

# Title 131 WAC

## COMMUNITY AND TECHNICAL COLLEGES, BOARD FOR

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### DISPOSITION OF CHAPTERS FORMERLY CODIFIED IN THIS TITLE

#### Chapter 131-04 REVENUE BONDS

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 Repealed by Order 56, filed 4/2/76.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

#### Chapter 131-34 EMPLOYEE RELATIONS AND COLLECTIVE BARGAINING

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 Repealed by 79-12-071 (Order 79 and 81, Resolution Nos. 79-43 and 79-46), filed 11/30/79.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 Repealed by 79-12-071 (Order 79 and 81, Resolution Nos. 79-43 and 79-46), filed 11/30/79.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 Repealed by 79-12-071 (Order 79 and 81, Resolution Nos. 79-43 and 79-46), filed 11/30/79.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

#### Chapter 131-08 WAC PRACTICE AND PROCEDURE

### WAC

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

### DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

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 Repealed by Order 5, filed 12/12/69.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 Repealed by Order 5, filed 12/12/69.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 Repealed by Order 60, filed 11/1/76.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 Repealed by 90-22-032, filed 10/31/90, effective 12/1/90.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

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

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

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

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

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

[Statutory Authority: RCW 28B.50.070 and chapter 42.30 RCW. 92-13-019 (Order 136, Resolution No. 92-05-23), § 131-08-005, filed 6/8/92, effective 7/9/92. Statutory Authority: RCW 34.04.020. 81-01-079 (Order 84, Resolution No. 80-61), § 131-08-005, filed 12/17/80. Statutory Authority: RCW 28.50.070 [28B.50.070] and 42.30.075. 79-12-070 (Order 78, Resolution No. 79-42), § 131-08-005, filed 11/30/79. Statutory Authority: RCW 28B.50.070. 78-07-063 (Order 72, Resolution No. 78-31), § 131-08-005, filed 6/30/78; Order 61, § 131-08-005, filed 7/8/77; Order 59, § 131-08-005, filed 7/6/76; Order 52, § 131-08-005, filed 1/9/76; Order 40,

§ 131-08-005, filed 6/27/75; Order 33, § 131-08-005, filed 11/14/74; Order 19, § 131-08-005, filed 7/2/73; Order 3, § 131-08-005, filed 6/19/69.]

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

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

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

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

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

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

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

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

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

**WAC 131-08-008 Special meetings of the state board.** Special meetings of the state board may be called by the chair or by a majority of the members of the state board by delivery personally or by mail written notice to each member at least twenty-four hours before the time of such meeting. Such notice shall specify the time and place of the special meeting and the business to be transacted. Final

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

[Statutory Authority: RCW 28B.50.070 and chapter 42.30 RCW. 92-13-019 (Order 136, Resolution No. 92-05-023), § 131-08-008, filed 6/8/92, effective 7/9/92; Order 41, § 131-08-008, filed 6/27/75.]

## Chapter 131-12 WAC STUDENTS

### WAC

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

### DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

131-12-070	Deadline for compliance and filing with director. [Order 5, § 131-12-070, filed 12/12/69.] Repealed by 90-20-009 (Order 122, Resolution Nos. 90-42 and 90-43), filed 9/20/90, effective 10/21/90. Statutory Authority: RCW 28B.50.090 (7)(d) and (10), 28B.50.851, 28B.15.502(4), 28B.15.522, 28B.50.140(3) and 1990 c 29.
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**WAC 131-12-010 Minimum standards for admission to a community or technical college.** (1) Any applicant for admission to a community or technical college shall be admitted when, as determined by the chief administrative officer of the district or his or her designee, such applicant:

- (a) Is competent to profit from the curricular offerings of the college; and
- (b) Would not, by his or her presence or conduct, create a disruptive atmosphere within the community or technical college inconsistent with the purposes of the institution; and
- (c) Is eighteen years of age or older; or
- (d) Is a high school graduate; or
- (e) Has applied for admission under the provisions of a student enrollment options program such as Running Start or a successor program; or other local student enrollment options program.

(2) However, an applicant transferring from another institution of higher education who meets the above criteria, but who is not in good standing at the time of his transfer may be conditionally admitted to a community or technical college on a probationary status as determined by the chief administrative officer of the community or technical college district or his or her designee.

[Statutory Authority: Chapter 28B.50 RCW. 95-13-068, § 131-12-010, filed 6/20/95, effective 7/21/95. Statutory Authority: RCW 28B.50.090

(1997 Ed.)

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(1997 Ed.)

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

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

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

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

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

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

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

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

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

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

(1) Admission requirements;

(2) Freedom of expression, petition, press, assembly and association;

(3) Use and maintenance of records and campus facilities;

(4) Disciplinary hearing and appeal procedures; and

(5) Disciplinary sanctions.

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

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

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

### Chapter 131-16 WAC

#### FACULTY AND STAFF PERSONNEL

##### WAC

131-16-010	Designation of community college system retirement plan.
131-16-011	Definitions.
131-16-015	Retirement benefit goal established.
131-16-021	Employees eligible to participate in retirement annuity purchase plan.
131-16-031	Participation in the plan.
131-16-040	Disability retirement provisions for TIAA/CREF participants.
131-16-045	Transfers to and from plans other than TIAA/CREF.
131-16-050	Contribution rates established.
131-16-055	Options for self-directed investment of retirement plan contributions and accumulations.
131-16-056	Hardship withdrawals.
131-16-060	Repurchase of annuity contract under certain conditions.
131-16-061	Supplemental retirement benefits.
131-16-062	Benefit options after termination of employment.
131-16-065	Optional retirement transition benefit.
131-16-066	Single sum death benefit to spouse beneficiaries.
131-16-070	Adoption and publication of district personnel selection practices and standards required.
131-16-080	General standards of qualifications for community college personnel.
131-16-091	Additional qualifications in areas of specialization.
131-16-092	Maintaining and improving occupational and teaching competencies for vocational administrators, instructors and counselors.
131-16-093	Types of vocational education certificates.
131-16-094	Definition of professional improvement units.
131-16-095	Reciprocity defined.
131-16-200	Reduction in force guidelines and procedures supplemental to chapter 251-10 WAC.
131-16-210	Layoff unit defined.
131-16-220	Duration of reduction in force lists.
131-16-400	Definition of "special funds" for the purpose of determining eligibility for tenurable faculty positions.
131-16-450	Exceptional faculty awards trust fund.
131-16-500	Permissible compensation elements for community and technical college presidents.

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

131-16-005	Mandatory retirement age defined. [Statutory Authority: RCW 28B.10.400. 91-13-048 (Resolution No. 91-20, Order 129), § 131-16-005, filed 6/14/91, effective 7/15/91; 85-19-056 (Order 103, Resolution No. 85-25), § 131-16-005, filed 9/16/85. Statutory Authority: 1979 ex.s. c 159. 79-10-020 (Order 77, Resolution No. 79-30), § 131-16-005, filed 9/10/79; Order 28, § 131-16-005, filed 7/1/74.] Repealed by 95-10-014, filed 4/25/95, effective 5/26/95. Statutory Authority: RCW 28B.10.400.
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131-16-020	Employees eligible to participate in retirement annuity purchase plan. [Statutory Authority: RCW 28B.10.400. 83-20-042 (Order 95, Resolution No. 83-25), § 131-16-020, filed 9/28/83; Order 55, § 131-16-020, filed 4/2/76; Order 51, § 131-16-020, filed 1/9/76; Order 37, § 131-16-020, filed 5/19/75; Order 28, § 131-16-020, filed 7/1/74; Order 4, § 131-16-020, filed 10/22/69.] Repealed by 91-13-048 (Resolution No. 91-20, Order 129), filed 6/14/91, effective 7/15/91. Statutory Authority: RCW 28B.10.400.
131-16-030	Optional participation for certain employees. [Order 28, § 131-16-030, filed 7/1/74; Order 9, § 131-16-030, filed 6/7/71; Order 4, § 131-16-030, filed 10/22/69.] Repealed by 91-13-048 (Resolution No. 91-20, Order 129), filed 6/14/91, effective 7/15/91. Statutory Authority: RCW 28B.10.400.
131-16-069	Application of retirement plan to employees of state board. [Order 28, § 131-16-069, filed 7/1/74.] Repealed by 91-13-048 (Resolution No. 91-20, Order 129), filed 6/14/91, effective 7/15/91. Statutory Authority: RCW 28B.10.400.
131-16-090	Additional qualification in areas of specialization. [Order 5, § 131-16-090, filed 12/12/69.] Repealed by Order 22, filed 11/27/73.
131-16-300	Salary increase for noncivil service personnel. [Order 27, § 131-16-300, filed 8/1/74.] Repealed by Order 54, filed 4/2/76.
131-16-310	Preamble. [Order 49, § 131-16-310, filed 9/12/75.] Repealed by Order 54, filed 4/2/76.
131-16-315	Specific legislative appropriations for salary increases. [Order 49, § 131-16-315, filed 9/12/75.] Repealed by Order 54, filed 4/2/76.
131-16-320	Standards related to salary increases. [Order 49, § 131-16-320, filed 9/12/75.] Repealed by Order 54, filed 4/2/76.
131-16-325	Legal authorization for review of district budgets. [Order 49, § 131-16-325, filed 9/12/75.] Repealed by Order 54, filed 4/2/76.
131-16-330	Ratification of administrative memorandum. [Order 49, § 131-16-330, filed 9/12/75.] Repealed by Order 54, filed 4/2/76.
131-16-335	Delegation of authority to review and revise budgets. [Order 49, § 131-16-335, filed 9/12/75.] Repealed by Order 54, filed 4/2/76.
131-16-340	Criteria for calculating allowable salary increase funds. [Order 49, § 131-16-340, filed 9/12/75.] Repealed by Order 54, filed 4/2/76.
131-16-410	Optional salary increases for faculty and exempt personnel of certain community colleges. [Statutory Authority: 1977 ex.s. c 339. 78-06-057 (Order 69, Resolution No. 78-22), § 131-16-410, filed 5/24/78; Order 66, § 131-16-410, filed 9/13/77.] Repealed by 79-12-071 (Orders 79 and 81, Resolution Nos. 79-43 and 79-46), filed 11/30/79. Statutory Authority: RCW 28B.50.090.

**WAC 131-16-010 Designation of community college system retirement plan.** There is hereby established for the eligible employees of the community colleges of the state of Washington and the state board, a retirement plan which shall entitle such employees to purchase retirement annuities from the teachers' insurance annuity association (TIAA) and the college retirement equities fund (CREF), hereafter called the TIAA/CREF plan, subject to the provisions of WAC 131-16-011 through 131-16-066.

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

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

(1) "Participant" means any individual who is eligible to purchase retirement annuities through the TIAA/CREF plan and whose required contribution to such plan is matched by

the employing college district or the state board pursuant to the provisions of WAC 131-16-050.

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

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

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

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

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

(7) "Salary" means all remuneration received by the participant from the employing college district or the state board, including summer quarter compensation, extra duty pay, leave stipends, and grants made by or through the college district or state board; but not including any severance pay, early retirement incentive payment, remuneration for unused sick or personal leave, or remuneration for unused annual or vacation leave in excess of the amount payable for thirty days or two hundred forty hours of service.

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

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

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

[Statutory Authority: RCW 28B.10.400. 91-13-048 (Resolution No. 91-20, Order 129), § 131-16-011, filed 6/14/91, effective 7/15/91. Statutory Authority: RCW 28B.10.400(3). 86-22-027 (Order 111, Resolution No. 86-43), § 131-16-011, filed 10/30/86. Statutory Authority: RCW 28B.10.400.

83-20-042 (Order 95, Resolution No. 83-25), § 131-16-011, filed 9/28/83. Statutory Authority: RCW 28B.10.400(3). 82-11-014 (Order 91, Resolution No. 82-6), § 131-16-011, filed 5/10/82. Statutory Authority: RCW 28B.10.400. 79-12-069 (Order 80, Resolution No. 79-44), § 131-16-011, filed 11/30/79; Order 28, § 131-16-011, filed 7/1/74.]

