provided directly by the division; or

(b) Procured from:

(i) Public or private training facilities;

(ii) Public or private schools; or

(iii) Commercial or industrial establishments.

(4) Vocational rehabilitation training shall be limited to the amount of training necessary to prepare the client for an appropriate and adequate occupational objective.

(5) [Before expending division funds to provide training services,] the VRC shall determine:

(a) The economic need of the client; and

(b) Comparable services available to the client are utilized.

[Statutory Authority: RCW 74.29.025, 90-11-114 (Order 2982), § 490-500-390, filed 5/22/90, effective 6/22/90; Order 1050, § 490-500-390, filed 8/29/75; Order 775, § 490-500-390, filed 3/1/73.]

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 490-500-395 Vocational rehabilitation services—Training—College. (1) College training may be provided when

(a) The nature of the client's disability is such as to require college training to place him on a reasonably competitive basis in a suitable occupation,

(b) The client's interest, abilities, and aptitudes indicate capacity both for a program of advanced study and for the occupation which has been selected as the goal of the advanced study program. Psychological testing shall be provided unless the client has previously demonstrated an ability to handle college courses,

(c) The client's previous school record or other indications of achievement demonstrate an ability to successfully carry on and benefit from college training,

(d) Evaluation of the client's motivation, study habits, personality and character traits, or other similar factors, indicates that it would be appropriate to provide him with college training even though he has otherwise failed to meet minimal intellectual or academic achievement standards.

(2) A client provided with college training services shall be required to meet established scholastic standards. If his grades fall below the standards required in the field of his choice, it may be necessary to select a new objective for his college training program through joint planning between the client and the VRC or to modify or cancel that portion of his rehabilitation plan which involves college training. If college training is cancelled, the VRC shall then counsel with the client about a vocational objective which does not require college training.

(3) No training or training services in institutions of higher education (universities, colleges, community/junior colleges) shall be paid for with funds under this part unless maximum efforts have been made by the division to secure grant assistance in whole or in part from other sources to pay for such training or training services.

[Order 1050, § 490-500-395, filed 8/29/75; Order 775, § 490-500-395, filed 3/1/73.]

WAC 490-500-400 Vocational rehabilitation services provided—Training—Trade schools. Training may be provided in business, trade and vocational schools. Business, trade and vocational training facilities shall include but not be limited to beauty schools, barber colleges, business schools where secretarial, accounting, and other office work skills are taught, schools for the training of licensed practical nurses, and trade schools teaching such skills as welding, draftsmanship, electrical engineering, radio repair, etc. Such facilities may be either publicly or privately owned and operated.

[Order 775, § 490-500-400, filed 3/1/73.]

WAC 490-500-405 Vocational rehabilitation services provided—On-the-job training (OJT). (1) The division may provide on-the-job training (OJT) services to a client to attain the client's vocational goal.

(2) The division shall provide OJT services to an individual client only when the VRC establishes the following conditions:

(a) The VRC prepares and outlines in detail the client's OJT program in advance;

(b) The client's OJT follows a definite schedule of specified operations, instructions, and practices ensuring well-rounded preparation for the client's selected occupation;

(c) The client/trainee/employee, the trainer/employer, and the VRC reach a mutual understanding regarding the client's OJT plan, including:

(i) Length of the training period;

(ii) Financial arrangements;

(iii) Operations and skills to be learned; and

(iv) Necessary reports.

(d) The trainer/employer:

(i) Provides careful supervision of the client/trainee/employee's work; and

(ii) Submits regular reports on the client/trainee/employee's attendance and progress to the VRC.

(e) The OJT programs meet trade or occupational licensing requirements existing in the field of work where the client is employed; and

(f) An employer/employee relationship shall exist for the length of the training plan with the intent it continues as permanent employment when the training is successfully completed.

[Statutory Authority: RCW 74.29.025, 90-11-114 (Order 2982), § 490-500-405, filed 5/22/90, effective 6/22/90; Order 775, § 490-500-405, filed 3/1/73.]

WAC 490-500-410 Vocational rehabilitation services—Training—Sheltered workshop. (1) The division may provide work adjustment services (employability training) to clients in a sheltered workshop environment. Work adjustment is appropriate where the client's disability is such as to limit his ability to participate in and take advantage of employment training facilities in the competitive labor market, and shall follow a vocational evaluation which will at the least include a measurement of productivity, behavior in inter-personal situations, work characteristics, and manipulative [manipulative] skills.

(2) The purpose of work adjustment services in sheltered workshops shall be to:

(a) Assist clients in understanding the meaning, value and demands of work.

(b) Modify or develop attitudes, personal characteristics, and work behaviors.

(c) To develop functional capacities as required in order to assist clients toward their optimum level of vocational adjustment.

(3) Vocational adjustment in a sheltered workshop shall meet the following criteria:

(a) There shall be an individualized written program establishing immediate and long-range goals and objectives developed and monitored by a qualified staff person.

(b) The program will be in direct response to those problems defined in the evaluation process.

(c) Methods used to correct client problems and to develop acceptable work behaviors will be defined in writing and monitored and reported on at least monthly.

(d) All programs will be developed with the full knowledge and agreement of the VRC and the client.

(e) Work adjustment services will always aim toward the eventual placement of the client into competitive employment.

(f) Work adjustment services will be undertaken only in state certificated rehabilitation facilities.

[Order 1050, § 490-500-410, filed 8/29/75; Order 775, § 490-500-410, filed 3/1/73.]

WAC 490-500-415 Vocational rehabilitation services—Training materials. (1) The division may provide training tools, equipment, materials, and supplies the training facility requires the student to use in the course of training. Before expending funds, the VRC shall determine:

(a) The economic need of the client; and

(b) Comparable services available to the client are utilized.

(2) Training tools, equipment, materials, and supplies shall not include fees or tuition required for the enrollment of the student, but may include:

- (a) Textbooks,
- (b) Workbooks,
- (c) Papers and pens,
- (d) Uniforms,
- (e) Shoes,
- (f) Tools, and
- (g) Kits.

(3) Ownership of or title to training tools, equipment, materials, and supplies shall remain with the division until the client is rehabilitated and requires the tools or equipment for employment.

[Statutory Authority: RCW 74.29.025. 90-11-114 (Order 2982), § 490-500-415, filed 5/22/90, effective 6/22/90; Order 1050, § 490-500-415, filed 8/29/75; Order 775, § 490-500-415, filed 3/1/73.]

WAC 490-500-417 Vocational rehabilitation services—Independent living. (1) The division may provide independent living services to a client when the services contribute directly to achievement of competitive employment. A client may only receive independent living services in conjunction with one or more other primary vocational rehabilitation services.

