

procedure in (c) of this subsection to confirm continuing compliance with this section.

(c) Testing and monitoring.

(i) The owner or operator of a gasoline transport tank or vapor collection system shall, at his own expense, demonstrate compliance with (a) and (b) of this subsection, respectively. All tests shall be made by, or under the direction of, a person qualified to perform the tests and approved by the department.

(ii) Testing to determine compliance with this section shall use procedures approved by the department.

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

(d) Recordkeeping.

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

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

(A) The transport tank identification number;

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

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

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

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

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

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

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

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

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

[Statutory Authority: RCW 70.94.165. 98-01-184 (Order 97-07), § 173-491-040, filed 12/23/97, effective 1/23/98. Statutory Authority: 1996 c 294. 97-04-012 (Order 95-15), § 173-491-040, filed 1/27/97, effective 2/27/97. Statutory Authority: RCW 70.94.331. 93-13-011 (Order 92-47), § 173-491-040, filed 6/7/93, effective 7/8/93; 91-14-101 (Order 90-63), § 173-491-040, filed 7/2/91, effective 8/2/91.]

WAC 173-491-050 Reserved.

[Statutory Authority: 1996 c 294. 97-04-012 (Order 95-15), § 173-491-050, filed 1/27/97, effective 2/27/97. Statutory Authority: RCW 70.94.331. 93-13-068 (Order 92-47), § 173-491-050, filed 6/17/93, effective 7/18/93; 93-03-089 (Order 92-42), § 173-491-050, filed 1/20/93, effective 2/20/93; 91-14-101 (Order 90-63), § 173-491-050, filed 7/2/91, effective 8/2/91.]

Title 174 WAC

THE EVERGREEN STATE COLLEGE

Chapters

174-122 Mid-contract termination with adequate cause.

174-130 Tuition and fees.

174-133 Organization.

174-140 State Environmental Policy Act rules.

174-276 Access to public records.

Chapter 174-122 WAC

MID-CONTRACT TERMINATION WITH ADEQUATE CAUSE

WAC

174-122-010 through 174-122-040 Repealed.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

174-122-010 Preamble. [Statutory Authority: Chapter 34.05 RCW. 90-04-011, § 174-122-010, filed 1/26/90, effective 2/26/90.] Repealed by 97-13-047, filed 6/13/97, effective 7/14/97. Statutory Authority: RCW 28B.40.120(12).

174-122-020 Informal procedures. [Statutory Authority: Chapter 34.05 RCW. 90-04-011, § 174-122-020, filed 1/26/90, effective 2/26/90.] Repealed by 97-13-047, filed 6/13/97, effective 7/14/97. Statutory Authority: RCW 28B.40.120(12).

174-122-030 Formal hearing procedures. [Statutory Authority: Chapter 34.05 RCW. 90-04-011, § 174-122-030, filed 1/26/90, effective 2/26/90.] Repealed by 97-13-047, filed 6/13/97, effective 7/14/97. Statutory Authority: RCW 28B.40.120(12).

174-122-040 Summary suspension. [Statutory Authority: Chapter 34.05 RCW. 90-04-011, § 174-122-040, filed 1/26/90, effective 2/26/90.] Repealed by 97-13-047, filed 6/13/97, effective 7/14/97. Statutory Authority: RCW 28B.40.120(12).

WAC 174-122-010 through 174-122-040 Repealed.
See Disposition Table at beginning of this chapter.

Chapter 174-130 WAC

TUITION AND FEES

WAC

174-130-010 through 174-130-020 Repealed.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

174-130-010 Tuition and fee schedules. [Statutory Authority: Chapter 34.05 RCW. 90-04-011, § 174-130-010, filed 1/26/90, effective 2/26/90.] Repealed by 97-13-047, filed 6/13/97, effective 7/14/97. Statutory Authority: RCW 28B.40.120(12).