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

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

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

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

(3) Participation in the plan without matching employer contributions is also permitted for any employee of a college district or the state board who desires to utilize the plan as a supplemental retirement savings vehicle to any state-sponsored retirement plan in which the employee participates: *Provided*, That the provisions of WAC 131-16-015, 131-16-050, and 131-16-061 shall not apply in such cases.

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

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

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

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

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

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

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

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

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

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

**WAC 131-16-045 Transfers to and from plans other than TIAA/CREF.** (1) A participant employed in a Washington state community or technical college or the state board for community and technical colleges may directly transfer into his or her TIAA/CREF account any account balances from other employers' retirement plans: *Provided*, That such other plans are authorized under Section 403(b) of the Internal Revenue Code, and: *Provided further*, That such other employers' plans permit transfers out of their plans.

(2) A participant who leaves the employment of all Washington state community and technical colleges and the state board for community and technical colleges, may choose to transfer his or her existing TIAA/CREF account balances, subject to the rules established by TIAA/CREF for transfers, to any other employer's retirement plan authorized under Section 403(b) of the Internal Revenue Code:

*Provided*, That such other employer's plans will accept the transferred balances.

[Statutory Authority: Chapter 28B.50 RCW. 93-22-008, § 131-16-045, filed 10/21/93, effective 11/21/93.]

**WAC 131-16-050 Contribution rates established.**

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

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

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

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

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

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

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

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

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

**WAC 131-16-056 Hardship withdrawals.** (1) In the event of a financial hardship consistent with requirements of subsection (2) of this section and Section 403 (b)(11) of the Internal Revenue Code, a participant may withdraw all or part of the employee contributions (and any pre-1988 earnings on employee contributions) from the participant's

Washington community and technical college system TIAA/CREF retirement account while actively employed or after termination of employment. Hardship withdrawals may not be larger than the amount necessary to meet the immediate and heavy financial need defined in subsection (2) of this section plus taxes on withdrawn funds and early withdrawal penalties. Employer contributions and earnings on the employer contributions may not be withdrawn as a hardship withdrawal.

(2) To enable hardship withdrawal of funds, the Internal Revenue Code (Section 1.401(k)-1(d)(2)) requires that the college president or designee shall verify that the participant has certified in writing that:

(a) The participant has an immediate and heavy financial need; and

(b) The participant has no other resources reasonably available to meet the need.

Withdrawals shall be deemed to be for "an immediate and heavy financial need" only if they are for:

(i) Payments to prevent eviction from or foreclosure on the principal residence of the participant;

(ii) Payments to prevent the participant's impending bankruptcy; and/or

(iii) Unreimbursable medical expenses incurred by the participant, spouse, dependent children, and/or dependent parents.

The participant shall be deemed to have "no other resources reasonably available to meet the need" if the participant certifies that he/she cannot meet the need through:

(A) Reimbursement or compensation by insurance or another source;

(B) Reasonable liquidation of assets;

(C) Borrowing from supplemental retirement accounts, life insurance values, or commercial sources; and/or

(D) Stopping any voluntary employee contributions to tax deferral or savings plans made available by the employer.

Note: Contributions to the employer-sponsored retirement plan must continue while the employee remains eligible for the plan.

(3) Hardship withdrawals from the community and technical college TIAA/CREF plan are taxable income in the year received. Taxes, early withdrawal penalties, and any other consequences of hardship withdrawals shall be the sole responsibility of the participant. Withdrawals from the employer-sponsored TIAA/CREF plan may not be replaced at a later date.

[Statutory Authority: Chapter 28B.50 RCW. 95-13-069, § 131-16-056, filed 6/20/95, effective 7/21/95.]

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

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

131-16-060, filed 6/14/91, effective 7/15/91; Order 28, § 131-16-060, filed 7/1/74; Order 4, § 131-16-060, filed 10/22/69.]

**WAC 131-16-061 Supplemental retirement benefits.**

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

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

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

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

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

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

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

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

(c) The amount of supplemental retirement benefit for a participant who has not attained age sixty-five at retirement is the amount calculated in subsection (2) of this section

reduced by one-half of one percent for each calendar month remaining until age sixty-five: *Provided*, That the supplemental retirement benefit for an otherwise qualified participant retired for reason of health or permanent disability shall not be so reduced.

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

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

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

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

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

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

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

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

79-12-069 (Order 80, Resolution No. 79-44), § 131-16-061, filed 11/30/79; Order 28, § 131-16-061, filed 7/1/74.]

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

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

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

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

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

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

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

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

**WAC 131-16-070 Adoption and publication of district personnel selection practices and standards required.** Each college district board of trustees shall adopt and publish a statement of personnel selection practices and standards governing all nonclassified service personnel which are designed to ensure high standards of excellence in all



phases of district operations, satisfy the standards of regional and national accrediting organization, and provide for a professional staff representing a wide range of educational and professional experience. Such personnel practices and standards shall be consistent with WAC 131-16-080.

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

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

- (1) Scholarship and/or technical skill that represents appropriate study, training, and skills in the proposed area of assignment,
- (2) Expertise as a practitioner as evidenced by reports of former associates and supervisors,
- (3) A demonstrable understanding and acceptance of the role to be played as a partner in an educational enterprise serving the best interests of the students,
- (4) A demonstrable understanding and acceptance of the mission, role, and character of the community or technical college,
- (5) The ability to perform assigned duties in a manner consistent with the goals of the institution and the community and technical college system, and
- (6) Personal characteristics that contribute to the ability to promote the welfare of the students, the institution, and the state of Washington.

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

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

- (1) Professional personnel performing services for which advanced degrees are normally available shall hold the equivalent of a master's degree in the field of their educational service from an accredited college or university or a bachelor's degree and extensive professional experience in the field of their educational service.
- (2) Professional personnel in vocational fields or other specialized areas for which advanced degrees are not normally available shall have sufficiently broad and comprehensive training and work experience that particularly qualifies them to provide instruction in their area of specialization.
- (3) All newly hired vocational education teaching personnel must have recent work experience beyond the learning period as a fully qualified worker in the occupation that will be taught. The minimum work experience shall be equal to the recognized learning period required to gain competence in the occupation, but shall be in no case less

than two calendar years of full-time work or its equivalent beyond the learning experience. The number of hours worked shall be equivalent to the hours worked by full-time workers in the occupation to be taught.

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

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

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

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

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

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

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

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

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

ed to the employing agency a commitment to and understanding of vocational education. Industry and public agency experience will be evaluated at no more than a one-to-one basis. The vocational administrator's personnel file must have verification that these standards have been met.

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

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

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

Bleeding control and bandaging.

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

Closed chest heart massage.

Poisons.

Shock, unconsciousness, stroke.

Burns, scalds.

Sunstroke, heat exhaustion.

Frostbite, freezing, hypothermia.

Strains, sprains, hernias.

Fractures, dislocations.

Proper transportation of the injured.

Bites, stings.

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

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

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

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

[Statutory Authority: Chapter 28B.50 RCW. 93-14-008, § 131-16-091, filed 6/24/93, effective 7/25/93. Statutory Authority: RCW 28B.50.090 (7)(a). 91-21-009 (Order 134, Resolution No. 91-27), § 131-16-091, filed 10/4/91, effective 11/4/91; 80-13-011 (Order 82, Resolution No. 80-14), § 131-16-091, filed 9/8/80; Order 22, § 131-16-091, filed 11/27/73.]

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

(1) The institution or district will certify through the assigned vocational administrator each full-time instructor

and vocational counselor and maintain documentation of such certification. The certificate and the documentation on file shall specify the function and/or the specific occupational area for which the individual is certified.

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

(3) Part-time vocational teaching and counseling personnel must be certifiable and have a verification of work experience related to instructional assignment record on file in the individual's personnel folder. This record must be on file for each part-time instructor/counselor during each quarter of teaching employment. Part-time instructors must have teaching competencies reviewed every five years. "Teaching competencies" refers to (a) currency in the occupation and (b) teaching skills. Part-time vocational counselors must have records in their file indicating compliance with WAC 131-16-091(5).

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

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

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

[Statutory Authority: Chapter 28B.50 RCW. 93-14-008, § 131-16-092, filed 6/24/93, effective 7/25/93. Statutory Authority: RCW 28B.50.090 (7)(a). 91-21-009 (Order 134, Resolution No. 91-27), § 131-16-092, filed 10/4/91, effective 11/4/91; 80-13-011 (Order 82, Resolution No. 80-14), § 131-16-092, filed 9/8/80; Order 22, § 131-16-092, filed 11/27/73.]

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

(1) Temporary certificate.

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

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

(2) One-year certificate.

(a) Instructional personnel who have completed the minimum requirements for a temporary certificate and who, in addition, provide documentation of teaching competency as demonstrated by having satisfactorily completed a minimum of three credits in courses concentrated upon the elements of teaching, or the equivalent, shall be issued a one-year certificate. A one-year certificate may be renewed once.

(b) (Vocational) Counselors may be issued a one-year certificate upon completion of the minimum requirements for

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

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

(4) Five-year certificate (initial).

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

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

(c) Vocational counseling personnel who do not have a master's degree shall be issued a five-year certificate upon:

- (i) Completion of at least two years of counseling service,
- (ii) in addition to the one-year certificate requirements, documentation of competency as demonstrated by having satisfactorily completed a minimum of three credits or thirty clock hours in courses dealing with advanced or graduate level counseling theories and/or techniques, or equivalent, and
- (iii) completion of a minimum of six additional professional improvement units in accordance with the individual's professional improvement plan.

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

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

[Statutory Authority: Chapter 28B.50 RCW. 93-14-008, § 131-16-093, filed 6/24/93, effective 7/25/93. Statutory Authority: RCW 28B.50.090 (7)(a). 91-21-009 (Order 134, Resolution No. 91-27), § 131-16-093, filed 10/4/91, effective 11/4/91; 84-06-052 (Order 97, Resolution No. 84-7), §

131-16-093, filed 3/7/84; 80-13-011 (Order 82, Resolution No. 80-14), § 131-16-093, filed 9/8/80; Order 22, § 131-16-093, filed 11/27/73.]

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

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

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

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

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

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

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

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

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

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

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

(4) All current technical college instructors or counselors may have their certification renewed under the requirements in effect for vocational-technical institutes prior to September 1, 1991. After September 1, 1996, all technical college personnel must meet the standards set forth in chapter 131-16 WAC.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(3) "Special funds" shall include, but not be limited to, funds received by a community college district through contracts with federal, state, local, or private agencies; grants or gifts from philanthropic organizations; revenue produced

by any auxiliary enterprise operated by a college district; federal vocational funds distributed by the commission for vocational education; adult basic education funds distributed by the superintendent of public instruction; and specifically funds received for operating overseas military educational programs.

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

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

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

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

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

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

(c) Grants to individual colleges shall not exceed:

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

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

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

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

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

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

(g) By September 1 of each year beginning in 1991, each district shall report to the state board for community college education the amount of contributed endowment funds, their earnings, type of investments, and uses made during the previous fiscal year.

(h) The process for determining awards shall be subject to collective bargaining, except that the amount of individual

awards and the recipient(s) shall be determined by the district board of trustees.

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

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

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

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

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

**WAC 131-16-500 Permissible compensation elements for community and technical college presidents.**

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

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

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

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

**Chapter 131-24 WAC  
CAPITAL PROJECTS**

**WAC**

- 131-24-010 Districts shall obtain prior approval of state board for capital projects and acquisition of realty.
- 131-24-020 College district revenue bond issues—Approval required.
- 131-24-030 Capital construction projects—SEPA policies and procedures.
- 131-24-040 Capital projects funded on the basis of voluntary student fees.

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

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

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

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

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

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

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

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

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

(2) A community college district initiating a request for approval of any capital construction expenditure shall be considered the "lead agency" for the purpose of carrying out the provisions of chapter 43.21C RCW and chapter 197-10 WAC.

(3) Community college districts seeking state board approval of capital project construction expenditures pursuant to WAC 131-24-010 shall provide as part of such requests

a draft "declaration of significance/nonsignificance" regarding the potential adverse effects the proposed project would have on the environment.