(2) Independent living services shall assist the client in dealing with and overcoming barriers to family or community participation which impede successful completion of the vocational goal. These services may include assistance or training in the following areas:

- (a) Obtaining a satisfactory living arrangement;
- (b) Attendant care recruitment and management;
- (c) Activities of daily living, including but not limited

to:

- (i) Grooming,
- (ii) Dressing,
- (iii) Hygiene,
- (iv) Health,
- (v) Nutrition,
- (vi) Cooking,
- (vii) Shopping,
- (viii) Money management, and
- (ix) Other general homemaking tasks.

(d) Participation in family or community events, including recreational activities;

(e) Use of transportation services or systems;

(f) Access and use of community resources necessary for the client's independence; and

(g) Peer or professional counseling to adjust to one's own disability, learn personal decision-making skills, and gain greater control over the circumstances of one's own life.

(3) All independent living services provided shall be in response to problems identified through evaluation, with the knowledge and agreement of the VRC and client.

(4) To the maximum extent possible, independent living services shall be provided by qualified persons with disabilities.

[Statutory Authority: RCW 74.29.025. 90-11-114 (Order 2982), § 490-500-417, filed 5/22/90, effective 6/22/90.]

WAC 490-500-418 Vocational rehabilitation services—Assistive technology services. (1) Assistive technology services shall include the systematic application of:

(a) Technology;

(b) Rehabilitative engineering methodologies; or

(c) Scientific principals.

(2) The services meeting the needs of, and addressing the barriers confronted by, individuals with handicaps relate to:

(a) Education;

(b) Rehabilitation;

(c) Employment;

(d) Transportation; or

(e) Independent living and recreation.

[Statutory Authority: RCW 74.29.025. 90-11-114 (Order 2982), § 490-500-418, filed 5/22/90, effective 6/22/90.]

WAC 490-500-420 Vocational rehabilitation services—Maintenance. (1) Maintenance services may include:

(a) The client's basic living expenses, such as food, housing, clothing, and health care needs; and

(b) Other subsistence expenses enabling the client to receive full benefit from other vocational rehabilitation services.

(2) The division may provide maintenance services to the extent necessary enabling a client to derive the full benefit of other vocational rehabilitation services.

(3) The division may provide maintenance at any time during the rehabilitation plan. Following placement, until the client receives remuneration for employment, maintenance may be provided to the client for a period not to exceed sixty days.

(4) The division shall base the provision of maintenance services on the economic need of the client using DSHS standards and dollar amounts.

[Statutory Authority: RCW 74.29.025. 90-11-114 (Order 2982), § 490-500-420, filed 5/22/90, effective 6/22/90; 84-19-023 (Order 2149), § 490-500-420, filed 9/12/84. Statutory Authority: RCW 74.29.025. 84-10-045 (Order 2098), § 490-500-420, filed 5/2/84; Order 1050, § 490-500-420, filed 8/29/75; Order 775, § 490-500-420, filed 3/1/73.]

WAC 490-500-425 Vocational rehabilitation services—Placement. (1) Placement services shall be provided to

all clients accepted for vocational rehabilitation services without regard to the economic need of the client.

(2) The division shall attempt to place all clients in suitable employment in the competitive labor market, including self-employment, whenever appropriate and possible. Competitive employment shall be considered suitable when, after a reasonable period of time, it has been confirmed that the following conditions have, insofar as possible, been met:

(a) The client and employer are mutually satisfied;

(b) The client is maintaining adequate interpersonal relationships and acceptable behavior in the employment environment;

(c) The occupation is consistent with the client's earning capacity, skills, and abilities;

(d) The employment and working conditions will not aggravate the client's disability, and the client's disability will not jeopardize the health or safety of himself or others in the employment situation;

(e) The wage and working conditions conform to the state and federal statutory requirements;

(f) The employment is regular, reasonably permanent, and the client receives a wage commensurate with that paid other workers for similar work.

(3) The division shall attempt to place clients in suitable noncompetitive gainful employment whenever competitive employment is not possible or appropriate under the circumstances of the individual case.

(a) Employment in a sheltered workshop shall be considered a suitable noncompetitive gainful occupation if the work done is productive, regular, and financially gainful.

(b) Employment as a homemaker shall be considered a suitable noncompetitive gainful occupation if the client performs substantial household tasks entailed in making a home for himself or for a family and makes a significant socio-economic contribution to the home situation.

(c) Employment as a family worker shall be considered a suitable noncompetitive gainful occupation if the client performs work in a family farm or family business which is productive and regular and which makes a significant socio-economic contribution to the family farm or business.

(d) Other forms of noncompetitive employment shall be considered suitable gainful occupations when they are productive, regular, and result in financial remuneration for the client and his family.

[Order 1050, § 490-500-425, filed 8/29/75; Order 775, § 490-500-425, filed 3/1/73.]

WAC 490-500-430 Vocational rehabilitation services—Placement materials. (1) The division may provide a client who is placed with tools, equipment, initial stocks and supplies, occupational licenses, and vehicles for use in connection with placement, in such quantity and of such quality as to give reasonable assurance of successful:

(a) Operation of the enterprise;

(b) Performance in the occupation; or

(c) Practice of the profession.

(2) The division shall base the provision of tools, equipment, initial stocks and supplies, occupational licenses, and vehicles to clients upon the:

(a) Economic need of the client; and

(b) Utilization of comparable services available to the client.

(3) Ownership of or title to tools, equipment, supplies, and vehicles shall remain with the division until the client is rehabilitated and requires the tools, equipment, or vehicle for employment.

[Statutory Authority: RCW 74.29.025, 90-11-114 (Order 2982), § 490-500-430, filed 5/22/90, effective 6/22/90; Order 1050, § 490-500-430, filed 8/29/75; Order 775, § 490-500-430, filed 3/1/73.]

WAC 490-500-435 Vocational rehabilitation services—Transportation. (1) The division may provide transportation services to a client in connection with the provision of:

(a) Physical restoration;

(b) Training;

(c) Placement;

(d) Extended evaluation; and

(e) Diagnostic services.

(2) Transportation services may include the costs of travel and subsistence during travel for a client and the client's necessary attendants or escorts.

(3) Transportation services may also include:

(a) Costs of relocation; and

(b) Moving expenses when:

(i) Incurred in connection with other vocational rehabilitation services; and

(ii) Necessary to the achievement of a vocational rehabilitation objective.

(4) Before expending division funds to provide transportation services, the VRC shall determine:

(a) The economic need of the client; and

(b) Comparable services available to the client are utilized.

(5) The division may provide transportation services in connection with diagnostic services without regard to economic need.

[Statutory Authority: RCW 74.29.025, 90-11-114 (Order 2982), § 490-500-435, filed 5/22/90, effective 6/22/90; Order 1050, § 490-500-435, filed 8/29/75; Order 775, § 490-500-435, filed 3/1/73.]