174-130-020 Location of schedules. [Statutory Authority: Chapter 34.05 RCW. 90-04-011, § 174-130-020, filed 1/26/90, effective 2/26/90.] Repealed by 97-13-047, filed 6/13/97, effective 7/14/97. Statutory Authority: RCW 28B.40.120(12).

WAC 174-130-010 through 174-130-020 Repealed.
See Disposition Table at beginning of this chapter.

Chapter 174-133 WAC
ORGANIZATION

WAC

174-133-020 Organization—Operation—Information.

WAC 174-133-020 Organization—Operation—Information. (1) **Organization.** The Evergreen State College is established in Title 28B RCW as a public institution of higher education. The institution is governed by a seven-member board of trustees appointed by the governor. The board normally meets the second Wednesday of February, April, May, June, August, October and December. The meeting schedule is published in the Washington State Register maintained by the code reviser's office. The board establishes such divisions and units necessary to carry out the purpose of the college, provides the necessary property, facilities and equipment and promulgates such rules, regulations, and policies as are necessary to the administration of the college. The board employs a president and has delegated to the president the authority to employ members of the faculty and other employees. The president acts as the chief executive officer of the institution and establishes the structure of the administration.

(2) **Location.** The Evergreen State College is located on a campus in Thurston County, near the city of Olympia, Washington.

(3) **Operation.** The administrative office of The Evergreen State College is at the following address:

The Evergreen State College Campus
Olympia, WA 98505

The office hours are 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays. Educational operations are also located at the following addresses:

The Evergreen State College Campus
Olympia, WA 98505

TESC Tacoma Campus
1202 Martin Luther King Jr. Way
Tacoma, WA 98405

(4) Additional and detailed information concerning the educational offerings may be obtained from the catalog, copies of which are available at the following address:

Office of Admissions
The Evergreen State College Campus
Olympia, WA 98505

[Statutory Authority: RCW 28B.40.120(12). 97-13-047, § 174-133-020, filed 6/13/97, effective 7/14/97. Statutory Authority: Chapter 34.05 RCW. 90-04-011, § 174-133-020, filed 1/26/90, effective 2/26/90.]

Chapter 174-140 WAC

STATE ENVIRONMENTAL POLICY ACT RULES

WAC

174-140-010 Implementation of State Environmental Policy Act.
174-140-180 Repealed.
174-140-190 Repealed.
174-140-200 Repealed.
174-140-210 Repealed.
174-140-220 Repealed.

174-140-230 Repealed.
174-140-240 Repealed.

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

174-140-180 Introduction. [Order 76-6, § 174-140-180, filed 12/20/76.] Repealed by 97-13-047, filed 6/13/97, effective 7/14/97. Statutory Authority: RCW 28B.40.120(12).
174-140-190 Consultation with environmental advisory committee. [Order 76-6, § 174-140-190, filed 12/20/76.] Repealed by 97-13-047, filed 6/13/97, effective 7/14/97. Statutory Authority: RCW 28B.40.120(12).
174-140-200 State Environmental Policy Act compliance. [Order 76-3, § 174-140-200, filed 7/22/76.] Repealed by 97-13-047, filed 6/13/97, effective 7/14/97. Statutory Authority: RCW 28B.40.120(12).
174-140-210 State Environmental Policy Act "responsible official." [Order 76-3, § 174-140-210, filed 7/22/76.] Repealed by 97-13-047, filed 6/13/97, effective 7/14/97. Statutory Authority: RCW 28B.40.120(12).
174-140-220 Information center and register distribution. [Order 76-6, § 174-140-220, filed 12/20/76.] Repealed by 97-13-047, filed 6/13/97, effective 7/14/97. Statutory Authority: RCW 28B.40.120(12).
174-140-230 Publication of notice of action. [Order 76-6, § 174-140-230, filed 12/20/76.] Repealed by 97-13-047, filed 6/13/97, effective 7/14/97. Statutory Authority: RCW 28B.40.120(12).
174-140-240 Emergency procedures. [Order 76-6, § 174-140-240, filed 12/20/76.] Repealed by 97-13-047, filed 6/13/97, effective 7/14/97. Statutory Authority: RCW 28B.40.120(12).