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

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

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

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

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

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

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

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

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

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

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

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

### Chapter 131-28 WAC TUITION AND FEE CHARGES

#### WAC

131-28-010	Tuition and fee charges for summer quarter.
131-28-015	Assessment of tuition and fee charges.
131-28-021	Definitions.
131-28-025	Method of assessing tuition and fee charges.
131-28-02501	Waivers.

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

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

131-28-020	Effective date of summer quarter fee schedule. [Order 6, § 131-28-020, filed 3/16/70.] Repealed by Order 12, filed 7/22/71.
131-28-028	Tuition charges for certain waiver categories. [Statutory Authority: RCW 28B.15.502 and 1992 c 231, 232 and 238, 92-14-033 (Order 139, Resolution No. 92-06-39), § 131-28-028, filed 6/23/92, effective 7/24/92.] Repealed by 95-13-070, filed 6/20/95, effective 7/21/95. Statutory Authority: Chapters 28B.15 and 28B.50 RCW.
131-28-041	Criteria for determining eligibility for waiver of tuition and fees under RCW 28B.15.520. [Statutory Authority: Chapter 34.04 RCW and WAC 1-12-065, 79-07-070 (Order 74, Resolution No. 79-20), § 131-28-041, filed 6/28/79. Statutory Authority: RCW 28B.15.520, 28B.15.525, and 28B.15.530. 78-06-058 (Order 70, Resolution No. 78-24), § 131-28-041, filed 5/24/78; Order 47, § 131-28-041, filed 9/12/75.] Repealed by 80-08-045 (Order 83, Resolution No. 80-29), filed 6/30/80. Statutory Authority: RCW 28B.15.530.
131-28-050	Procedure for determining limitation of the amount of tuition and fee waivers. [Order 47, § 131-28-050, filed 9/12/75; Order 11, § 131-28-050, filed 7/22/71; Order 7, § 131-28-050, filed 6/12/70.] Repealed by 82-22-023 (Order 94, Resolution No. 82-37), filed 10/26/82. Statutory Authority: RCW 28B.15.502 and 28B.15.740.
131-28-060	Procedure for determining priorities in awarding fee waivers. [Order 11, § 131-28-060, filed 7/22/71.] Repealed by Order 47, filed 9/12/75. Later promulgation, see WAC 131-28-045.

**WAC 131-28-010 Tuition and fee charges for summer quarter.** Tuition, operating, services and activities, and special fees charged to students enrolled as state funded students for summer quarter shall be assessed on the same basis and in the same manner as such fees are assessed for other quarters of the academic year. Fees charged to students enrolled as self-supporting shall comply with RCW 28B.15.515(1).

[Statutory Authority: Chapters 28B.15 and 28B.50 RCW, 95-13-070, § 131-28-010, filed 6/20/95, effective 7/21/95; Order 12, § 131-28-010, filed 7/22/71; Order 6, § 131-28-010, filed 3/16/70.]

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

[Statutory Authority: Chapters 28B.15 and 28B.50 RCW. 95-13-070, § 131-28-015, filed 6/20/95, effective 7/21/95. Statutory Authority: RCW 28B.15.502. 89-14-037 (Order 116, Resolution No. 89-16), § 131-28-015, filed 6/29/89; Order 12, § 131-28-015, filed 7/22/71.]

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

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

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

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

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

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

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

(7) "Regular course" shall be defined as any course not classified as a short course.

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

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

[Statutory Authority: Chapters 28B.15 and 28B.50 RCW. 95-13-070, § 131-28-021, filed 6/20/95, effective 7/21/95. Statutory Authority: RCW 28B.15.502. 89-14-037 (Order 116, Resolution No. 89-16), § 131-28-021, filed 6/29/89. Statutory Authority: RCW 28B.15.502 and 28B.15.740. 82-22-023 (Order 94, Resolution No. 82-37), § 131-28-021, filed 10/26/82; Order 12, § 131-28-020 (codified as § 131-28-021), filed 7/22/71.]

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

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

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

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

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

(d) Shall include an additional operating fee for each credit in excess of eighteen at the rate of one-tenth of the tuition fee charged to full-time students.

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

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

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

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

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

[Statutory Authority: Chapters 28B.15 and 28B.50 RCW. 95-13-070, § 131-28-025, filed 6/20/95, effective 7/21/95. Statutory Authority: RCW 28B.15.502 and 1992 c 231, 232 and 238. 92-14-033 (Order 139, Resolution No. 92-06-39), § 131-28-025, filed 6/23/92, effective 7/24/92. Statutory Authority: RCW 28B.15.502. 89-14-037 (Order 116, Resolution No. 89-16), § 131-28-025, filed 6/29/89. Statutory Authority: RCW 28B.15.502 and 28B.15.740. 82-22-023 (Order 94, Resolution No. 82-37), § 131-28-025, filed 10/26/82. Statutory Authority: RCW 28B.15.500 as amended by chapter 257, Laws of 1981. 81-19-060 (Order 89, Resolution No. 81-65), § 131-28-025, filed 9/14/81. Statutory Authority: Chapter 34.04 RCW and WAC 1-12-065. 78-07-064 (Order 71, Resolution No. 78-29), § 131-28-025, filed 6/30/78; Order 39, § 131-28-025, filed 6/27/75; Order 24, § 131-28-025, filed 3/21/74; Order 12, § 131-28-025, filed 7/22/71.]

**WAC 131-28-02501 Waivers.** Community college boards may grant waivers from the standard tuition and fees rate for ungraded courses designated in WAC 131-28-026(3) and to students who qualify under a waiver created in Title 28B RCW.

Except for ungraded courses, colleges shall not waive the building fee or services and activities fee at a percentage rate greater than the percentage rate of waiver for operating fees.

Colleges may not impose conditions or eligibility criteria beyond that specified in this chapter or Title 28B RCW. Colleges may restrict the number of waivers granted.

Colleges may round the amount waived to the nearest dollar.

[Statutory Authority: Chapters 28B.15 and 28B.50 RCW. 95-13-070, § 131-28-02501, filed 6/20/95, effective 7/21/95.]

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

(2) Ungraded courses shall meet the following qualifications:

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

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

(c) The course is offered for the purpose of providing the individual student with a discrete skill or basic body of knowledge other than that intended to lead to initial employment.

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

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

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

(3) Colleges may establish the amount of waiver for the following ungraded courses:

(a) Farm management and small business management;

(b) Emergency medical technician and paramedic continuing education;

(c) Retirement;

(d) Industrial first aid offered to satisfy WISHA and approved by the department of labor and industries;

(e) Journeyperson training in cooperation with joint apprenticeship and training committees.

(4) The waiver amounts for the following ungraded courses shall conform with the following schedule:

(a) Adult basic education, English as a second language, GED preparation: No charge.

(b) Parent education involving a cooperative preschool program: Eighty-five percent reduction from the standard per credit tuition and services activities fee charge. Parent education students taking eleven to eighteen credits shall not be charged for those credits.

(c) Courses offered for the purpose of satisfying related or supplemental educational requirements for apprentices indentured with the Washington state apprenticeship council or federal Bureau of Apprenticeship and Training: Sixty percent reduction from the standard per credit tuition and services and activities fee charge. The college may convert the credit hour charge to a rounded amount per clock hour: *Provided*, That until June 1, 1997, the waiver shall be two-thirds.

(5) Students taking both regular and ungraded courses will be charged separately for the courses.

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

(7) Ungraded course fees received pursuant to this section shall be accounted for and deposited in local community college operating fee accounts established in RCW 28B.15.031.

(8) Ungraded course fees may be paid by the sponsoring entity rather than an individual student.

[Statutory Authority: Chapters 28B.15 and 28B.50 RCW. 96-03-049, § 131-28-026, filed 1/12/96, effective 1/12/96; 95-13-070, § 131-28-026, filed 6/20/95, effective 7/21/95. Statutory Authority: RCW 28B.15.502 and 1992 c 231, 232 and 238. 92-14-033 (Order 139, Resolution No. 92-06-39), § 131-28-026, filed 6/23/92, effective 7/24/92. Statutory Authority: RCW 28B.15.502. 91-21-011 (Order 133, Resolution No. 91-49), § 131-28-026, filed 10/4/91, effective 11/4/91. Statutory Authority: RCW 28B.50.090 (7)(d) and (10), 28B.50.851, 28B.15.502(4), 28B.15.522, 28B.50.140(3) and 1990 c 29. 90-20-009 (Order 122, Resolution Nos. 90-42 and 90-43), § 131-28-026, filed 9/20/90, effective 10/21/90. Statutory Authority: RCW 28B.15.502. 89-14-037 (Order 116, Resolution No. 89-16), § 131-28-026, filed 6/29/89. Statutory Authority: RCW 28B.15.502 and 28B.15.740. 82-22-023 (Order 94, Resolution No. 82-37), § 131-28-026, filed 10/26/82. Statutory Authority: RCW 28B.15.502. 82-11-035 (Order 93, Resolution No. 82-16), § 131-28-026, filed 5/11/82. Statutory Authority: RCW 28B.15.500 as amended by chapter 257, Laws of 1981. 81-19-060 (Order 89, Resolution No. 81-65), § 131-28-026, filed 9/14/81. Statutory Authority: Chapter 34.04 RCW and WAC 1-12-065. 78-07-064 (Order 71, Resolution No. 78-29), § 131-28-026, filed 6/30/78; Order 63 and Emergency Order 64, § 131-28-026, filed 9/13/77, effective 9/13/77; Order 25, § 131-28-026, filed 4/22/74, effective 7/1/74.]

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

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

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

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

(5) The special fee charged for any such contractual educational course or service shall be retained by the college district to defray the cost of such course or service and may be used for the general operations and maintenance of the college district.

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

(7) If the instructor for any course performs such services as a paid employee or personal services contractor



of another state agency, the course shall be considered a contract course subject to the provisions of this section, except when reimbursement for such services is made to the other agency by the college district.

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

**WAC 131-28-030 Waiver of tuition and fees for needy or disadvantaged students.** Pursuant to authority granted by RCW 28B.15.740, the boards of trustees of community college districts are authorized to waive all or part of tuition and services and activities fees for needy students: *Provided*, That the students shall qualify for such waiver under criteria set forth in WAC 131-28-040 through 131-28-045.

[Statutory Authority: Chapters 28B.15 and 28B.50 RCW, 95-13-070, § 131-28-030, filed 6/20/95, effective 7/21/95. Statutory Authority: RCW 28B.15.502, 89-14-037 (Order 116, Resolution No. 89-16), § 131-28-030, filed 6/29/89. Statutory Authority: RCW 28B.15.502 and 28B.15.740, 82-22-023 (Order 94, Resolution No. 82-37), § 131-28-030, filed 10/26/82. Statutory Authority: RCW 28B.15.530, 80-08-045 (Order 83, Resolution No. 80-29), § 131-28-030, filed 6/30/80; Order 47, § 131-28-030, filed 9/12/75; Order 38, § 131-28-030, filed 4/22/75; Order 11, § 131-28-030, filed 7/22/71; Order 7, § 131-28-030, filed 6/12/70.]

**WAC 131-28-040 Criteria for determining eligibility for waiver of tuition and fees under RCW 28B.15.740.** Waiver of tuition and services and activities fees under RCW 28B.15.740(1) shall be based upon the determination that the student is a "needy student" under a method of need analysis approved by the United States Department of Education for determining awards for federal student financial aid programs or a method adopted by the state board specifically for the purposes of this section, except as provided in WAC 131-28-045.

[Statutory Authority: Chapters 28B.15 and 28B.50 RCW, 95-13-070, § 131-28-040, filed 6/20/95, effective 7/21/95. Statutory Authority: RCW 28B.15.502, 89-14-037 (Order 116, Resolution No. 89-16), § 131-28-040, filed 6/29/89. Statutory Authority: RCW 28B.15.740, 86-22-026 (Order 110, Resolution No. 86-42), § 131-28-040, filed 10/30/86. Statutory Authority: RCW 28B.15.502 and 28B.15.740, 82-22-023 (Order 94, Resolution No. 82-37), § 131-28-040, filed 10/26/82. Statutory Authority: Chapter 34.04 RCW and WAC 1-12-065, 79-07-070 (Order 74, Resolution No. 79-20), § 131-28-040, filed 6/28/79; Order 47, § 131-28-040, filed 9/12/75; Order 11, § 131-28-040, filed 7/22/71; Order 7, § 131-28-040, filed 6/12/70.]