WAC 490-500-440 Vocational rehabilitation services provided—Interpreter services for deaf. Interpreter services shall be provided to deaf clients without regard to their economic need.

[Order 775, § 490-500-440, filed 3/1/73.]

WAC 490-500-445 Vocational rehabilitation services provided—Services to members of family. (1) Vocational rehabilitation services shall be provided to members of a client's family when such services are necessary and will substantially contribute to the rehabilitation of the client.

(2) The provision of services to members of the family shall be conditioned upon the economic need of the client.

[Order 775, § 490-500-445, filed 3/1/73.]

WAC 490-500-450 Vocational rehabilitation services provided—Other goods and services. (1) Such other goods and services shall be provided to the client as are essential to a determination of his rehabilitation potential, to

his rehabilitation plan, or to render him fit to engage in a gainful occupation.

(2) The provision of other goods and services shall be conditioned upon the economic need of the client except when provided in connection with diagnostic services.

[Order 775, § 490-500-450, filed 3/1/73.]

WAC 490-500-455 Vocational rehabilitation services—Post-employment services. (1) The division shall provide such follow-up services to clients after placement as are necessary to insure that the placement is suitable and that the vocational rehabilitation of the individual has been achieved.

(2) The division may provide post-employment services to a client whose case has previously been terminated as "rehabilitated" when such services are necessary to overcome emergent or latent problems related to the original disability or handicap for which he was receiving services prior to termination.

(3) All follow-up and post-employment services provided will have the same requirements to meet the economic needs test as those services that require the needs test for a regular program of services.

[Order 1050, § 490-500-455, filed 8/29/75; Order 775, § 490-500-455, filed 3/1/73.]

WAC 490-500-500 Purchase of services. The division may purchase training from schools or sheltered workshops, or from business establishments which offer on-the-job training services.

[Order 1050, § 490-500-500, filed 8/29/75; Order 775, § 490-500-500, filed 3/1/73.]

WAC 490-500-505 Purchase of services—Selection criteria—Schools. (1) In determining whether a particular school is appropriate and acceptable as a training facility, the VRC shall evaluate the curriculum, quality of training, and adequacy of total resources in relation to the client's needs. The VRC may also consider such factors as the placement services, if any, offered by the facility, the convenience of the physical arrangements of the plant and their adaptability to their needs of the client, and the willingness of school authorities to adopt and make available such equipment as is necessary to aid the client in the most efficient pursuit of his training.

(2) The use of schools for training purposes shall generally be limited to those which are accredited, licensed, or approved either by a legal authority, or are recognized as adequate by the professional or trade group with which they are associated. The division shall attempt to utilize for training purposes those schools and other training facilities which provide the recipient with the credits, credentials, diplomas, or other certifications required by the profession or trade which is the goal of the recipient's rehabilitation program.

(3) Tax supported schools shall be used in preference to nontax supported schools whenever possible and appropriate in light of the vocational objective of the client in question.

(4) Out-of-state training facilities shall not be used when satisfactory training opportunities exist within the state. Exceptions to this rule should be made only if the training

available out of state offers a distinct and significant advantage to the client in realizing his training objective and subsequent job placement.

(5) Prior to the use of a school as a training facility the VRC shall advise the client involved about the status of the school in which the training program will be carried out. The client shall be made particularly aware of any limitation of job opportunities which might result from the use of a school or facility of limited or no accreditation.

[Order 1050, § 490-500-505, filed 8/29/75; Order 775, § 490-500-505, filed 3/1/73.]

WAC 490-500-510 Purchase of services—Selection criteria—Employment training facilities. A business or industrial establishment which is to be utilized by the division for the provision of employment training services shall meet the following criteria:

(1) The facility has personnel qualified for instructional purposes by knowledge, skills, and personality;

(2) The facility has sufficiently diversified operations and adequate and suitable materials and equipment to insure a trainee thorough preparations and training within the scope and limits of his occupational objective;

(3) The training of clients is only incidental to the business activity of the facility, and in no case shall the major activity of the facility be the training of clients.

[Order 1050, § 490-500-510, filed 8/29/75; Order 775, § 490-500-510, filed 3/1/73.]

WAC 490-500-520 Purchase of services—Selection criteria—Rehabilitation facilities and workshops. (1) A rehabilitation facility or a sheltered workshop to be utilized by the division for vocational evaluation, vocational adjustment, placement, or extended sheltered employment, shall have a current full or provisional certification from the division stating the specific services the facility or workshop is qualified to provide. The facility or workshop shall show evidence of an ongoing effort to move clients through the rehabilitation process; i.e., from work evaluation, work adjustment to competitive placement or extended sheltered employment. Certification, whether full or provisional, by the division shall be based, in part, upon compliance with accreditation criteria, approved by the division, or such other national accreditation body as the division shall deem appropriate. Criteria for accreditation shall include, but are not limited to, evaluations of the organization, administration and stated purpose of the facility; the services provided to the clients; personnel, including educational or other preparation for the position, as well as ongoing training within the facility; the maintenance of record keeping systems adequate to document both the fiscal adequacy and reliability of the facility and the services provided to, and the progress of, the client; fiscal management; physical plant, including adequacy, maintenance and compliance with all applicable statutes, regulations and ordinances; and such other evaluations of the program of the facility as a whole as the division shall require. National accreditation shall be one of the essential criteria utilized by the division in determination of certifiability; however, no facility shall be certified by the division unless the division shall have determined, in the

division's sole discretion, that there are sufficient potential clients to generate a need for the facility.

(2) Certification will be revoked, suspended or denied for failure to adequately comply with the criteria as determined by the division.

(3) Provisional certification may be granted by the division for not more than two years when a facility has been determined to be in substantial compliance with the criteria established in this section, but is not yet eligible for national accreditation.

(4) The department shall maintain available copies of regulations for distribution. The regulations may be found in the Washington state facility plan.

[Statutory Authority: RCW 28A.10.025. 82-04-075 (Order 1758), § 490-500-520, filed 2/3/82; 79-05-040 (Order 1391), § 490-500-520, filed 4/26/79; Order 1050, § 490-500-520, filed 8/29/75.]

WAC 490-500-525 Termination of services. (1) The division shall terminate services under an individualized, written rehabilitation plan on the basis the handicapped individual is not capable of achieving a vocational goal or is no longer eligible.

(2) The division shall make the decision with the involvement of the individual or the individual's representative.

(3) When the division determines an individual is ineligible for vocational rehabilitation services, the division shall document and certify ineligibility. The documentation and certification shall be:

- (a) Placed in the individual's file,
- (b) Dated, and
- (c) Signed by an appropriate staff member.

