

offenders transition, treatment, and supervision services, or as relevant and necessary to protect the public and counteract the danger created by a particular offender, and in a manner consistent with written agency policy.

(4) The department may release the information to individuals only with respect to offenders who have been determined by the department to have a high risk of reoffending by a risk assessment, as defined in RCW 9.94A.030, only as relevant and necessary for those individuals to take reasonable steps for the purpose of self-protection, or as provided in RCW 72.09.370(2).

[01-17-004, § 137-150-040, filed 8/1/01, effective 9/1/01.]

Reviser's note: Under RCW 34.05.030 (1)(c), as amended by section 103, chapter 288, Laws of 1988, the above section was not adopted under the Administrative Procedure Act, chapter 34.05 RCW, but was published in the Washington State Register and codified into the Washington Administrative Code exactly as shown by the agency filing with history notes added by the code reviser's office.

Title 139 WAC

CRIMINAL JUSTICE TRAINING COMMISSION

Chapters

139-01 **General administration.**
139-05 **Law enforcement.**

Chapter 139-01 WAC GENERAL ADMINISTRATION

WAC

139-01-400 Facility use.
139-01-405 Licensee's responsibility.
139-01-411 Care and maintenance of facilities and equipment.
139-01-421 Use fees.

WAC 139-01-400 Facility use. (1) The commission will not make its facilities or services available to individuals or organizations which do not assure that they will comply with the terms of the Americans with Disabilities Act, the Rehabilitation Act of 1973, and the Washington law against discrimination. Uses must not impose restrictions or alter facilities in a manner which would violate these laws.

(2) The commission will only make its facilities or services available to individuals or organizations which assure that they do not discriminate against any person because of race, color, religion, national origin, sex, sexual orientation, age, handicap, or status as a Vietnam era or disabled veteran, except where such organizations have been exempted from provisions of applicable state or federal laws or regulations.

(3) The buildings and grounds of the commission are primarily for training purposes. No other use shall be permitted to interfere with the primary purpose for which these facilities are intended. Facilities shall not be made available for any use which might result in any undue damage or wear. The commission reserves the right to reject any application for use of its facilities.

(4) Every possible opportunity will be provided for the use of the commission facilities by citizens of the area, provided that the purpose of such use is in compliance with the rules and regulations of the commission and is subject to the laws of the state of Washington.

(5) The commission reserves the right to prohibit the use of its facilities by groups, or activities, which are secret, which are of a private nature, or which restrict membership or attendance in a manner inconsistent with the public and non-discriminatory character of the commission. Subversive organizations as defined and listed by the Attorney General of the United States shall not be eligible to use the commission facilities.

(6) The use or possession of alcohol on the facility premises is prohibited except for approved training purposes.

[Statutory Authority: RCW 43.101.080. 02-02-004, § 139-01-400, filed 12/20/01, effective 1/20/02.]

WAC 139-01-405 Licensee's responsibility. Individuals or organizations wishing to use commission facilities must complete a facility use agreement and submit it to the facilities maintenance office, or facility manager for approval. The licensee shall accept responsibility for any damage done to the commission property. Completion of the use agreement shall constitute acceptance by the licensee of the responsibilities stated therein and willingness to comply with all rules and regulations regarding the use of the facilities as prescribed by the commission. If the use of the facility does not comply with the terms in the agreement form, an additional charge may be assessed. In the event of property damage, the licensee shall accept and pay the commission's estimate of the amount of damage. The commission may require posting of a bond.

[Statutory Authority: RCW 43.101.080. 02-02-004, § 139-01-405, filed 12/20/01, effective 1/20/02.]

WAC 139-01-411 Care and maintenance of facilities and equipment. (1) Appropriate equipment is expected to be used when the absence of such equipment may be detrimental to that facility (e.g., tennis shoes must be worn on gymnasium floors).

(2) Individuals or organizations using the facilities are required to leave the premises in the same condition as when the individual or organization was admitted to its use. After facility use, individuals or organizations are required to arrange for proper disposal of decorations and other refuse when restoring the facility to its original condition for resumption of facility use.