WAC 174-140-010 Implementation of State Environmental Policy Act. (1) It shall be the policy of The Evergreen State College that all actions taken by the college shall comply with the provisions of chapter 43.21C RCW (the State Environmental Policy Act) and chapter 197-11 WAC, as presently enacted or hereafter amended.

(2) The president of The Evergreen State College shall be responsible for administering and implementing this policy. The president shall designate the college personnel who will be responsible for carrying out the duties and functions of the college as set forth or incorporated herein.

[Statutory Authority: RCW 28B.40.120(12). 97-13-047, § 174-140-010, filed 6/13/97, effective 7/14/97.]

WAC 174-140-180 Repealed. See Disposition Table at beginning of this chapter.

WAC 174-140-190 Repealed. See Disposition Table at beginning of this chapter.

WAC 174-140-200 Repealed. See Disposition Table at beginning of this chapter.

WAC 174-140-210 Repealed. See Disposition Table at beginning of this chapter.

WAC 174-140-220 Repealed. See Disposition Table at beginning of this chapter.

WAC 174-140-230 Repealed. See Disposition Table at beginning of this chapter.

WAC 174-140-240 Repealed. See Disposition Table at beginning of this chapter.

Chapter 174-276 WAC
ACCESS TO PUBLIC RECORDS

WAC

174-276-005	Purpose.
174-276-010	Definition of public record.
174-276-040	Designation of public records officers.
174-276-050	Availability for public inspection and copying of public records.
174-276-060	Requests for public records.
174-276-080	Determination regarding exempt records.
174-276-090	Review of denials for public records requests.
174-276-095	Requests for review.

WAC 174-276-005 Purpose. The purpose of this chapter is to provide rules for The Evergreen State College implementation of the provisions of chapter 42.17 RCW relating to public records.

[Statutory Authority: RCW 28B.40.120(12). 97-13-047, § 174-276-005, filed 6/13/97, effective 7/14/97.]

WAC 174-276-010 Definition of public record. (1) A public record includes any writing containing information relating to the conduct of government or the performance of any governmental or proprietary function prepared, owned, used, or retained by The Evergreen State College, regardless of the physical form or characteristics.

(2) "Writing" means handwriting, typewriting, printing, photostating, photographing, and every other means of recording any form of communication or representation, including letters, words, pictures, sounds, 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.

[Statutory Authority: RCW 28B.40.120(12). 97-13-047, § 174-276-010, filed 6/13/97, effective 7/14/97. Statutory Authority: Chapter 34.05 RCW. 90-04-011, § 174-276-010, filed 1/26/90, effective 2/26/90.]

WAC 174-276-040 Designation of public records officers. The public records officer for the college shall be the executive associate to the president or the president's designee within the office of the president. The public records officer shall be responsible for insuring full public access to public records in accordance with chapter 42.17 RCW. The public records officer shall enforce the rules and regulations related to release of public records and coordinate such with the faculty, staff, and students of the college.

[Statutory Authority: RCW 28B.40.120(12). 97-13-047, § 174-276-040, filed 6/13/97, effective 7/14/97. Statutory Authority: Chapter 34.05 RCW. 90-04-011, § 174-276-040, filed 1/26/90, effective 2/26/90.]

WAC 174-276-050 Availability for public inspection and copying of public records. Public records shall be available for inspection and copying during the customary office hours of the college. For the purposes of this chapter, the customary office hours shall be from 9 a.m. to noon and from 1 p.m. to 4 p.m., Monday through Friday, excluding legal holidays, unless the person making the request and the

college, acting through the public records officer, agree on a different time.