(4) The division shall terminate services under an individualized, written rehabilitation plan when the individual insists upon a vocational goal contraindicated by medical or labor market conditions.

[Statutory Authority: RCW 74.29.025. 90-11-114 (Order 2982), § 490-500-525, filed 5/22/90, effective 6/22/90; 84-18-023 (Order 2146), § 490-500-525, filed 8/29/84; Order 1050, § 490-500-525, filed 8/29/75; Order 775, § 490-500-525, filed 3/1/73.]

WAC 490-500-530 Termination of services for reasons other than ineligibility. Vocational rehabilitation services shall be terminated when a client

- (1) Has died,
- (2) Cannot be located by the division after reasonable efforts to do so,
- (3) Has been institutionalized under circumstances which preclude the provision of services for a substantial or indefinite period of time, or
- (4) Has moved to another jurisdiction and the division has been unable either to continue provision of services or to refer the individual to an appropriate agency within the other jurisdiction.

(5) Removes himself for consideration by declining to accept or utilize vocational rehabilitation services after all reasonable effort has been expended to encourage participation.

[Order 1050, § 490-500-530, filed 8/29/75; Order 775, § 490-500-530, filed 3/1/73.]

WAC 490-500-540 Completion of vocational rehabilitation program. Services shall be terminated on the basis of the completion of the client's vocational rehabilitation if

(1) The program of rehabilitation services as set forth in the client's rehabilitation plan has, insofar as possible, been completed. Services may be terminated in spite of the failure to comply with this requirement only if the VRC and the client have mutually decided that it is necessary and/or appropriate for the client to accept employment before completing the total plan of services set forth in his rehabilitation program; and

(2) Substantial rehabilitation services have been rendered to the client by the division. No client shall be terminated as rehabilitated unless the division has provided him with the following substantial services,

(a) Adequate and necessary guidance in developing an understanding of his capacities and limitations, his vocational potentialities, and the health, personal, and social problems related to his vocational adjustment,

(b) Assistance in understanding the services available from the division and other community resources and in obtaining and utilizing these services to achieve the best possible vocational adjustment,

(c) Counseling and assistance in adjusting to situations encountered during the rehabilitation process, such as control of anxieties concerning physical restoration, development of appropriate study and work habits, improving personal appearance, managing finances, devising effective interpersonal relationships, etc., and

(3) The client must have been, as a minimum, determined to have achieved a suitable employment objective which has been maintained for a period of time not less than 60 days. The client is engaged in a suitable and gainful occupation. An occupation shall be considered suitable when, after a reasonable period of time has passed since placement, it has been confirmed that the following conditions have, insofar as possible, been met:

- (a) The client and employer are mutually satisfied,
- (b) The client is maintaining adequate interpersonal relationships and acceptable behavior in the employment environment,

(c) The occupation is consistent with the client's capacities, skills, and abilities,

(d) The employment and working conditions will not aggravate the client's disability, and his disability in the employment situation will not jeopardize the health or safety of himself or others,

(e) The wage and working conditions conform to state and federal statutory requirements,

(f) The employment is regular, reasonably permanent, and the client receives a wage commensurate with that paid other workers for similar work.

[Order 1050, § 490-500-540, filed 8/29/75; Order 775, § 490-500-540, filed 3/1/73.]

WAC 490-500-545 Notification of termination. The division shall provide written notification to every individual who has applied for services whenever any determination is made to terminate services to him. Such written notice shall specify in detail the reasons for the division's decision to

terminate services and shall clearly inform the client of his right to an administrative appeal and to a fair hearing on the decision.

[Order 1050, § 490-500-545, filed 8/29/75; Order 775, § 490-500-545, filed 3/1/73.]

WAC 490-500-550 Confidential information—Disclosure. (1) The term "confidential information" shall mean all information and records as to personal facts regarding any past or present clients of the division, given or made available to the division, its representatives, or its agents in the course of the administration of the vocational rehabilitation program, including, but not limited to, lists of clients' names and addresses, information with respect to clients' financial resources, records of the division's evaluations of factual information regarding a client, and all other information about a client, whether recorded or not recorded.

(2) The division shall disclose confidential information, whether directly or indirectly, only under the following circumstances:

- (a) Where necessary to and directly connected with the administration of the vocational rehabilitation program, or
- (b) Where required by order of a court of competent jurisdiction, or
- (c) Where the client has given his informed consent in writing to such disclosure.

(3) The division shall refuse to disclose confidential information even when disclosure has been expressly or impliedly requested by the client if the information in question has been provided to the division on the basis that it will not be disclosed to the client. Information so withheld shall be briefly identified and listed, and said list shall be provided to the client or his authorized representative. Such confidential information shall be provided to the client only under the following circumstances:

- (a) Where the person or agency which provided the information has given the division express written authorization to release the information to the client, or
- (b) Where, during the course of a fair hearing, the hearing officer has made a determination that the information in question is relevant and material to the issue under appeal and has ordered that said information be made available to the client.

(4) Confidential information may be disclosed or released to an employer in connection with the placement of a client. The division shall release to an employer only such confidential information regarding a client as is essential to his successful placement.

(5) Confidential information may be disclosed or released to welfare agencies or programs from which the client has requested services if:

- (a) The client has requested services under circumstances from which his consent may be presumed;
- (b) The welfare agencies or programs involved have adopted regulations which will assure that the confidential information disclosed will continue to be held confidential; and
- (c) The welfare agency or program involved can assure that the confidential information disclosed shall be used only in connection with application for and receipt of services from such agency or program.

(6) Confidential information may be disclosed or released to organizations or individuals engaged in research if:

- (a) The research is directly connected with the administration of the vocational rehabilitation program;
- (b) The organization or individual has furnished satisfactory assurance that the confidential information will be used only in connection with the research purposes for which it is provided;
- (c) The organization or individual furnishes satisfactory assurance that the final product of the research shall not reveal any information that might serve to identify any person about whom information has been obtained from the division without the written consent of the person involved and of the division.

(7) Upon written request, information shall be released to the client, or, as appropriate, his parent, guardian, or other representative for purposes in connection with any proceeding or action for benefits or damages, including any proceeding or action against any public agency; provided,

- (a) That only such information as is relevant to the needs of the client shall be released, and
- (b) In the case of medical or psychological information, the knowledge of which may be harmful to the client, such information will be released to the parent, guardian, or other representative of the client by the division, or to the client by a physician or by a licensed or certified psychologist.

[Order 1050, § 490-500-550, filed 8/29/75; Order 775, § 490-500-550, filed 3/1/73.]