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

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

(3) Each district may waive an amount not to exceed three percent of the estimated collections in the event that

actual enrollments or collections exceed estimated collections. Conversely, the three percent waiver capacity based upon estimated collections is allowable even though actual collections may not be as high as the estimate.

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

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

[Statutory Authority: Chapters 28B.15 and 28B.50 RCW, 95-13-070, § 131-28-045, filed 6/20/95, effective 7/21/95. Statutory Authority: RCW 28B.15.502, 89-14-037 (Order 116, Resolution No. 89-16), § 131-28-045, filed 6/29/89. Statutory Authority: RCW 28B.15.740, 86-22-026 (Order 110, Resolution No. 86-42), § 131-28-045, filed 10/30/86. Statutory Authority: RCW 28B.15.502 and 28B.15.740, 82-22-023 (Order 94, Resolution No. 82-37), § 131-28-045, filed 10/26/82. Statutory Authority: RCW 28B.15.530, 80-08-045 (Order 83, Resolution No. 80-29), § 131-28-045, filed 6/30/80. Statutory Authority: RCW 28B.15.520, 28B.15.525, and 28B.15.530, 78-06-058 (Order 70, Resolution No. 78-24), § 131-28-045, filed 5/24/78; Order 47, § 131-28-045, filed 9/12/75.]

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

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

**WAC 131-28-080 Tuition and fee waivers for senior citizens.** (1) Under RCW 28B.15.540, community college districts may waive, in whole or in part, tuition and services and activities fees for any individual who attains sixty years of age by the first day of instruction of the quarter enrolled and who is a resident of Washington, regardless of the length of such residency.

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

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

(b) Charge a special fee of not more than \$5.00 per quarter for students enrolled on an audit basis.

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

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

(a) Senior citizens who desire to enroll under the provisions of this section shall not be required to pass any

financial need or means test as the basis for receiving such waivers.

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

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

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

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

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

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

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

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

[Statutory Authority: Chapters 28B.15 and 28B.50 RCW. 95-13-070, § 131-28-080, filed 6/20/95, effective 7/21/95. Statutory Authority: RCW 28B.15.502. 89-14-037 (Order 116, Resolution No. 89-16), § 131-28-080, filed 6/29/89; Order 45, § 131-28-080, filed 9/12/75.]

**WAC 131-28-085 Tuition and fee waivers for full-time community college employees.** Under RCW 28B.15.535, community college districts may waive tuition and services and activities fees for full-time employees at their respective college under the following conditions:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(11) In addition to waivers provided under subsections (1) through (9) of this section, community college districts may also waive all or a portion of tuition and services and activities fees for full-time classified employees of state agencies and higher education institutions as provided in RCW 28B.15.558.

[Statutory Authority: Chapters 28B.15 and 28B.50 RCW. 95-13-070, § 131-28-085, filed 6/20/95, effective 7/21/95. Statutory Authority: RCW 28B.15.502. 89-14-037 (Order 116, Resolution No. 89-16), § 131-28-085, filed 6/29/89. Statutory Authority: RCW 28B.15.535. 85-01-040 (Order 102, Resolution No. 84-67), § 131-28-085, filed 12/13/84. Statutory Authority: 1979 c 82. 79-10-021 (Order 76, Resolution No. 79-29), § 131-28-085, filed 9/10/79.]

**WAC 131-28-090 Tuition and fee waivers for unemployed and underemployed resident students.** (1) Under RCW 28B.15.522 community college districts may waive, in whole or in part, tuition and services and activities fees for any individual who:

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

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

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

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

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

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

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

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

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

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

[Statutory Authority: Chapters 28B.15 and 28B.50 RCW. 95-13-070, § 131-28-090, filed 6/20/95, effective 7/21/95. Statutory Authority: RCW 28B.50.090 (7)(d) and (10), 28B.50.851, 28B.15.502(4), 28B.15.522, 28B.50.140(3) and 1990 c 29. 90-20-009 (Order 122, Resolution Nos. 90-42 and 90-43), § 131-28-090, filed 9/20/90, effective 10/21/90. Statutory Authority: RCW 28B.15.502. 89-14-037 (Order 116, Resolution No. 89-16), § 131-28-090, filed 6/29/89. Statutory Authority: 1984 c 50. 84-21-112 (Order 100, Resolution No. 84-57), § 131-28-090, filed 10/23/84.]

### Chapter 131-32 WAC EDUCATIONAL SERVICES

#### WAC

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

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

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

(2) College districts that desire to offer services that involve supplemental funding pursuant to RCW

28B.50.140(17) shall report such agreements to the state director within ten days of the execution of the agreement.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(4) The college district providing the service shall maintain general administrative jurisdiction over the course(s) or program(s), including fees and other charges,

instructor selection and remuneration, fiscal control and accounting, and enrollment reporting.

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

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

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

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

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

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

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

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

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

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

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

(4) Mass dissemination of unsolicited course and enrollment information shall be held within district boundaries except where postal and media distribution patterns prohibit. Exceptions include regional activities such as fairs, high school-college days, and public exhibits in which the

college is invited to participate. It is appropriate for a community or technical college to make known to the citizens of its district courses and programs offered exclusively by neighboring districts.

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

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

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

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

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

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

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

(10) In the event that state-funded enrollments are generated through interdistrict recruiting efforts that are contrary to the provisions of this section, the operating budget allocation of the intruding district may be adjusted by action of the state board. Budget allocation adjustments shall be determined by deducting funding attributable to enrollments generated by activities contrary to this section. The state board shall take into consideration the number of

interdistrict enrollments that reasonably could have been expected to occur regardless of the interdistrict recruiting effort. At the request of either district that is party to an interdistrict recruiting dispute, the state board shall hold a hearing on the issues at dispute. The hearing will be held under the provisions of WAC 131-08-007. The board as a result of such hearings may approve a settlement that contains alternatives to the provisions of this section.

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

**Chapter 131-36 WAC**

**INSTITUTIONAL LONG-TERM LOAN FUND**

**WAC**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**WAC 131-36-250 Initiating, servicing, and collecting loans.**

(1) Community colleges shall utilize the loan collecting and servicing agency designated by the state board for community college education and the WSLGA.

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

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

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

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

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

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

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

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

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

## Chapter 131-40 WAC

### EMPLOYEE PARTICIPATION IN POLITICAL ACTIVITIES

#### WAC

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

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

The purpose of the following provisions is to provide guidance to employees of the state board so that they may engage in political activity in a manner consistent with the policies of other state agencies, the laws of the state of Washington, and the United States code sections covering political activity of state employees engaged in activities

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funded in whole or in part by federal funds. Both classified and exempt employees shall be governed by these provisions.

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

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

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

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

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

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

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

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

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

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

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

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

## Chapter 131-46 WAC

### SPECIAL SERVICE PROGRAMS—RUNNING START PROGRAM

#### WAC

131-46-010 Authority.  
131-46-015 Purpose.

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131-46-095	Finance—Generation and apportionment of state basic education moneys.
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131-46-110	Finance—Community college and technical college reporting requirements.
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## ALTERNATIVE CONTRACTUAL ARRANGEMENTS

131-46-130	Current and future community college and technical college enrollment alternatives not affected.
131-46-135	Adopting running start rules by reference.

**WAC 131-46-010 Authority.** The authority for this chapter is RCW 28A.600.390, which authorizes the superintendent of public instruction, the state board for community and technical colleges, and the higher education coordinating board to jointly develop and adopt rules governing RCW 28A.600.300 through 28A.600.380, and 28A.150.260 and 28A.150.290 which authorize the superintendent of public instruction to adopt rules governing basic education allocation moneys. The rules set forth in this chapter have been jointly developed and agreed upon by the three agencies, and adopted and codified in separate chapters of the Washington Administrative Code by each of the three agencies. The rules may be modified only by agreement of all three agencies.

[Statutory Authority: RCW 28A.600.390, 28A.150.260 and [28A.150].290, 94-04-120, § 131-46-010, filed 2/2/94, effective 3/5/94. Statutory Authority: RCW 28A.600.390, 93-01-014, § 131-46-010, filed 12/4/92, effective 1/4/93.]

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

(1997 Ed.)

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

## DEFINITIONS OF TERMS

**WAC 131-46-020 Running start program—Definition.** As used in this chapter, the terms "running start" and "running start program" mean the part-time to full-time equivalent enrollment of an eligible eleventh and twelfth grade high school student in a community college or technical college for the purpose of earning at least high school credit to be awarded by a school district, and such additional college level academic and college level vocational credit as may be awarded by the community college or technical college.

[Statutory Authority: RCW 28A.600.390, 28A.150.260 and [28A.150].290, 94-04-120, § 131-46-020, filed 2/2/94, effective 3/5/94. Statutory Authority: RCW 28A.600.390, 93-01-014, § 131-46-020, filed 12/4/92, effective 1/4/93.]

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

(1) The person is under the age of twenty-one years of age as of September 1 of the school year.

(2) The person is eligible by reason of his or her residence or other criterion established by law to enroll in the school district through which the person seeks to obtain the award of running start program high school credit. See RCW 28A.175.090 ("at risk" students), RCW 28A.225.160 (residents of a school district), RCW 28A.225.170 (residents of the United States and Indian reservations), RCW 28A.225.210 (residents of "nonhigh" school districts), and RCW 28A.225.220 ("choice" students). Note: A running start student who changes his or her school district of residence, following enrollment in running start, solely for the purpose of attending college under this chapter shall be deemed to have retained his or her residence in the school district of initial running start enrollment for high school graduation, funding and other purposes under this chapter.

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

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

(5) The person has not as of the beginning of the school year received a high school diploma or its equivalent. Note: A general education development certificate is not considered to be the equivalent of a high school diploma for purposes of this subsection.

(6) The person's running start program enrollment to date is below the applicable eleventh or twelfth grade running start enrollment limitation established under WAC 392-169-055.

[Statutory Authority: RCW 28A.600.390, 28A.150.260 and [28A.150].290, 94-04-120, § 131-46-025, filed 2/2/94, effective 3/5/94. Statutory Authority:

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

**WAC 131-46-027 Running start student—**

**Definition.** For the purposes of this chapter and chapter 392-121 WAC. The term "running start student" means an eligible student:

(1) Who is enrolled in the running start program in accordance with chapter;

(2) Whose enrollment has not been suspended or terminated by withdrawal, transfer, suspension or expulsion; and

(3) Who has participated in one or more instructional activities conducted by college staff (e.g., classroom or laboratory instruction, course work testing, post enrollment/registration academic counseling, and similar other instructional activities) on at least one college day during the current college quarter since the last enrollment count date.

[Statutory Authority: RCW 28A.600.390, 28A.150.260 and [28A.150].290. 94-04-120, § 131-46-027, filed 2/2/94, effective 3/5/94.]

**WAC 131-46-029 College day—Definition.** For the purposes of this chapter, the term "college day" means a day on which running start students are afforded the opportunity to be engaged in instructional activity which is planned and conducted by or under the supervision of college instructional staff, and on which day all or any portion of the enrolled running start students actually participate in such instructional activity.

[Statutory Authority: RCW 28A.600.390, 28A.150.260 and [28A.150].290. 94-04-120, § 131-46-029, filed 2/2/94, effective 3/5/94.]

**WAC 131-46-030 Full-time equivalent (FTE) running start enrollment—Definition.** For the purposes of this chapter and chapter 392-121 WAC, "full-time equivalent (FTE) running start enrollment" (i.e., college enrollment) means the FTE of running start students on an enrollment count date when each student's FTE is determined subject to the limitations of WAC 392-169-022, 392-169-055 and 392-169-115 as follows:

(1) For college courses denominated in college quarter credits, the quotient of an eligible student's quarter credits of running start enrollment divided by fifteen up to a maximum of 1.00 FTE.

(2) For college courses not denominated in college quarter credits, the quotient of an eligible student's average hours of running start enrollment per week divided by twenty-five up to a maximum of 1.00 FTE. Hours of enrollment shall be determined pursuant to WAC 392-121-106 through 392-121-183.