[Statutory Authority: RCW 28B.40.120(12). 97-13-047, § 174-276-050, filed 6/13/97, effective 7/14/97. Statutory Authority: Chapter 34.05 RCW. 90-04-011, § 174-276-050, filed 1/26/90, effective 2/26/90.]

WAC 174-276-060 Requests for public records. In accordance with the requirements of chapter 42.17 RCW, that agencies prevent unreasonable invasions of privacy, protect public records from damage or disorganization, and prevent excessive interference with essential functions of the agency, public records are only obtainable by members of the public when those members of the public comply with the following procedures:

(1) A request shall be made in writing upon a form which shall be available at the office of the public records officer and shall be presented to the public records officer or the president's designee. Such request shall include the following:

- (a) The name of the person requesting the record.
- (b) The time of day and calendar date on which the request was made.
- (c) If the matter requested is referenced within the current index maintained by the college records officer, a reference to the requested record as it is described in such index.

(d) If the requested matter is not identifiable by reference to the college records current index, a statement that succinctly describes the record requested.

(e) A verification that the records requested shall not be used to compile a commercial sales list.

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

[Statutory Authority: RCW 28B.40.120(12). 97-13-047, § 174-276-060, filed 6/13/97, effective 7/14/97. Statutory Authority: Chapter 34.05 RCW. 90-04-011, § 174-276-060, filed 1/26/90, effective 2/26/90.]

WAC 174-276-080 Determination regarding exempt records. (1) The college reserves the right to determine that a public record requested in accordance with the procedures of this chapter is exempt under the provisions of RCW 42.17.310. Such determination may be made in consultation with any of the records officers of the college, president of the college, or an assistant attorney general assigned to the college.

(2) Responses to requests for records must be made promptly. For the purpose of these rules, a prompt response occurs if the person requesting the public record is notified within five business days as to whether her or his request for a public record will be honored.

(3) No denial of a request for public records shall be valid unless accompanied by a written statement, signed by the public records officer or his or her designee, specifying the specific reasons therefor. The following nonexhaustive lists are examples of records exempted from public inspection and copying:

(a) Personal information in any files maintained for students in public schools; patients or clients of public

institutions or public health agencies; welfare recipients; prisoners, probationers, or parolees.

(b) Personal information in files maintained for employees, appointed or elected officials, or any public agency to the extent that disclosure would violate their right to privacy.

(c) Information required of any taxpayer in connection with the assessment or collection of any tax, if the disclosure of the information to other persons would violate the taxpayer's right to privacy or would result in unfair competitive disadvantage to such taxpayer.

(d) Specific intelligence information and specific investigative files compiled by investigative, law enforcement and penology agencies, and state agencies vested with the responsibility to discipline members of any profession, the nondisclosure of which is essential to effective law enforcement or for the protection of any person's right to privacy.

(e) Information revealing the identity of persons who are witnesses to or victims of crime or who file complaints with investigative, law enforcement or penology agencies, except as the complainant may authorize.

(f) Test questions, scoring keys, and other examination data used to administer a license, employment or academic examination.

(g) Except as provided by chapter 8.26 RCW, the contents of real estate appraisals, made for or by any agency relative to the acquisition of property, until the project is abandoned or until such time as all of the property has been acquired, but in no event shall disclosure be denied for more than three years after the appraisal.

(h) Valuable formulae, designs, drawings and research data obtained by any agency within five years of the request for disclosure when disclosure would produce private gain and public loss.

(i) Preliminary drafts, notes, recommendations, and intra-agency memoranda in which opinions are expressed or policies formulated or recommended, except that a specific record shall not be exempt when publicly cited by an agency in connection with any agency action.

(j) Records which are relevant to a controversy to which an agency is a party but which records would not be available to another party under the rules of pretrial discovery for causes pending in the superior courts.