WAC 490-500-560 Administrative review. (1) A client dissatisfied with a decision by the division regarding the client's vocational rehabilitation case may file a request with and receive from the division an administrative review and redetermination of the decision or action. The division's administrative review effects a timely, informal resolution of disagreements. The process may not be used as a means to delay the more formal fair hearing unless each party agrees to a delay.

(2) The client shall request an administrative review, in writing, and file the request in any office of the division.

(3) A request for administrative review shall:

- (a) Specify the date of the decision or action appealed;
- (b) Precisely specify the issue to be resolved by the administrative review;
- (c) State the address of the client or the client's representative; and

(d) Be signed by the client or the client's representative.

(4) The client shall submit the request for an administrative review within sixty days after receiving notice from the division of the decision or action which is the basis for the review request.

(5) The regional administrator of the region where the client receives services shall provide an administrative review within thirty days after the submission of the review request.

(6) The regional administrator shall certify the findings to the client, in writing, as soon as possible after the conclusion of the administrative review specifying the reasons for the findings and informing the client of the client's right to

request and receive a fair hearing if dissatisfied with the findings.

[Statutory Authority: RCW 74.29.025, 90-11-114 (Order 2982), § 490-500-560, filed 5/22/90, effective 6/22/90; 86-12-050 (Order 2385), § 490-500-560, filed 6/3/86; Order 1050, § 490-500-560, filed 8/29/75; Order 775, § 490-500-560, filed 3/1/73.]

WAC 490-500-570 Fair hearing—Adjudicative proceeding. (1) An applicant shall have the right to a fair hearing to contest the department's denial of the application. A client shall have the right to a fair hearing to contest a VRC's decision concerning the furnishing of services.

(2) A client contesting a decision shall, within twenty-eight days of receipt of the decision:

(a) File a written request for a hearing by a method showing proof of receipt with the office of appeals; and

(b) Include in or with the request for a hearing:

(i) A specific statement of the issue or issues and law involved;

(ii) The grounds for contesting the department decision; and

(iii) A copy of the department decision being contested.

(c) The proceeding shall be governed by the Administrative Procedure Act, chapter 34.05 RCW, this chapter, and chapter 388-08 WAC. If any provision of this chapter conflicts with chapter 388-08 WAC, the provision in this chapter governs.

(3) The administrative law judge may extend the time limits in subsections (4), (5), and (6) of this section for good cause shown at the request of a party or of both parties.

(4) The hearing shall be held within forty-five days of the office of appeals' receipt of the request for a hearing.

(5) The administrative law judge shall serve the initial decision within thirty days of the hearing or completion of the hearing record.

(6) When a petition for review is filed, the director shall serve the review decision within thirty days of giving notice of receipt of a petition for review.

[Statutory Authority: RCW 74.29.025, 90-11-114 (Order 2982), § 490-500-570, filed 5/22/90, effective 6/22/90; 86-12-050 (Order 2385), § 490-500-570, filed 6/3/86. Statutory Authority: RCW 28A.10.025, 82-12-069 (Order 1821), § 490-500-570, filed 6/2/82; Order 1050, § 490-500-570, filed 8/29/75; Order 775, § 490-500-570, filed 3/1/73.]

WAC 490-500-590 Client records. The division will maintain for each applicant for vocational rehabilitation services a case record which will include to the extent pertinent, the following information:

(1) Documentation as to the preliminary diagnostic study, supporting the determination of eligibility, or the determination that an extended evaluation of rehabilitation potential is necessary to make such determination;

(2) In the case of individuals who have applied for vocational rehabilitation services and have been determined to be ineligible, documentation as to the preliminary diagnostic study specifying the reasons for such determination;

(3) Data supporting any determination that the handicapped individual is a severely [severely] handicapped individual;

(4) Documentation as to periodic assessment of the individual during an extended evaluation of rehabilitation potential;

(5) An individualized written rehabilitation program as developed and any amendments to such program;

(6) In the event the physical and mental restoration services are provided documentation supporting the determination that the clinical status of the handicapped individual is stable or slowly progressive;

(7) Documentation supporting any decision to provide services to family members;

(8) Data relating to the participation by the handicapped individual in the cost of vocational rehabilitation services if the state elects to condition the provision of any vocational rehabilitation services on the financial need of the handicapped individual;

(9) Data relating to the eligibility of the individual for similar benefits under any other program;

(10) Documentation that the individual has been advised of the confidentiality of all information pertaining to his case, and documentation and other material pertinent to the release of any information concerning the handicapped individual on the basis of the written consent of the handicapped individual;

(11) Documentation as to the reason and justification for closing the case, including the employment status of the client, and if the individual is determined to be rehabilitated, the basis on which the employment was determined to be suitable;

(12) Documentation of any plans for the provision of post-employment services after the employment objective has been achieved, the basis on which such plans were developed, and a description of the services provided and the outcomes achieved;

(13) Documentation as to any action and decision involving the handicapped individual's request for an administrative review of agency action or fair hearings; and

(14) In the case of an individual who has been provided vocational rehabilitation services under an individualized written program but who has been determined after the initiation of such services to be no longer capable of achieving a vocational goal, documentation of any reviews of such determination.

[Order 1050, § 490-500-590, filed 8/29/75; Order 775, § 490-500-590, filed 3/1/73.]

WAC 490-500-600 Independent living program—Independent living rehabilitation services. (1) The division may provide independent living rehabilitation services to eligible severely handicapped individuals who, through evaluation, are identified as:

(a) Having no reasonable vocational potential; or

(b) Needing no vocational services, but may benefit from services that enhance family or community participation.

(2) The division shall accept a severely handicapped individual's application for independent living rehabilitation services when the individual believes the individual has the potential to increase the quality and extent of family or community participation.

(3) Severely handicapped individuals shall:

(a) Play a substantial role in shaping the nature and delivery of the independent living rehabilitation services the individuals will receive; and

(b) Be responsible for fully participating in decisions affecting the course of the individualized, written independent living plan.

[Statutory Authority: RCW 74.29.025. 90-11-114 (Order 2982), § 490-500-600, filed 5/22/90, effective 6/22/90.]

WAC 490-500-605 Independent living program—Eligibility. (1) The division shall make an eligibility determination for applicants for independent living rehabilitation services. After receiving the application, the division shall base the determination of eligibility on the results of a preliminary study and evaluation as soon as possible.

(2) The division shall base eligibility only upon:

(a) The presence of an individual's severe physical or mental handicap which constitutes or results in a substantial barrier to family or community participation; and

(b) A reasonable expectation that independent living rehabilitation services may benefit the individual through enhanced family or community participation.

(3) Other eligibility requirements and procedures shall be followed under WAC 490-500-030 (2), (3), (4), and (5) through 490-500-120.

[Statutory Authority: RCW 74.29.025. 90-11-114 (Order 2982), § 490-500-605, filed 5/22/90, effective 6/22/90.]