(3) Custodial and other services beyond those regularly scheduled to support normal activities may be required for specific activities by outside groups, based on the size of group, the complexities of the event, or the facilities being used. Custodial services needed beyond those normally scheduled will result in that organization being charged at the established rate. All extra custodial time required as a result of the organization's or individual's use of the facility will be charged to the lessee, including those receiving complimentary usage.

[Statutory Authority: RCW 43.101.080. 02-02-004, § 139-01-411, filed 12/20/01, effective 1/20/02.]

WAC 139-01-421 Use fees. The use fee depends on the purpose of the activity and the nature of the group using the facility, which shall be determined based on the current prevailing economic situation and consistent with the standard charge within the local geographical area. The actual fee will be set by the commission and shall be made known to any entity inquiring to use the facility.

[Statutory Authority: RCW 43.101.080. 02-02-004, § 139-01-421, filed 12/20/01, effective 1/20/02.]

Chapter 139-05 WAC LAW ENFORCEMENT

WAC

139-05-810	Basic training requirement for reserve officers.
139-05-820	Basic reserve equivalency certification.
139-05-925	Requirement of training for railroad police officers.

WAC 139-05-810 Basic training requirement for reserve officers. (1) For the purposes herein:

(a) "Reserve officer" includes any law enforcement officer who does not serve as a law enforcement officer of this state on a full-time basis, but who, when called by such agency into active service, is fully commissioned on the same basis as full-time officers to enforce the criminal laws of this state; and

(b) "Field assignment" includes any period of active service wherein the assigned officer is expected to take routine and/or special enforcement actions, independently or otherwise, in the same manner and capacity as a full-time officer with such assignment.

(2) For the purposes of the Washington Mutual Aid Peace Officers Powers Act, chapter 10.93 RCW, every individual who is commissioned as a specially commissioned peace officer in this state, shall obtain a basic reserve certificate as a precondition of his/her exercise of authority pursuant to such act; provided that, any individual possessing a basic reserve certificate issued to him/her by the commission prior to January 1, 1989, shall be deemed to have met this requirement.

(3) Upon approval of an applicant's eligibility to participate in the reserve certification process, the applicant's employing agency shall submit to the commission all requested records, information and proof of background check as a precondition of participation within such process.

(4) A basic reserve certificate shall be issued by the commission to any individual who successfully completes:

(a) A basic course of instruction for reserve officers as prescribed and required by the commission; and

(b) A comprehensive examination developed and administered by the commission.

(5) Requirements of subsection (4) of this section may be waived in whole or in part as determined by the commission and based upon the following:

(a) An evaluation of an applicant's experience and training accomplishments;

(b) The fact that an individual is a regular full-time commissioned law enforcement officer who leaves full-time employment; or

(c) The fact that an officer has been certified in accordance with the requirements of subsection (2) of this section, and thereafter has engaged in regular and commissioned law enforcement employment without break or interruption in excess of twelve months duration.

In all of the above instances, the requests for such waiver must be submitted to the commission on an approved form by the applicant's agency head and, if approved, may result in direct issuance of a basic reserve certificate or issuance of such certificate upon successful completion of specific training requirements prescribed by the commission.

[Statutory Authority: RCW 43.101.080. 02-02-004, § 139-05-810, filed 12/20/01, effective 1/20/02; 00-17-017, § 139-05-810, filed 8/4/00, effective 9/4/00. Statutory Authority: RCW 43.101.080(2). 88-20-022 (Order 20), § 139-05-810, filed 9/28/88.]

WAC 139-05-820 Basic reserve equivalency certification. (1) a certificate of equivalency basic reserve training shall be issued only to applicants who successfully complete the equivalency process as required by the commission. For this purpose, the term "process" shall include all documentation and prerequisites set forth in subsection (6) of this section, and successful completion of all knowledge and skills requirements within the basic reserve equivalency academy. A certificate of equivalency basic reserve training shall be recognized in the same manner as the certificate of completion of the basic reserve academy.