(k) Information required of any taxpayer in connection with the assessment or collection of any tax if the disclosure of information would:

(i) Be prohibited to such persons by RCW 82.32.330; or

(ii) Violate the taxpayer's right to privacy or result in unfair competitive disadvantage to the taxpayer.

(l) Records, maps, or other information identifying the location of archeological sites in order to avoid the looting or depredation of such sites.

(m) Any library record, the primary purpose of which is to maintain control of library materials, or to gain access to information, which discloses or could be used to disclose the identity of a library user.

(n) All applications for public employment, including the names of applicants, resumes, and other related materials submitted with respect to the applicant.

(o) The residential addresses and residential telephone numbers of employees or volunteers of a public agency which are held by the agency in personnel records, employ-

ment or volunteer rosters, or mailing lists of employees or volunteers. RCW 51.36.120.

(p) Client records maintained by an agency that is a domestic violence program as defined in RCW 70.123.020 or 70.123.075 or a rape crisis center as defined in RCW 70.125.030.

(q) Information that identifies a person who, while an agency employee:

(i) Seeks advice, under an informal process established by the employing agency, in order to ascertain his or her rights in connection with a possible unfair practice under chapter 49.60 RCW against the person; and

(ii) Requests his or her identity or any identifying information not be disclosed.

(r) Investigative records compiled by an employing agency conducting a current investigation of a possible unfair practice under chapter 49.60 RCW or of a possible violation of other federal, state, or local laws prohibiting discrimination in employment.

(s) Business related information protected from public inspection and copying under RCW 15.86.110.

(4) The exemptions of this section shall be inapplicable to the extent that information, the disclosure of which would violate personal privacy or vital government interest, can be deleted from the specific records sought. No exemption shall be construed to permit the nondisclosure of statistical information not descriptive of any readily identifiable person or persons.

(5) Prior to releasing personal information regarding an identifiable person or persons, the college must notify the affected person or persons in writing and provide them with a two-week opportunity to seek an injunction through Thurston County superior court preventing the release of the document or documents in question. The affected person or persons may waive the two-week notice requirement under this section by contacting the public records officer in writing of said waiver.

[Statutory Authority: RCW 28B.40.120(12). 97-13-047, § 174-276-080, filed 6/13/97, effective 7/14/97. Statutory Authority: Chapter 34.05 RCW. 90-04-011, § 174-276-080, filed 1/26/90, effective 2/26/90.]

WAC 174-276-090 Review of denials for public records requests. (1) Any person who objects to the denial of a request for a public record shall petition for prompt review of such decision by tendering a written request for a review of such denial. Such written request by a person demanding prompt review shall specifically reference the written statement by the college denying that person's request for a public record.

(2) Within two business days after receiving the written request by a person petitioning for prompt review of a decision denying a public record, the president of the college or any of her or his designees, which for the purposes of this section may include the public records officer, shall consider such petition.

(3) During the course of the two business days in which the president or her or his designee reviews the decision of the public records officer denying the request for a public record, the president or designee may conduct an informal hearing. During the course of such informal hearing, the president or designee may require that the person requesting

the public record appear in person at a reasonable time and place located on the campus and further explain and identify the exact nature of the public record she or he is seeking. Failure by the person requesting the review hearing to appear at such informal hearing shall be deemed a waiver of that person's right to insist upon completion of the review of his request within two business days. If the petitioner requesting review does appear at such informal hearing, then the period for review by the college shall be extended to a period not exceeding twenty-four hours after such person requesting review has appeared before the president or designee.

(4) During the course of the informal hearing conducted by the president or his or her designee under this section, the hearing officer shall consider the obligations of the college fully to comply with the intent of chapter 42.17 RCW insofar as it requires providing full public access to official records, but shall also consider the exemptions provided in RCW 42.17.310 and the requirement of RCW 42.17.250 insofar as it requires the college to protect public records from damage or disorganization, prevent excessive interference with essential functions of the agency, and to prevent any unreasonable invasion of personal privacy by deleting identifying details.