WAC 490-500-610 Independent living program—Order of selection. The division shall use the following order to determine eligibility in selecting handicapped individuals to provide independent living rehabilitation services:

(1) Individuals, including the homebound, not receiving vocational services from the division;

(2) Individuals at risk of becoming institutionalized;

(3) Individuals who were institutionalized or are institutionalized; or

(4) Groups of severely handicapped individuals in need of a common service.

[Statutory Authority: RCW 74.29.025. 90-11-114 (Order 2982), § 490-500-610, filed 5/22/90, effective 6/22/90.]

WAC 490-500-615 Independent living program—Economic need and comparable services. (1) The division shall require an applicant accepted for independent living rehabilitation services to furnish the division with all financial information and follow other provisions of economic need under WAC 490-500-185 through 490-500-200.

(2) Before expending division funds to purchase services, the VRC shall determine:

(a) The economic need of the client; and

(b) Comparable services available to the client are utilized.

In all cases, full consideration shall be given to any comparable services available to a handicapped individual participating in any other program.

[Statutory Authority: RCW 74.29.025. 90-11-114 (Order 2982), § 490-500-615, filed 5/22/90, effective 6/22/90.]

WAC 490-500-620 Independent living program—Written independent living plan. (1) When accepted for independent living rehabilitation services, the individual and

the VRC shall establish a written independent living plan to include:

(a) Goals addressing specific barriers to family or community participation; and

(b) Services leading to the accomplishment of each goal within specified time frames.

(2) The division may provide handicapped individuals with independent living rehabilitation services, under WAC 490-500-605 and 490-500-610, and the services may be provided for the purposes of:

(a) Obtaining a satisfactory living arrangement;

(b) Activities of daily living including, but not limited to:

(i) Grooming;

(ii) Dressing;

(iii) Hygiene;

(iv) Self-care;

(v) Health;

(vi) Nutrition;

(vii) Cooking;

(viii) Shopping;

(ix) Time management;

(x) Money management; and

(xi) Other general homemaking tasks.

(c) Participation in family or community events, including recreational activities;

(d) Use of transportation services or systems and/or development of mobility skills;

(e) Access to and use of community resources necessary for the individual's independence and integration within:

(i) Family;

(ii) Community; and

(iii) Work settings.

(f) Peer or professional counseling to:

(i) Adjust to one's disability;

(ii) Learn personal decision-making skills; and

(iii) Gain greater control over the circumstances of one's life.

(g) Other services needed for enhanced family or community participation.

[Statutory Authority: RCW 74.29.025. 90-11-114 (Order 2982), § 490-500-620, filed 5/22/90, effective 6/22/90.]

WAC 490-500-625 Independent living plan—Termination. The division shall terminate independent living rehabilitation services for an individual when the individual:

(1) Successfully completes the independent living rehabilitation;

(2) No longer is able or wishes to participate in services; or

(3) Is determined ineligible.

Procedures for termination shall be followed under WAC 490-500-525 through 490-500-545.

[Statutory Authority: RCW 74.29.025. 90-11-114 (Order 2982), § 490-500-625, filed 5/22/90, effective 6/22/90.]

Chapter 490-800 WAC

PRIVATE VOCATIONAL SCHOOL REGULATIONS

WAC

490-800-255 Readoption/recodification.