[Statutory Authority: RCW 28A.600.390, 28A.150.260 and [28A.150].290. 94-04-120, § 131-46-030, filed 2/2/94, effective 3/5/94. Statutory Authority: RCW 28A.600.390. 93-01-014, § 131-46-030, filed 12/4/92, effective 1/4/93.]

**WAC 131-46-035 Annual average full-time equivalent (AAFTE) running start enrollment—Definition.** For purposes of this chapter and chapter 392-121 WAC, "annual average full-time equivalent (AAFTE) running start enrollment" means the sum of the AAFTE of all running start students for a school year when each running start student's

AAFTE equals the sum of the student's running start FTE enrollment on the nine running start count dates divided by nine.

[Statutory Authority: RCW 28A.600.390, 28A.150.260 and [28A.150].290. 94-04-120, § 131-46-035, filed 2/2/94, effective 3/5/94. Statutory Authority: RCW 28A.600.390. 93-01-014, § 131-46-035, filed 12/4/92, effective 1/4/93.]

**WAC 131-46-040 Community and technical colleges—Definition.** As used in this chapter, the terms "community college" and "technical college" means a Washington public two-year institution of higher education established under chapter 28B.50 RCW.

[Statutory Authority: RCW 28A.600.390, 28A.150.260 and [28A.150].290. 94-04-120, § 131-46-040, filed 2/2/94, effective 3/5/94. Statutory Authority: RCW 28A.600.390. 93-01-014, § 131-46-040, filed 12/4/92, effective 1/4/93.]

**WAC 131-46-045 School district—Definition.** As used in this chapter, the term "school district" means a Washington public school district established under Title 28A RCW.

[Statutory Authority: RCW 28A.600.390, 28A.150.260 and [28A.150].290. 94-04-120, § 131-46-045, filed 2/2/94, effective 3/5/94. Statutory Authority: RCW 28A.600.390. 93-01-014, § 131-46-045, filed 12/4/92, effective 1/4/93.]

## ENROLLMENT RIGHTS, REQUIREMENTS AND LIMITATIONS

**WAC 131-46-050 Enrollment—General requirements and conditions.** The enrollment of an eligible student in the running start program shall be governed as follows:

(1) An eligible student is responsible for applying for and pursuing admission to a community college or technical college on or before the deadline for enrollment established by the college.

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

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

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

(b) Prior confirmation pursuant to WAC 392-169-050 by the school district through which the student seeks to obtain the award of running start program high school credit of the amount of high school credit to be awarded on or before the deadline for enrollment established by the college.

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



impaired competency or the creation of a disruptive atmosphere associated with the person's disability.

(d) The limitations upon the duration and extent of community college and technical college course enrollment set forth in WAC 392-169-055 and 392-169-057.

[Statutory Authority: RCW 28A.600.390, 28A.150.260 and [28A.150].290. 94-04-120, § 131-46-050, filed 2/2/94, effective 3/5/94. Statutory Authority: RCW 28A.600.390. 93-01-014, § 131-46-050, filed 12/4/92, effective 1/4/93.]

**WAC 131-46-055 Enrollment—High school credit—Prior confirmation.** As a condition to an eligible student's enrollment in community college or technical college courses under this chapter, the eligibility of the courses which the student intends to take for the award of high school credit and the amount of such credit shall first be established, as follows:

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

(2) The school district shall establish on a course by course basis the amount of high school required or elective credit, or combination thereof, that shall be awarded for each college course successfully completed by the student based upon the conversion rate set forth in WAC 180-51-050.

(3) If a college course is not comparable to a school district course required for high school graduation, the school district superintendent shall determine the amount of required high school credit which shall be awarded following consultation with a community college or technical college representative designated for that purpose. The difference between the amount of required credit and the amount of credit earned at the conversion rate set forth in WAC 180-51-050 shall be awarded as elective credit.

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

[Statutory Authority: RCW 28A.600.390, 28A.150.260 and [28A.150].290. 94-04-120, § 131-46-055, filed 2/2/94, effective 3/5/94. Statutory Authority: RCW 28A.600.390. 93-01-014, § 131-46-055, filed 12/4/92, effective 1/4/93.]

**WAC 131-46-060 Enrollment—Extent and duration.** Running start program enrollment under this chapter is limited as follows:

(1) An eligible student who enrolls in grade eleven may enroll in a community or technical college while in the eleventh grade for no more than the course work equivalent to one academic year of enrollment as an annual average full-time equivalent running start student (i.e., three college quarters as a full-time equivalent community college student or nine months as a full-time equivalent technical college student).

(2) An eligible student who enrolls in grade twelve may enroll in a community or technical college while in the

twelfth grade for no more than the course work equivalent to one academic year of enrollment as an annual average full-time equivalent running start student (i.e., three college quarters as a full-time equivalent community college student or nine months as a full-time technical college student).

(3) Enrollment in a community college or technical college is limited to the fall, winter and spring quarters.

(4) As a general rule a student's eligibility for running start program enrollment terminates at the end of the student's twelfth grade regular academic year, notwithstanding the student's failure to have enrolled in a community college or technical college to the full extent permitted by subsections (1) and (2) of this section: *Provided*, That a student who has failed to meet high school graduation requirements as of the end of the student's twelfth grade regular academic year (September-June) due to the student's absence, the student's failure of one or more courses, or another similar reason may continue running start program enrollment for the sole and exclusive purpose of completing the particular course or courses required to meet high school graduation requirements, subject to the enrollment limitation established by subsection (2) of this section.

[Statutory Authority: RCW 28A.600.390, 28A.150.260 and [28A.150].290. 94-04-120, § 131-46-060, filed 2/2/94, effective 3/5/94. Statutory Authority: RCW 28A.600.390. 93-01-014, § 131-46-060, filed 12/4/92, effective 1/4/93.]

**WAC 131-46-065 Enrollment—Extent and duration of combined high school and running start enrollment.** Concurrent or combined regular high school program and running start program enrollment is governed as follows:

(1) An eligible student's concurrent enrollment in the regular high school program, and running start or college under this chapter, may exceed the equivalent of full-time enrollment: *Provided*, That a school district representative and a college representative may jointly limit a student's concurrent high school and college enrollment to not less than the equivalent of full-time enrollment for bona fide academic reasons based upon a joint evaluation of the student's capabilities and the total course work the student seeks to enroll in.

(2) For purposes of this section thirty hours per week shall constitute full-time high school or technical college enrollment, and fifteen quarter credit hours shall constitute full-time community college enrollment. Thus, for example, a student enrolled in the regular high school program for ten hours per week (one-third FTE) and in a community college for ten quarter credit hours (two-third FTE) is enrolled the equivalent of full-time.

[Statutory Authority: RCW 28A.600.390, 28A.150.260 and [28A.150].290. 94-04-120, § 131-46-065, filed 2/2/94, effective 3/5/94. Statutory Authority: RCW 28A.600.390. 93-01-014, § 131-46-065, filed 12/4/92, effective 1/4/93.]

**WAC 131-46-070 Enrollment—Exception from tuition and fees.** A running start student shall not be required by a community college or technical college to pay any tuition or other fee as a condition to the student's full participation in running start community college and technical college course work and related activities, or as a condition to the award of credit therefore: *Provided*, That requiring a running start student to provide and pay for

consumable supplies, textbooks, and other materials to be retained by the student does not constitute the assessment of tuition or a fee for purposes of this subsection: *Provided further*, That this limitation on the assessment of tuition and fees does not apply to a student's college enrollment above and beyond running start program enrollment under this chapter (i.e., college enrollment in excess of one FTE and college summer quarter enrollment may be conditioned upon the payment of regular tuition and fees).

[Statutory Authority: RCW 28A.600.390, 28A.150.260 and [28A.150].290. 94-04-120, § 131-46-070, filed 2/2/94, effective 3/5/94. Statutory Authority: RCW 28A.600.390. 93-01-014, § 131-46-070, filed 12/4/92, effective 1/4/93.]

**WAC 131-46-075 Enrollment—Continuing eligibility.** Once an eligible student has been enrolled in a community college or technical college course or program, the student shall not be displaced by another student: *Provided*, That a student's continued enrollment in a course or program and enrollment in other courses or programs shall be subject to generally applicable enrollment requirements and limitations established by the community college or technical college: *Provided further*, That a technical college shall not deny continued attendance to a person under twenty-two years of age with a disability based upon impaired competency or the creation of a disruptive atmosphere associated with the person's disability.

[Statutory Authority: RCW 28A.600.390, 28A.150.260 and [28A.150].290. 94-04-120, § 131-46-075, filed 2/2/94, effective 3/5/94. Statutory Authority: RCW 28A.600.390. 93-01-014, § 131-46-075, filed 12/4/92, effective 1/4/93.]

## MISCELLANEOUS

**WAC 131-46-077 Annual notice to students and parents.** Each school district shall annually provide general information respecting the running start program to all tenth and eleventh grade students of the school district and their parents and guardians.

[Statutory Authority: RCW 28A.600.390, 28A.150.260 and [28A.150].290. 94-04-120, § 131-46-077, filed 2/2/94, effective 3/5/94.]

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

[Statutory Authority: RCW 28A.600.390, 28A.150.260 and [28A.150].290. 94-04-120, § 131-46-080, filed 2/2/94, effective 3/5/94. Statutory Authority: RCW 28A.600.390. 93-01-014, § 131-46-080, filed 12/4/92, effective 1/4/93.]

**WAC 131-46-085 Compliance with federal and state requirements of law—Special education program requirements—Necessary cooperative agreements.** As a general rule, a school district, a community college district, and a technical college district are independently responsible for assuring compliance with federal and state requirements of

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

[Statutory Authority: RCW 28A.600.390, 28A.150.260 and [28A.150].290. 94-04-120, § 131-46-085, filed 2/2/94, effective 3/5/94. Statutory Authority: RCW 28A.600.390. 93-01-014, § 131-46-085, filed 12/4/92, effective 1/4/93.]

**WAC 131-46-090 High school credit—Award by school districts.** Upon confirmation by a community college or technical college of a student's successful completion of running start program courses, under this chapter, the school district shall record on the student's secondary school records and transcript the high school credit previously confirmed under WAC 392-169-050, together with a notation that the courses were taken at a community college or technical college.

[Statutory Authority: RCW 28A.600.390, 28A.150.260 and [28A.150].290. 94-04-120, § 131-46-090, filed 2/2/94, effective 3/5/94. Statutory Authority: RCW 28A.600.390. 93-01-014, § 131-46-090, filed 12/4/92, effective 1/4/93.]

## FINANCIAL REPORTS, CLAIMS, AND PAYMENTS

**WAC 131-46-095 Finance—Generation and apportionment of state basic education moneys.** (1) Each running start student shall generate state running start basic education moneys based upon the student's enrollment under this chapter in community college or technical college courses or programs, or any combination thereof, in accordance with the definitions of FTE and AAFTE students set forth in WAC 392-169-025 and 392-169-030, the enrollment and enrollment count limitations set forth in WAC 392-169-055 and 392-169-115, rules of the superintendent of public instruction set forth in Title 392 WAC which supplement and do not conflict with this chapter, and the Biennial Operating Appropriations Act.

(2) The superintendent of public instruction shall apportion running start basic education moneys to school districts reporting running start enrollments based upon AAFTE nonvocational and vocational running start enrollments and uniform state-wide rates for nonvocational and vocational students as determined pursuant to WAC 392-169-095.

(3) School districts may retain and expend for running start program counseling or other school district purposes up to seven percent of the running start basic education moneys apportioned by the superintendent of public instruction.

(4) School districts shall apportion each community and technical college district's share of running start basic education moneys received under this chapter to each college district on at least a modified quarterly basis on or before December 31, March 31, June 30, and August 31 each school year.

[Statutory Authority: RCW 28A.600.390, 28A.150.260 and [28A.150].290. 94-04-120, § 131-46-095, filed 2/2/94, effective 3/5/94. Statutory Authority: RCW 28A.600.390. 93-01-014, § 131-46-095, filed 12/4/92, effective 1/4/93.]