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

[Statutory Authority: RCW 28B.40.120(12). 97-13-047, § 174-276-090, filed 6/13/97, effective 7/14/97. Statutory Authority: Chapter 34.05 RCW, 90-04-011, § 174-276-090, filed 1/26/90, effective 2/26/90.]

WAC 174-276-095 Requests for review. As provided in RCW 42.17.325, "Whenever a state agency concludes that a public record is exempt from disclosure and denies a person opportunity to inspect or copy a public record for that reason, the person may request the attorney general to review the matter."

[Statutory Authority: RCW 28B.40.120(12). 97-13-047, § 174-276-095, filed 6/13/97, effective 7/14/97.]

Title 180 WAC EDUCATION, BOARD OF

Chapters

- 180-16** State support of public schools.
- 180-24** School district organization.
- 180-40** Pupils.
- 180-51** High school graduation requirements.
- 180-75** Professional certification—General provisions.
- 180-77** Standards for vocational certification.
- 180-77A** Approval standards for vocational-technical teacher preparation programs.

- 180-78** Professional certification—Approved preparation programs by colleges and universities.
- 180-78A** Approval standards for performance-based preparation programs for teachers, administrators, and educational staff associates.
- 180-79** Professional certification—Preparation requirements.
- 180-79A** Standards for teacher, administrator, and educational staff associate certification.
- 180-85** Professional certification—Continuing education requirement.
- 180-86** Professional certification—Policies and procedures for administration of certification proceedings.
- 180-87** Professional certification—Acts of unprofessional conduct.
- 180-97** Excellence in teacher preparation award.
- 180-110** Grant program—Schools for the twenty-first century.
- 180-115** Grant project—Student teaching pilot projects.

Chapter 180-16 WAC

STATE SUPPORT OF PUBLIC SCHOOLS

WAC

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|------------|----------------------------------------------------|
| 180-16-002 | Authority. |
| 180-16-221 | Assignment of classroom teachers within districts. |
| 180-16-222 | Exceptions to classroom teacher assignment policy. |
| 180-16-223 | Repealed. |
| 180-16-224 | Repealed. |

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

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|------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 180-16-223 | Temporary out-of-endorsement assignment criteria. [Statutory Authority: RCW 28A.410.010. 94-20-054, § 180-16-223, filed 9/30/94, effective 10/31/94; 93-07-102, § 180-16-223, filed 3/23/93, effective 4/23/93; 92-04-044, § 180-16-223, filed 1/31/92, effective 3/2/92. Statutory Authority: 1990 c 33. 90-17-009, § 180-16-223, filed 8/6/90, effective 9/6/90. Statutory Authority: RCW 28A.58.754(6). 88-08-045 (Order 9-88), § 180-16-223, filed 4/4/88; 86-13-015 (Order 5-86), § 180-16-223, filed 6/10/86.] Repealed by 97-04-083, filed 2/5/97, effective 3/8/97. Statutory Authority: RCW 28A.150.220(6) and 28A.410.010. |
| 180-16-224 | Second and third year temporary out-of-endorsement criteria. [Statutory Authority: RCW 28A.58.754(6). 86-13-015 (Order 5-86), § 180-16-224, filed 6/10/86.] Repealed by 97-04-083, filed 2/5/97, effective 3/8/97. Statutory Authority: RCW 28A.150.220(6) and 28A.410.010. |

WAC 180-16-002 Authority. The authority for this chapter is RCW 28A.150.220(4) which authorizes the state board of education to adopt rules that implement and ensure compliance with the basic program of education requirements of RCW 28A.150.250, 28A.150.260, and 28A.150.220 and such related basic program of education requirements as may be established by the state board of education.

[Statutory Authority: RCW 28A.150.220(4) and 28A.410.010. 98-01-031, § 180-16-002, filed 12/8/97, effective 1/8/98. Statutory Authority: 1990 c