DISPOSITION OF SECTIONS FORMERLY
CODIFIED IN THIS CHAPTER

490-800-010	Authority. [Statutory Authority: Chapter 28C.10 RCW. 87-02-019 (Resolution No. 86-81-3), § 490-800-010, filed 12/31/86. Statutory Authority: RCW 28C.10.010 through 28C.10.220. 86-15-075 (Order 86-78-3, Resolution No. 86-78-3), § 490-800-010, filed 7/23/86.] Repealed by 91-01-056, filed 12/13/90, effective 12/13/90. Statutory Authority: Chapter 28C.10 RCW. Later promulgation, see WAC 490-100-010.	490-800-070	Time of application. [Statutory Authority: Chapter 28C.10 RCW. 87-02-019 (Resolution No. 86-81-3), § 490-800-070, filed 12/31/86. Statutory Authority: RCW 28C.10.010 through 28C.10.220. 86-15-075 (Order 86-78-3, Resolution No. 86-78-3), § 490-800-070, filed 7/23/86.] Repealed by 91-01-056, filed 12/13/90, effective 12/13/90. Statutory Authority: Chapter 28C.10 RCW. Later promulgation, see WAC 490-100-070.
490-800-012	Duties of the agency. [Statutory Authority: Chapter 28C.10 RCW. 87-02-019 (Resolution No. 86-81-3), § 490-800-012, filed 12/31/86.] Repealed by 91-01-056, filed 12/13/90, effective 12/13/90. Statutory Authority: Chapter 28C.10 RCW. Later promulgation, see WAC 490-100-012.	490-800-080	Display of licenses—Loss or destruction—Change of name—Change of location. [Statutory Authority: Chapter 28C.10 RCW. 87-02-019 (Resolution No. 86-81-3), § 490-800-080, filed 12/31/86. Statutory Authority: RCW 28C.10.010 through 28C.10.220. 86-15-075 (Order 86-78-3, Resolution No. 86-78-3), § 490-800-080, filed 7/23/86.] Repealed by 91-01-056, filed 12/13/90, effective 12/13/90. Statutory Authority: Chapter 28C.10 RCW. Later promulgation, see WAC 490-100-080.
490-800-015	Delegation. [Statutory Authority: Chapter 28C.10 RCW. 87-02-019 (Resolution No. 86-81-3), § 490-800-015, filed 12/31/86.] Repealed by 91-01-056, filed 12/13/90, effective 12/13/90. Statutory Authority: Chapter 28C.10 RCW. Later promulgation, see WAC 490-100-015.	490-800-090	Change of ownership—License nontransferable. [Statutory Authority: Chapter 28C.10 RCW. 87-02-019 (Resolution No. 86-81-3), § 490-800-090, filed 12/31/86. Statutory Authority: RCW 28C.10.010 through 28C.10.220. 86-15-075 (Order 86-78-3, Resolution No. 86-78-3), § 490-800-090, filed 7/23/86.] Repealed by 91-01-056, filed 12/13/90, effective 12/13/90. Statutory Authority: Chapter 28C.10 RCW. Later promulgation, see WAC 490-100-090.
490-800-020	Previous rules and regulations repealed. [Statutory Authority: Chapter 28C.10 RCW. 87-02-019 (Resolution No. 86-81-3), § 490-800-020, filed 12/31/86. Statutory Authority: RCW 28C.10.010 through 28C.10.220. 86-15-075 (Order 86-78-3, Resolution No. 86-78-3), § 490-800-020, filed 7/23/86.] Repealed by 91-01-056, filed 12/13/90, effective 12/13/90. Statutory Authority: Chapter 28C.10 RCW.	490-800-100	Application contents. [Statutory Authority: Chapter 28C.10 RCW. 87-14-007 (Resolution No. 87-86-4), § 490-800-100, filed 6/22/87; 87-02-019 (Resolution No. 86-81-3), § 490-800-100, filed 12/31/86. Statutory Authority: RCW 28C.10.010 through 28C.10.220. 86-15-075 (Order 86-78-3, Resolution No. 86-78-3), § 490-800-100, filed 7/23/86.] Repealed by 91-01-056, filed 12/13/90, effective 12/13/90. Statutory Authority: Chapter 28C.10 RCW. Later promulgation, see WAC 490-100-100.
490-800-030	Exemptions. [Statutory Authority: Chapter 28C.10 RCW. 87-02-019 (Resolution No. 86-81-3), § 490-800-030, filed 12/31/86. Statutory Authority: RCW 28C.10.010 through 28C.10.220. 86-15-075 (Order 86-78-3, Resolution No. 86-78-3), § 490-800-030, filed 7/23/86.] Repealed by 91-01-056, filed 12/13/90, effective 12/13/90. Statutory Authority: Chapter 28C.10 RCW. Later promulgation, see WAC 490-100-030.	490-800-105	Application for license to operate as agent of an out-of-state private vocational school. [Statutory Authority: Chapter 28C.10 RCW. 87-02-019 (Resolution No. 86-81-3), § 490-800-105, filed 12/31/86. Statutory Authority: RCW 28C.10.010 through 28C.10.220. 86-15-075 (Order 86-78-3, Resolution No. 86-78-3), § 490-800-105, filed 7/23/86.] Repealed by 91-01-056, filed 12/13/90, effective 12/13/90. Statutory Authority: Chapter 28C.10 RCW. Later promulgation, see WAC 490-100-105.
490-800-035	Auxiliary facilities. [Statutory Authority: Chapter 28C.10 RCW. 91-01-056, § 490-800-035, filed 12/13/90, effective 12/13/90.] Repealed by 91-01-056, filed 12/13/90, effective 12/13/90. Statutory Authority: Chapter 28C.10 RCW. Later promulgation, see WAC 490-100-035.	490-800-110	Notice of actions by governmental entities or accrediting commissions—Change of circumstances. [Statutory Authority: Chapter 28C.10 RCW. 87-02-019 (Resolution No. 86-81-3), § 490-800-110, filed 12/31/86. Statutory Authority: RCW 28C.10.010 through 28C.10.220. 86-15-075 (Order 86-78-3, Resolution No. 86-78-3), § 490-800-110, filed 7/23/86.] Repealed by 91-01-056, filed 12/13/90, effective 12/13/90. Statutory Authority: Chapter 28C.10 RCW. Later promulgation, see WAC 490-100-110.
490-800-040	Cancellation and refund policy. [Statutory Authority: Chapter 28C.10 RCW. 87-02-019 (Resolution No. 86-81-3), § 490-800-040, filed 12/31/86. Statutory Authority: RCW 28C.10.010 through 28C.10.220. 86-15-075 (Order 86-78-3, Resolution No. 86-78-3), § 490-800-040, filed 7/23/86.] Repealed by 91-01-056, filed 12/13/90, effective 12/13/90. Statutory Authority: Chapter 28C.10 RCW. Later promulgation, see WAC 490-100-040.	490-800-120	Fees. [Statutory Authority: Chapter 28C.10 RCW. 87-02-019 (Resolution No. 86-81-3), § 490-800-120, filed 12/31/86. Statutory Authority: RCW 28C.10.010 through 28C.10.220. 86-15-075 (Order 86-78-3, Resolution No. 86-78-3), § 490-800-120, filed 7/23/86.] Repealed by 91-01-056, filed 12/13/90, effective 12/13/90. Statutory Authority: Chapter 28C.10 RCW. Later promulgation, see WAC 490-100-120.
490-800-050	Catalog, brochure, or other written material. [Statutory Authority: Chapter 28C.10 RCW. 87-02-019 (Resolution No. 86-81-3), § 490-800-050, filed 12/31/86. Statutory Authority: RCW 28C.10.010 through 28C.10.220. 86-15-075 (Order 86-78-3, Resolution No. 86-78-3), § 490-800-050, filed 7/23/86.] Repealed by 91-01-056, filed 12/13/90, effective 12/13/90. Statutory Authority: Chapter 28C.10 RCW. Later promulgation, see WAC 490-100-050.	490-800-130	Financial standards. [Statutory Authority: Chapter 28C.10 RCW. 87-14-007 (Resolution No. 87-86-4), § 490-800-130, filed 6/22/87; 87-02-019 (Resolution No. 86-81-3), § 490-800-130, filed 12/31/86. Statutory Authority: RCW 28C.10.010 through 28C.10.220. 86-15-075 (Order 86-78-3, Resolution No. 86-78-3), § 490-800-130, filed 7/23/86.] Repealed by 91-01-056, filed 12/13/90, effective 12/13/90. Statutory Authority: Chapter 28C.10 RCW. Later promulgation, see WAC 490-100-130.
490-800-060	Enrollment contract or agreement. [Statutory Authority: Chapter 28C.10 RCW. 87-02-019 (Resolution No. 86-81-3), § 490-800-060, filed 12/31/86. Statutory Authority: RCW 28C.10.010 through 28C.10.220. 86-15-075 (Order 86-78-3, Resolution No. 86-78-3), § 490-800-060, filed 7/23/86.] Repealed by 91-01-056, filed 12/13/90, effective 12/13/90. Statutory Authority: Chapter 28C.10 RCW. Later promulgation, see WAC 490-100-060.	490-800-140	Program standards. [Statutory Authority: Chapter 28C.10 RCW. 87-02-019 (Resolution No. 86-81-3), § 490-800-140, filed 12/31/86. Statutory Authority: RCW 28C.10.010 through 28C.10.220. 86-15-075 (Order 86-78-3, Resolution No. 86-78-3), § 490-800-140, filed 7/23/86.]