**WAC 131-46-100 Determination of uniform state-wide rates for nonvocational and vocational students.** Prior to September 1 of each school year, the superintendent of public instruction shall calculate uniform state-wide rates for allocating state basic education moneys for nonvocational and vocational running start enrollment in consultation with state board for community and technical college staff. Calculations shall be based on assumptions used in the state Operating Appropriations Act for the school year. Rates shall equal the average basic education formula generated amount per nonvocational and vocational AAFTE ninth through twelfth grade student for the school year excluding enhancements provided for small schools.

[Statutory Authority: RCW 28A.600.390, 28A.150.260 and [28A.150].290. 94-04-120, § 131-46-100, filed 2/2/94, effective 3/5/94. Statutory Authority: RCW 28A.600.390. 93-01-014, § 131-46-100, filed 12/4/92, effective 1/4/93.]

**WAC 131-46-105 Running start enrollment count dates.** Enrollment count dates for the running start program shall be the first college day of each of the months of October through June.

[Statutory Authority: RCW 28A.600.390, 28A.150.260 and [28A.150].290. 94-04-120, § 131-46-105, filed 2/2/94, effective 3/5/94. Statutory Authority: RCW 28A.600.390. 93-01-014, § 131-46-105, filed 12/4/92, effective 1/4/93.]

**WAC 131-46-110 Finance—Community college and technical college reporting requirements.** Each community college and technical college that enrolls an eligible student under this chapter shall periodically report enrollment information as follows:

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

(2) After each monthly count date the college shall report running start student enrollments by the eighth day of the month to the school district through which the student seeks to obtain the award of running start program high school credit as is necessary for the school district to claim state running start basic education program moneys under this chapter and chapter 392-121 WAC.

(3) The monthly report shall be prepared in accordance with instructions provided by the superintendent of public instruction, and shall include, but not necessarily be limited to, the following:

(a) The total number of enrolled running start students on the count date; (see the definitions of an eligible "running start student" in WAC 131-46-025.)

(b) Total nonvocational running start FTE enrollment;  
(c) Total vocational running start FTE enrollment; and  
(d) The name of each running start student and the nonvocational and vocational running start FTE reported for the student.

[Statutory Authority: RCW 28A.600.390, 28A.150.260 and [28A.150].290. 94-04-120, § 131-46-110, filed 2/2/94, effective 3/5/94. Statutory Authority: RCW 28A.600.390. 93-01-014, § 131-46-110, filed 12/4/92, effective 1/4/93.]

**WAC 131-46-115 Finance—School district reporting requirements.** Each school district through which a running start student seeks to obtain running start program high school credit shall make all reports to the superintendent of public instruction in accordance with this chapter and chapter 392-121 WAC as are necessary to substantiate the district's entitlement to the receipt of moneys based upon the student's community college and technical college enrollment under this chapter. Running start students shall be so reported as full-time equivalent vocational and nonvocational students, or fractions thereof, in accordance with the definitions of full-time equivalent student set forth in WAC 392-169-025.

[Statutory Authority: RCW 28A.600.390, 28A.150.260 and [28A.150].290. 94-04-120, § 131-46-115, filed 2/2/94, effective 3/5/94. Statutory Authority: RCW 28A.600.390. 93-01-014, § 131-46-115, filed 12/4/92, effective 1/4/93.]

**WAC 131-46-120 Finance—Limitations on enrollment counts.** No running start student enrolled in a community college or technical college, or any combination thereof, reported under WAC 392-169-105 and 392-169-110 shall exceed one full-time running start equivalent student on any enrollment count date or more than one annual average full-time equivalent student in any school year.

[Statutory Authority: RCW 28A.600.390, 28A.150.260 and [28A.150].290. 94-04-120, § 131-46-120, filed 2/2/94, effective 3/5/94. Statutory Authority: RCW 28A.600.390. 93-01-014, § 131-46-120, filed 12/4/92, effective 1/4/93.]

**WAC 131-46-125 Finance—Documentation requirements.** School districts and colleges shall maintain documentation supporting running start student enrollment and state funding claims, inclusive of the following:

(1) Colleges documentation shall show each student's college enrollment status on each enrollment count date and evidence of the student's participation in college instruction or activities on at least one day since the last enrollment count date. See WAC 392-169-022(3) for a description of required "instructional activities."

(2) School district documentation shall show each student's school district enrollment status on each enrollment count date and evidence that the student is earning high school graduation credit for running start enrollment reported for state funding.

[Statutory Authority: RCW 28A.600.390, 28A.150.260 and [28A.150].290. 94-04-120, § 131-46-125, filed 2/2/94, effective 3/5/94.]

## ALTERNATIVE CONTRACTUAL ARRANGEMENTS

**WAC 131-46-130 Current and future community college and technical college enrollment alternatives not affected.** This chapter shall not affect the alternative enrollment, and arrangements therefor, of a secondary student in a community college or technical college pursuant to a contractual agreement entered into pursuant to RCW 28B.50.530 (interschool district/college district cooperative programs) and chapter 39.34 RCW (the Interlocal Cooperation Act). See WAC 392-121-183 (Contracting with an educational institution other than a school district).

[Statutory Authority: RCW 28A.600.390, 28A.150.260 and [28A.150].290. 94-04-120, § 131-46-130, filed 2/2/94, effective 3/5/94.]

**WAC 131-46-135 Adopting running start rules by reference.** WAC 392-169-005 through 392-169-125, inclusive of the 1995 amendments thereto and the repeal of WAC 392-169-035 are hereby adopted by reference.

[Statutory Authority: RCW 28.600.300.390 [28A.600.300 - 28A.600.390], 28A.150.260, 28A.150.290 and 28A.600.300 - 28A.600.400 as amended by 1994 c 205. 95-10-013, § 131-46-135, filed 4/25/95, effective 5/26/95.]

### Chapter 131-47 WAC PROJECT EVEN START

#### WAC

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131-47-155	Administrative expenditures.
131-47-160	Liability insurance.
131-47-165	Bonding.

**WAC 131-47-010 Authority.** The authority for this chapter is chapter 28A.610 RCW which authorizes the state

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board for community and technical colleges to promulgate rules for the establishment and administration of project even start.

[Statutory Authority: Chapters 28A.610 and 28B.50 RCW and RCW 28B.50.915. 93-19-079, § 131-47-010, filed 9/15/93, effective 10/16/93.]

**WAC 131-47-015 Purpose.** The purpose of this chapter is to set forth policies and procedures for the administration of project even start, including the establishment of eligibility criteria for the award of grants to eligible grantees.

[Statutory Authority: Chapters 28A.610 and 28B.50 RCW and RCW 28B.50.915. 93-19-079, § 131-47-015, filed 9/15/93, effective 10/16/93.]

**WAC 131-47-020 Public policy goals of project even start.** The public policy goals of project even start are to:

- (1) Recognize that parents can be the most effective teachers for their children.
- (2) Provide illiterate or semiliterate parents with opportunities to acquire basic skills and child development knowledge that will enhance their ability to assist and support their children in the learning process.
- (3) Enhance children's learning experiences in the formal education environment by providing children with the motivation and positive home environment which contributes to enhanced academic performance.

[Statutory Authority: Chapters 28A.610 and 28B.50 RCW and RCW 28B.50.915. 93-19-079, § 131-47-020, filed 9/15/93, effective 10/16/93.]

**WAC 131-47-025 Project even start—Definition.** As used in this chapter, the term "project even start" means a program primarily designed to provide illiterate or semiliterate parents with basic skills instruction and which may include instruction in child development knowledge and other eligible program components as provided in WAC 392-315-030.

[Statutory Authority: Chapters 28A.610 and 28B.50 RCW and RCW 28B.50.915. 93-19-079, § 131-47-025, filed 9/15/93, effective 10/16/93.]

**WAC 131-47-030 Child development knowledge—Definition.** As used in this chapter, the term "child development knowledge" means information about characteristics of child growth, including differences in development, and the role of child-parent interaction in supporting the developmental process.

[Statutory Authority: Chapters 28A.610 and 28B.50 RCW and RCW 28B.50.915. 93-19-079, § 131-47-030, filed 9/15/93, effective 10/16/93.]

**WAC 131-47-035 Other eligible program components—Definition.** As used in this chapter, the term "other eligible program components" means one or more of the following:

- (1) Transportation.
- (2) Child care.
- (3) Other activities and/or resources determined by the state board for community and technical colleges to be directly necessary activities to accomplish the purpose of project even start.

[Statutory Authority: Chapters 28A.610 and 28B.50 RCW and RCW 28B.50.915. 93-19-079, § 131-47-035, filed 9/15/93, effective 10/16/93.]

**WAC 131-47-040 Eligible grantee—Definition.** As used in this chapter, the term "eligible grantee" means any public agency or private nonsectarian program or organization.

[Statutory Authority: Chapters 28A.610 and 28B.50 RCW and RCW 28B.50.915. 93-19-079, § 131-47-040, filed 9/15/93, effective 10/16/93.]

**WAC 131-47-045 Eligible parents—Definition.** As used in this chapter, the term "eligible parents" means one or more parents, which may be a biological or foster parent, a guardian, or a person with whom a child resides, and who meets the following two part test:

(1) Is illiterate or semiliterate, i.e., has less than an eighth grade ability in one or more basic skill areas: Provided, That in the case of parents whose primary language is other than English, eighth grade ability shall be determined on the basis of performing basic skill activities in their native language.

(2) Has a child enrolled in one of the following programs:

(a) State early childhood education and assistance program.

(b) Federal head start program.

(c) State or federally funded elementary school—i.e., grades K-8—basic skills program serving students who have scored below the national average of the basic skill areas of reading, language arts, or mathematics.

(d) A cooperative nursery—e.g., preschool or day care—at a community or technical college.

(e) A bilingual education/ESL program which includes children who are eligible for programs listed in (a) through (d) of this subsection.

(f) A program that serves children with special needs who are eligible for programs listed in (a) through (d) of this subsection.

[Statutory Authority: Chapters 28A.610 and 28B.50 RCW and RCW 28B.50.915. 93-19-079, § 131-47-045, filed 9/15/93, effective 10/16/93.]

**WAC 131-47-050 Basic skills—Definition.** As used in this chapter, the term "basic skills" means reading, language arts, and mathematics, including the readiness skills associated with such skills.

[Statutory Authority: Chapters 28A.610 and 28B.50 RCW and RCW 28B.50.915. 93-19-079, § 131-47-050, filed 9/15/93, effective 10/16/93.]

**WAC 131-47-055 Standardized test—Definition.** As used in this chapter, the term "standardized test" means any recognized test of adult basic skills and/or ESL that has received the prior approval of the state board for community and technical colleges.

[Statutory Authority: Chapters 28A.610 and 28B.50 RCW and RCW 28B.50.915. 93-19-079, § 131-47-055, filed 9/15/93, effective 10/16/93.]

**WAC 131-47-060 Transportation—Definition.** As used in this chapter, the term "transportation" means transport of the eligible parents or children thereof provided directly by the eligible grantee or reimbursed by such eligible grantee pursuant to the allowances provided in WAC 392-141-190(2).

[Statutory Authority: Chapters 28A.610 and 28B.50 RCW and RCW 28B.50.915. 93-19-079, § 131-47-060, filed 9/15/93, effective 10/16/93.]

**WAC 131-47-065 Child care—Definition.** As used in this chapter, the term "child care" means adult supervision of children of eligible parents provided directly by the eligible grantee or reimbursed by such eligible grantee pursuant to a written contract either with the provider of the day care or with the eligible parent.

[Statutory Authority: Chapters 28A.610 and 28B.50 RCW and RCW 28B.50.915. 93-19-079, § 131-47-065, filed 9/15/93, effective 10/16/93.]

**WAC 131-47-070 Directly necessary activities—Definition.** As used in this chapter, the term "directly necessary activities" means reasonable services and activities that are needed to remove barriers that inhibit participation of eligible parents in the even start project.

[Statutory Authority: Chapters 28A.610 and 28B.50 RCW and RCW 28B.50.915. 93-19-079, § 131-47-070, filed 9/15/93, effective 10/16/93.]

**WAC 131-47-075 Indirect expenditures—Definition.** As used in this chapter, "indirect expenditures" means those expenditures for administration of the organization as well as support service, fiscal support, and maintenance of facilities.

[Statutory Authority: Chapters 28A.610 and 28B.50 RCW and RCW 28B.50.915. 93-19-079, § 131-47-075, filed 9/15/93, effective 10/16/93.]

**WAC 131-47-080 Assurance of nonsupplanting—Program standard.** No application for an even start project grant shall be approved by the state board for community and technical colleges unless the authorized agent of the eligible grantee provides assurance to the state board for community and technical colleges of compliance with RCW 28A.610.030(4)—i.e., "State funds . . . shall be used solely to expand and complement, but not supplant, federal funds for adult literary programs."

[Statutory Authority: Chapters 28A.610 and 28B.50 RCW and RCW 28B.50.915. 93-19-079, § 131-47-080, filed 9/15/93, effective 10/16/93.]

**WAC 131-47-085 Assurance of cooperation with the department of social and health services regarding public assistance reports—Program standard.** No application for an even start project grant shall be approved by the state board for community and technical colleges unless the authorized agent of the eligible grantee agrees to assist eligible parents in any reporting requirement of the department of social and health services related to compliance with RCW 28A.610.030(3)—i.e., "fulfillment of . . . work and training obligation for the receipt of public assistance."

[Statutory Authority: Chapters 28A.610 and 28B.50 RCW and RCW 28B.50.915. 93-19-079, § 131-47-085, filed 9/15/93, effective 10/16/93.]

**WAC 131-47-090 Assurance to submit annual evaluation report to the state board for community and technical colleges.** No application for an even start project grant shall be approved by the superintendent of public instruction unless the authorized agent of the eligible grantee agrees to submit to the state board for community and technical colleges on a date established by the state board for

community and technical colleges an annual evaluation report which shall contain the following:

- (1) Progress made by adult enrolled as evidence by:
  - (a) Grade equivalent or standardized test scores by basic skills at beginning and end of enrollment in even start programs.
  - (b) Total number of instructional hours offered.
  - (c) Total number of instructional hours actually received by participants.
- (2) Effect of parents' participation in even start on children of enrollees as evidenced by:
  - (a) Preinterviews and post interviews of parents; and/or
  - (b) Other independent verifications of the parent's effect on the child's education.
- (3) Summary impressions on the most effective methods and materials for serving specific populations.
- (4) Observations regarding the effect of support services on program participation.
- (5) Recommendations for program improvements.
- (6) Estimated need for even start programs in service area versus number of participants enrolled.
- (7) Such additional information as the state board for community and technical colleges shall request related to the effectiveness of the funded project even start.

[Statutory Authority: Chapters 28A.610 and 28B.50 RCW and RCW 28B.50.915. 93-19-079, § 131-47-090, filed 9/15/93, effective 10/16/93.]

**WAC 131-47-095 Reporting requirements.** Successful applicants for project even start will be required to report fiscal, program, and client data to state board for community and technical colleges upon request.

At a minimum, applicants are required to ensure that:

- (1) Financial systems allow for effective control and accountability for all program funds, property, and other assets, including use for authorized purposes only.
- (2) Accounting systems will meet and comply with generally accepted accounting principles. Transactions will be supported by source documentation which identifies the source and use of the contract funds.
- (3) The agency records management system provides for systematic accumulation; filing; retention of appropriate records; all contract documentation of accountability and an inventory of nonexpendable items. Included are vouchers; receipts; materials and equipment cost; facilities usage; and, general indirect costs.
- (4) Program and client data are available at a minimum on a quarterly basis. Monthly attendance records are kept on all participants.

[Statutory Authority: Chapters 28A.610 and 28B.50 RCW and RCW 28B.50.915. 93-19-079, § 131-47-095, filed 9/15/93, effective 10/16/93.]

**WAC 131-47-100 Request for even start project grants to the state board for community and technical colleges.** Any eligible grantee may submit a request to the state board for community and technical colleges for an even start project grant. Such request must be reviewed and approved by the governing board of the requesting public or private agency and shall include the assurances required by WAC 392-315-075, 392-315-080, and 392-315-085.

[Statutory Authority: Chapters 28A.610 and 28B.50 RCW and RCW 28B.50.915. 93-19-079, § 131-47-100, filed 9/15/93, effective 10/16/93.]

**WAC 131-47-105 Assurance of cooperation with state auditor.** No application for an even start project grant shall be approved by the state board for community and technical colleges unless the authorized agent or eligible grantee agrees to provide written assurance that an audit will be permitted if deemed appropriate by the state auditor.

[Statutory Authority: Chapters 28A.610 and 28B.50 RCW and RCW 28B.50.915. 93-19-079, § 131-47-105, filed 9/15/93, effective 10/16/93.]

**WAC 131-47-110 Assurance of service to targeted groups.** No application for an even start project grant shall be approved by the state board of community and technical colleges unless the authorized agent or eligible grantee agrees to provide written assurance that even start programs will serve one or more of the following groups:

- (1) Single heads of household.
- (2) Parents of early childhood education assistance program (ECEAP) participants.
- (3) Parents of federal head start program participants.
- (4) Public assistance recipients.
- (5) Ethnic minorities.
- (6) Limited English-proficient parents who are below the eighth grade literacy level in their own language.
- (7) Parents of children with special needs.

[Statutory Authority: Chapters 28A.610 and 28B.50 RCW and RCW 28B.50.915. 93-19-079, § 131-47-110, filed 9/15/93, effective 10/16/93.]

**WAC 131-47-115 Priority groups.** Programs funded under project even start shall give priority to serving parents with children who have not yet enrolled in kindergarten or are in grades kindergarten through three.

[Statutory Authority: Chapters 28A.610 and 28B.50 RCW and RCW 28B.50.915. 93-19-079, § 131-47-115, filed 9/15/93, effective 10/16/93.]

**WAC 131-47-120 Date of receipt of even start project proposals.** In order to be considered for possible funding, an even start project proposal must be received in the office of the state board for community and technical colleges by 5:00 p.m. of the date set forth in the bulletin of the state board for community and technical colleges requesting the submission of even start project proposals.

[Statutory Authority: Chapters 28A.610 and 28B.50 RCW and RCW 28B.50.915. 93-19-079, § 131-47-120, filed 9/15/93, effective 10/16/93.]

**WAC 131-47-125 Even start advisory committee.** An advisory committee composed of at least one representative from among the following agencies/groups shall make recommendations to the state board for community and technical colleges regarding the implementation and operation of project even start and the proposal selection process:

Office of superintendent of public instruction, department of social and health services, department of community development, community-based agencies, adult basic education directors, local literacy councils, parent-education specialists, state university colleges of education, common school districts, education service districts, ethnic minority commissions, a local board of education, a business or industry with a commitment to education, and professional organizations devoted to early childhood education, reading instruction, and English as a second language (ESL) instruc-

tion, and department of social and health services or common school programs serving children with special needs in grades P-3. A selection committee approved by the advisory committee shall evaluate the proposals submitted under project even start. Members of the selection committee will not be from commissions, agencies, organizations, or schools which have submitted proposals, and, must not personally benefit from the outcome of the selection process.

[Statutory Authority: Chapters 28A.610 and 28B.50 RCW and RCW 28B.50.915. 93-19-079, § 131-47-125, filed 9/15/93, effective 10/16/93.]

**WAC 131-47-130 Duties of even start advisory committee.** The even start advisory committee shall select subcommittees of not more than seven members of the committee, or individuals approved by the committee to:

(1) Evaluate requests for proposals and make recommendations for funding to the state board for community and technical colleges, including the need for the state board for community and technical colleges to negotiate the terms, conditions, or funding of any grant proposal. Members of the selection subcommittee will not be from commissions, agencies, organizations, or schools which have submitted even start proposals and must not personally benefit from the outcome of the selection process.

(2) Make recommendations to the state board for community and technical colleges on the administration and operation of project even start, including the need to change any statute or rule affecting project even start.

(3) Develop the bylaws that govern the activities of the advisory committee.

[Statutory Authority: Chapters 28A.610 and 28B.50 RCW and RCW 28B.50.915. 93-19-079, § 131-47-130, filed 9/15/93, effective 10/16/93.]

**WAC 131-47-135 Priority projects.** In accordance with RCW 28A.610.040, "before developing and funding new adult literacy programs to carry out the purposes of project even start.", the state board for community and technical colleges shall fund the existing adult literacy programs and parent related programs which meet the conditions established in this chapter and are offered by the following agencies:

- (1) Common schools.
- (2) Community and technical colleges.
- (3) Community-based, nonprofit organizations.

[Statutory Authority: Chapters 28A.610 and 28B.50 RCW and RCW 28B.50.915. 93-19-079, § 131-47-135, filed 9/15/93, effective 10/16/93.]

**WAC 131-47-140 Coordination of programs.** Even start programs shall coordinate their services with programs that enroll the participants' children. Such coordination is essential for several reasons:

(1) Parent participation opportunities in the children's programs enable parents to become involved in their children's learning and development.

(2) Resources available to children and parents through state funded early childhood education and assistance programs and federally funded head start programs and other programs serving at risk children complement those available to parents through even start.

(3) The support network of parents and instructional personnel offered through the children's programs will

complement, extend, and continue the parent education component beyond participants' period of active involvement in the even start program.

[Statutory Authority: Chapters 28A.610 and 28B.50 RCW and RCW 28B.50.915. 93-19-079, § 131-47-140, filed 9/15/93, effective 10/16/93.]

**WAC 131-47-145 Evaluation criteria for project even start.** Proposals for even start funds shall be evaluated according to the following criteria:

(1) The applicant's likely success in meeting the goals of this program;

(2) The need for literacy, basic skills, and child development instruction for illiterate and semiliterate parents of young children in the geographical area served by the applicant. All proposals must contain data which identify the estimated number of males and females to be served, the estimate of limited English-speaking adults and ethnic minorities to be enrolled, the number of anticipated public assistance recipients to be served, and the number of anticipated percentage of participants with children enrolled in early childhood education and assistance programs (ECEAP) and head start programs;

(3) The applicant's ability to design a unique program of instruction for parents which integrates instruction in literacy, basic skills, and child development knowledge;

(4) The linkages between the applicant's program and the instructional programs serving the children of the parents being served: Head start programs, early childhood education assistance program (ECEAP), state or federally funded elementary school basic skills programs serving students who have scored below the national average on basic skills tests, and cooperative preschools at community or technical colleges;

(5) The applicant's plan for evaluating the effect of the program on both the parent participants and their preschool or school aged children;

(6) The cost-effectiveness of the program; and the reasonableness of the budget;

(7) The applicant's administrative capability; and

(8) The applicant's ability to cooperate and coordinate between a variety of relevant service providers in all phases of the program and the ability and willingness to leverage other resources to support the participants and the program.

[Statutory Authority: Chapters 28A.610 and 28B.50 RCW and RCW 28B.50.915. 93-19-079, § 131-47-145, filed 9/15/93, effective 10/16/93.]

**WAC 131-47-150 Performance standards for project even start.** Programs proposed under project even start shall:

(1) Reflect instructional methods, staffing patterns, curricula, and utilization of resources which reflect current research in adult learning theory, first and second language literacy acquisition, the role of parents in the child's acquisition of language, and effective parenting skills;

(2) Be sensitive to the social, cultural, and ethnic differences of the participants, and shall respond to those differences in the program design;

(3) Offer adult services at least ten hours per week for a minimum of ten weeks and for at least thirty weeks within a fifty-two week period.

[Statutory Authority: Chapters 28A.610 and 28B.50 RCW and RCW 28B.50.915. 93-19-079, § 131-47-150, filed 9/15/93, effective 10/16/93.]

**WAC 131-47-155 Administrative expenditures.** Administration expenditures (i.e., direct and indirect) for programs funded under project even start may not exceed ten percent of the total grant awarded.

[Statutory Authority: Chapters 28A.610 and 28B.50 RCW and RCW 28B.50.915. 93-19-079, § 131-47-155, filed 9/15/93, effective 10/16/93.]

**WAC 131-47-160 Liability insurance.** The state board for community and technical colleges assumes no liability with respect to bodily injury, illness, accident, theft, or any other damages or losses concerning persons or property, or involving the applicant's equipment or vehicles. Successful applicants who are nonpublic entities shall have the responsibility of providing adequate insurance coverage to protect against legal liability arising out of activities.