- Repealed by 91-01-056, filed 12/13/90, effective 12/13/90. Statutory Authority: Chapter 28C.10 RCW. Later promulgation, see WAC 490-100-140.
- 490-800-150 Staff qualifications. [Statutory Authority: Chapter 28C.10 RCW. 87-02-019 (Resolution No. 86-81-3), § 490-800-150, filed 12/31/86. Statutory Authority: RCW 28C.10.010 through 28C.10.220. 86-15-075 (Order 86-78-3, Resolution No. 86-78-3), § 490-800-150, filed 7/23/86.] Repealed by 91-01-056, filed 12/13/90, effective 12/13/90. Statutory Authority: Chapter 28C.10 RCW. Later promulgation, see WAC 490-100-150.
- 490-800-160 Facilities. [Statutory Authority: Chapter 28C.10 RCW. 87-02-019 (Resolution No. 86-81-3), § 490-800-160, filed 12/31/86. Statutory Authority: RCW 28C.10.010 through 28C.10.220. 86-15-075 (Order 86-78-3, Resolution No. 86-78-3), § 490-800-160, filed 7/23/86.] Repealed by 91-01-056, filed 12/13/90, effective 12/13/90. Statutory Authority: Chapter 28C.10 RCW. Later promulgation, see WAC 490-100-160.
- 490-800-170 Equipment and materials. [Statutory Authority: Chapter 28C.10 RCW. 87-02-019 (Resolution No. 86-81-3), § 490-800-170, filed 12/31/86. Statutory Authority: RCW 28C.10.010 through 28C.10.220. 86-15-075 (Order 86-78-3, Resolution No. 86-78-3), § 490-800-170, filed 7/23/86.] Repealed by 91-01-056, filed 12/13/90, effective 12/13/90. Statutory Authority: Chapter 28C.10 RCW. Later promulgation, see WAC 490-100-170.
- 490-800-180 Tuition recovery fund. [Statutory Authority: Chapter 28C.10 RCW. 87-14-007 (Resolution No. 87-86-4), § 490-800-180, filed 6/22/87; 87-02-019 (Resolution No. 86-81-3), § 490-800-180, filed 12/31/86. Statutory Authority: RCW 28C.10.010 through 28C.10.220. 86-15-075 (Order 86-78-3, Resolution No. 86-78-3), § 490-800-180, filed 7/23/86.] Repealed by 91-01-056, filed 12/13/90, effective 12/13/90. Statutory Authority: Chapter 28C.10 RCW. Later promulgation, see WAC 490-100-180.
- 490-800-190 Prohibitions. [Statutory Authority: Chapter 28C.10 RCW. 87-02-019 (Resolution No. 86-81-3), § 490-800-190, filed 12/31/86. Statutory Authority: RCW 28C.10.010 through 28C.10.220. 86-15-075 (Order 86-78-3, Resolution No. 86-78-3), § 490-800-190, filed 7/23/86.] Repealed by 91-01-056, filed 12/13/90, effective 12/13/90. Statutory Authority: Chapter 28C.10 RCW. Later promulgation, see WAC 490-100-190.
- 490-800-200 Complaints. [Statutory Authority: Chapter 28C.10 RCW. 87-02-019 (Resolution No. 86-81-3), § 490-800-200, filed 12/31/86. Statutory Authority: RCW 28C.10.010 through 28C.10.220. 86-15-075 (Order 86-78-3, Resolution No. 86-78-3), § 490-800-200, filed 7/23/86.] Repealed by 91-01-056, filed 12/13/90, effective 12/13/90. Statutory Authority: Chapter 28C.10 RCW. Later promulgation, see WAC 490-100-200.
- 490-800-205 Appeals. [Statutory Authority: Chapter 28C.10 RCW. 87-02-019 (Resolution No. 86-81-3), § 490-800-205, filed 12/31/86.] Repealed by 91-01-056, filed 12/13/90, effective 12/13/90. Statutory Authority: Chapter 28C.10 RCW. Later promulgation, see WAC 490-100-205.
- 490-800-208 Hearings. [Statutory Authority: Chapter 28C.10 RCW. 87-02-019 (Resolution No. 86-81-3), § 490-800-208, filed 12/31/86.] Repealed by 91-01-056, filed 12/13/90, effective 12/13/90. Statutory Authority: Chapter 28C.10 RCW. Later promulgation, see WAC 490-100-208.
- 490-800-210 Record retention. [Statutory Authority: Chapter 28C.10 RCW. 87-02-019 (Resolution No. 86-81-3), § 490-800-210, filed 12/31/86. Statutory Authority: RCW 28C.10.010 through 28C.10.220. 86-15-075 (Order 86-78-3, Resolution No. 86-78-3), § 490-800-210, filed 7/23/86.] Repealed by 91-01-056, filed 12/13/90, effective 12/13/90. Statutory Authority: Chapter 28C.10 RCW. Later promulgation, see WAC 490-100-210.
- 490-800-220 School closing/change of status. [Statutory Authority: Chapter 28C.10 RCW. 87-02-019 (Resolution No. 86-81-3), § 490-800-220, filed 12/31/86. Statutory Authority: RCW 28C.10.010 through 28C.10.220. 86-15-075 (Order 86-78-3, Resolution No. 86-78-3), § 490-800-220, filed 7/23/86.] Repealed by 91-01-056, filed 12/13/90, effective 12/13/90. Statutory Authority: Chapter 28C.10 RCW. Later promulgation, see WAC 490-100-220.
- 490-800-230 Declaratory rulings. [Statutory Authority: Chapter 28C.10 RCW. 87-02-019 (Resolution No. 86-81-3), § 490-800-230, filed 12/31/86. Statutory Authority: RCW 28C.10.010 through 28C.10.220. 86-15-075 (Order 86-78-3, Resolution No. 86-78-3), § 490-800-230, filed 7/23/86.] Repealed by 91-01-056, filed 12/13/90, effective 12/13/90. Statutory Authority: Chapter 28C.10 RCW. Later promulgation, see WAC 490-100-230.
- 490-800-240 Declaratory rulings—Forms. [Statutory Authority: RCW 28C.10.010 through 28C.10.220. 86-15-075 (Order 86-78-3, Resolution No. 86-78-3), § 490-800-240, filed 7/23/86.] Repealed by 91-01-056, filed 12/13/90, effective 12/13/90. Statutory Authority: Chapter 28C.10 RCW. Later promulgation, see WAC 490-100-240.
- 490-800-250 Degree-granting private vocational schools—Applicable rules. [Statutory Authority: Chapter 28C.10 RCW. 87-14-007 (Resolution No. 87-86-4), § 490-800-250, filed 6/22/87; 87-02-019 (Resolution No. 86-81-3), § 490-800-250, filed 12/31/86.] Repealed by 91-01-056, filed 12/13/90, effective 12/13/90. Statutory Authority: Chapter 28C.10 RCW. Later promulgation, see WAC 490-100-250.

WAC 490-800-255 Readoption/recodification. This chapter is readopted and recodified under the same section numbers but under a new chapter, chapter 490-100 WAC. Chapter 490-800 WAC is repealed.

[Statutory Authority: Chapter 28C.10 RCW. 91-01-056, § 490-800-255, filed 12/13/90, effective 12/13/90.]