[Statutory Authority: Chapters 28A.610 and 28B.50 RCW and RCW 28B.50.915. 93-19-079, § 131-47-160, filed 9/15/93, effective 10/16/93.]

**WAC 131-47-165 Bonding.** Every officer, director, or employee of a nonpublic entity who is authorized to act on behalf of the applicant or any subcontractor for the purpose of receiving or depositing funds into program accounts or issuing financial documents, checks, or other instruments of payment for program costs will be bonded to provide protection against loss.

[Statutory Authority: Chapters 28A.610 and 28B.50 RCW and RCW 28B.50.915. 93-19-079, § 131-47-165, filed 9/15/93, effective 10/16/93.]

## Chapter 131-48 WAC

### CERTIFICATE OF EDUCATIONAL COMPETENCE

#### WAC

131-48-010	Authority.
131-48-020	Purpose.
131-48-030	Certificate of educational competence.
131-48-040	General educational development test—Definition.
131-48-050	Minimum proficiency level—Definition.
131-48-060	Official GED testing center—Definition.
131-48-070	Restrictions on use of general educational development tests.
131-48-080	Compliance with rules.
131-48-090	Annual contracts.
131-48-100	Eligibility to take the GED test.
131-48-110	Eligibility for award of certificate of educational competence.
131-48-120	Identification necessary to take the GED test.
131-48-130	Application form for certificate of educational competence.
131-48-140	Effect of certificate of educational competence.

**WAC 131-48-010 Authority.** The authority for this chapter is RCW 28B.50.915 which authorizes the state board for community and technical colleges to adopt rules governing the eligibility of persons sixteen years of age or older to take the general educational development (GED) test subject to rules adopted by the state board of education.

[Statutory Authority: RCW 28B.50.915. 93-22-006, § 131-48-010, filed 10/21/93, effective 11/21/93.]

**WAC 131-48-020 Purpose.** The purpose of this chapter is to set forth policies and procedures governing the administration of the GED test and the issuance of certificates of educational competence for persons who have not graduated from high school and are not enrolled in a regular or alternative high school program.

[Statutory Authority: RCW 28B.50.915. 93-22-006, § 131-48-020, filed 10/21/93, effective 11/21/93.]

**WAC 131-48-030 Certificate of educational competence.** As used in this chapter, the term "certificate of educational competence" means a certificate issued jointly by the state board for community and technical colleges and the superintendent of public instruction which indicates that the holder thereof has attained standard scores at or above the minimum proficiency level prescribed by the state board for community and technical colleges on the general educational development (GED) test, which is a measure of high school equivalency in the areas of writing skills, social studies, science, reading skills, and mathematics.

[Statutory Authority: RCW 28B.50.915. 93-22-006, § 131-48-030, filed 10/21/93, effective 11/21/93.]

**WAC 131-48-040 General educational development test—Definition.** As used in this chapter, the term "general educational development test" means the most recent general educational development test of the American Council on Education.

[Statutory Authority: RCW 28B.50.915. 93-22-006, § 131-48-040, filed 10/21/93, effective 11/21/93.]

**WAC 131-48-050 Minimum proficiency level—Definition.** As used in this chapter, the term "minimum proficiency level" means a standard score of at least forty on each of the five portions of the general educational development test, and an average standard score of at least forty-five on the entire test.

[Statutory Authority: RCW 28B.50.915. 93-22-006, § 131-48-050, filed 10/21/93, effective 11/21/93.]

**WAC 131-48-060 Official GED testing center—Definition.** As used in this chapter, the term "official GED testing center" means public or private agencies which have agreed to comply with the provisions of this chapter and with policies and regulations of the GED Testing Service, and which have been designated by the state board for community and technical colleges, administrator of the GED testing program to administer the general educational development test. Additional official GED testing centers and local GED examiners shall be approved by the state administrator of the GED testing program at the state board for community and technical colleges when the following have been documented:

- (1) Need for a new testing site in a specific region or location;
- (2) Need for new or replacement examiner at a testing center;
- (3) Commitment of the governing board or, if none, the chief official of the proposed new testing center to meet all testing center requirements described in the *GED Examiner's*



*Manual* published by GED Testing Service of the American Council on Education; and

(4) Availability of testing center personnel who meet the qualifications specified in the *GED Examiner's Manual* published by the GED Testing Service of the American Council on Education.

[Statutory Authority: RCW 28B.50.915. 93-22-006, § 131-48-060, filed 10/21/93, effective 11/21/93.]

**WAC 131-48-070 Restrictions on use of general educational development tests.** GED tests are designed and validated to enable persons who did not graduate from high school to earn a GED credential. Permission to use the GED tests or test results for other purposes must be obtained from the Commission on Educational Credit or GED Testing Service staff. Misuses of the tests include, but are not limited to using a GED test:

- (1) For the purposes of grade placement or promotion;
- (2) As measures of student progress in instructional programs;
- (3) As means of awarding academic credit (e.g., Carnegie units);
- (4) As means for awarding alternative credentials to currently enrolled high school students; or
- (5) As means of awarding high school diplomas or credentials.

[Statutory Authority: RCW 28B.50.915. 93-22-006, § 131-48-070, filed 10/21/93, effective 11/21/93.]

**WAC 131-48-080 Compliance with rules.** Testing centers shall comply with the requirements of the testing program, and administer GED tests only to those who have reached the age of nineteen unless an applicant who is sixteen, seventeen, or eighteen years of age has been adjudged by a school district official in accordance with rules of the state board of education to have a substantial and warranted reason for leaving the regular high school program.

[Statutory Authority: RCW 28B.50.915. 93-22-006, § 131-48-080, filed 10/21/93, effective 11/21/93.]

**WAC 131-48-090 Annual contracts.** The annual contract between official testing centers, SBCTC and the GED Testing Service shall provide assurances that all state and national requirements shall be met. Failure to meet any requirement may result in cancellation of the approval and authorization of a public or private agency to act as an official GED testing center.

[Statutory Authority: RCW 28B.50.915. 93-22-006, § 131-48-090, filed 10/21/93, effective 11/21/93.]

**WAC 131-48-100 Eligibility to take the GED test.** The following individuals shall be eligible to take the general educational development test in official GED testing centers, provided that they are not enrolled in a public, private, or home-based instruction of high school or high school completion program at the time the test is administered:

- (1) Any person age nineteen or over who has not graduated from a public or private high school.

(2) Any person between the ages of sixteen and nineteen who has not graduated from a public or private high school and who has been adjudged by a school district in accordance with rules of the state board of education to have a substantial and warranted reason for leaving the regular high school education program.

(3) Any student age sixteen or over who has completed an education center individual student program in accordance with the provisions of chapter 392-185 WAC.

(4) Any person between the ages of sixteen and nineteen who has not graduated from a public or private high school, and who has completed a program of home-based instruction in compliance with RCW 28A.225.010(4) as certified by the written and notarized statement of the parent(s) or legal guardian(s) who provided the home-based instruction.

(5) Any person who is an active member of the military, national guard, or reserves.

(6) Adjudicated youth under the director of prisons, jails, detention centers, parole and probation offices, and other corrections facilities while enrolled in school if so ordered by a court or officer of the court.

[Statutory Authority: RCW 28B.50.915. 93-22-006, § 131-48-100, filed 10/21/93, effective 11/21/93.]

**WAC 131-48-110 Eligibility for award of certificate of educational competence.** The certificate of educational competence shall be awarded jointly by the state board for community and technical colleges and the superintendent of public instruction to persons who achieve the minimum proficiency level on the general educational development test and who meet the following:

- (1) Are residents of Washington state; and
- (2) Are nineteen years of age or older on the date of issuance; or
- (3) Have been adjudged by a district as possessing a substantial and warranted reason for leaving the regular high school education program.
- (4) Have completed a program of home-based instruction in compliance with RCW 28A.225.010(4) and chapter 28A.220 RCW.
- (5) Are active members of the military, national guard, or reserves.
- (6) Are adjudicated youth under the director of prisons, jails, detention centers, parole and probation offices, and other corrections facilities and so ordered by a court or officer of the court.

[Statutory Authority: RCW 28B.50.915. 93-22-006, § 131-48-110, filed 10/21/93, effective 11/21/93.]

**WAC 131-48-120 Identification necessary to take the GED test.** All persons taking the GED test must provide picture identification utilizing one of the following:

- (1) State-issued driver's license or a state-issued identification card with a photograph.
- (2) United States passport.
- (3) Certificate of United States citizenship.
- (4) Certificate of naturalization.
- (5) Unexpired foreign passport.
- (6) Alien registration card with photograph.
- (7) Armed forces identification card.

(8) Other forms of comparable identification which the GED examiner judges to be credible including, but not limited to, one or more of the following:

- (a) Other forms of picture identification;
- (b) Birth certificates in combination with other sources that confirm identity; and
- (c) Confirmation of identity by a law enforcement, social service, or penal agency.

[Statutory Authority: RCW 28B.50.915. 93-22-006, § 131-48-120, filed 10/21/93, effective 11/21/93.]

**WAC 131-48-130 Application form for certificate of educational competence.** The state board for community and technical colleges shall supply each official GED testing center with forms for applicants to request certificates of educational competence. Such forms shall request data necessary for processing of the application, including the applicant's scores on the GED test certified by an appropriate official of the GED testing center, the applicant's Social Security number and such additional information as the state board for community and technical colleges administrator for GED testing program deems necessary for any authorized research project associated with the implementation or administration of this chapter.

[Statutory Authority: RCW 28B.50.915. 93-22-006, § 131-48-130, filed 10/21/93, effective 11/21/93.]

**WAC 131-48-140 Effect of certificate of educational competence.** The award by the state board for community and technical colleges and superintendent of public instruction of a certificate of educational competence shall not preclude such persons from returning to high school to obtain a regular high school diploma if changes in the person's personal situation allow completion of a regular high school education program. However, the GED certificate or test scores may not be used as a means of awarding academic credit (e.g., Carnegie units) or as part or all of the requirements for completing the regular high school diploma.

Receipt of a certificate of educational competence also shall not preclude such persons from enrolling in an adult high school completion program at one of the state's community or technical colleges. However, the GED certificate or test scores may not be used as a means of awarding academic credit or as part or all of the requirements for completing the adult high school completion program and receiving the adult high school diploma.

[Statutory Authority: RCW 28B.50.915. 93-22-006, § 131-48-140, filed 10/21/93, effective 11/21/93.]

## Chapter 131-276 WAC PUBLIC RECORDS

### WAC

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**WAC 131-276-080 Requests for public records.** In accordance with requirements of chapter 1, Laws of 1973 that agencies prevent unreasonable invasions of privacy, protect public records from damage or disorganization, and prevent excessive interference with essential functions of the agency, public records may be inspected or copied or copies of such records may be obtained, by members of the public, upon compliance with the following procedures:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**WAC 131-276-120 Protection of public records.** Requests for public records shall be made in the board offices, WEA Building, 319 East 7th Avenue, Olympia, Washington. Public records and a facility for their inspection will be provided by the public records officer. Such

records shall not be removed from the place designated for their inspection. Copies shall be made at the board offices. If copying facilities are not available at the board office, the board will arrange to have copies made commercially according to the provisions of WAC 131-276-090.

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

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

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

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

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

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

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

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

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

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

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

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

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

APPENDIX "A"

REQUEST FOR PUBLIC RECORD TO STATE BOARD FOR COMMUNITY COLLEGE EDUCATION

- (a) .....  
Signature                                      Signature (Please Print)
- .....  
Name of Organization, if Applicable
- .....  
Mailing Address of Applicant                      Phone Number

- (b) .....  
Date Request Made at State Board                      Time of Day  
for Community College Education                      Request Made
- (c) Nature of request .....  
.....  
.....  
.....
- (d) Identification Reference on Current Index .....  
Please Describe  
.....  
.....
- (e) Description of Record, or Matter, Requested if not  
Identifiable by Reference to the State Board for Com-  
munity College Education Current Index .....  
.....  
.....  
.....

Request: Approved ..... By .....  
Date                      Public Records Officer

Denied Date .....

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

Referred to ..... Date .....  
By .....  
Public Records Officer

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