(2) Eligibility for participation in the basic reserve equivalency process shall be limited to reserve commissioned law enforcement officers who have attained basic certification through completion of a basic training program in this or another state. For this purpose, the term "basic training program" shall not include any military or reserve training, or any federal training program not otherwise approved by a majority of the law enforcement representatives within the commission membership.

(3) The participation of any eligible and approved applicant for a certificate of equivalent basic reserve training shall be effected within, and limited to, the first available session of a basic reserve academy following such applicant's date of hire; provided that no applicant shall be required to attend a session of the basic reserve equivalency academy which is conducted within the initial sixty days of employment for which certification is requested.

It shall be the responsibility of the applicant's agency to ensure that all necessary forms and documentation are completed and submitted to the commission in a timely manner and as necessary to ensure that the participation provided by this section is effected.

The participation of any applicant in any session of the basic reserve equivalency not otherwise provided herein shall require the approval of the commission.

(4) In those instances wherein an applicant has attended more than one basic training program, eligibility for participation in the basic reserve equivalency process shall not be approved if such applicant, for whatever reason, failed to successfully complete the most recent of such programs attended.

(5) The decision to request an officer's participation within the equivalency process shall be discretionary with the

head of the officer's employing agency, who shall advise the commission of that decision by appropriate notification upon the hiring of the officer. Upon receipt of such notification, the commission shall provide to such agency head all necessary forms and information required for the processing of a request for a certificate of equivalent basic reserve training.

(6) Upon approval of an applicant's eligibility to participate in the equivalency process, the applicant's employing agency shall submit to the commission all requested records, information and proof of background check as a precondition of participation with such process.

[Statutory Authority: RCW 43.101.080. 02-02-004, § 139-05-820, filed 12/20/01, effective 1/20/02.]

WAC 139-05-925 Requirement of training for railroad police officers. (1) For the purpose of this regulation, the term "railroad police" means any individual appointed by the commission under the provisions of RCW 81.60.010 through 81.60.060.

(2) Effective January 1, 2002, as a precondition of any newly appointed railroad police officer to enforce the laws of this state, railroad police shall:

(a) Possess the commission's basic certificate, or in the alternative have successfully completed training and possess a basic certification from another state. In the event certification and training are from another state, the newly appointed railroad police officer must satisfactorily complete the equivalency course approved by the commission, within the first six months of employment.

(b) The above requirements do not apply to railroad police officers appointed prior to January 1, 2002; however, they may, if qualified, attend the equivalency academy.

(3) It shall be the responsibility of the railroad police officer's employing agency to effect and ensure personnel compliance herein, and provide necessary records, proof of background check information upon request of the commission to which the employing agency shall be accountable for purposes of compliance.

(4) The corporation requesting appointment of a railroad police officer shall bear the full cost of training or any other expenses.

[Statutory Authority: RCW 43.101.080. 02-02-004, § 139-05-925, filed 12/20/01, effective 1/20/02. Statutory Authority: RCW 43.101.080(2). 90-07-012, § 139-05-925, filed 3/13/90, effective 4/13/90.]

Title 142 WAC DAIRY PRODUCTS COMMISSION

Chapters
142-30 **Assessment on milk.**

Chapter 142-30 WAC ASSESSMENT ON MILK

WAC
142-30-010 Declaration of purpose—Effective date.

WAC 142-30-010 Declaration of purpose—Effective date. To effectuate the purposes of chapter 15.44 RCW there is hereby levied upon all milk produced in this state an assessment of:

(1) 0.75 percent of the Class I price for 3.5% butterfat milk, as established in any market area by a market order in effect in that area or by the state department of agriculture in case there is no market order for that area; or

(2) While the Federal Dairy and Tobacco Adjustment Act of 1983, Title I, Subtitle B-Dairy Promotion Program, is in effect:

(a) An assessment rate not to exceed the rate approved at the most recent referendum that would achieve a ten cent per hundredweight credit to local, state or regional promotion organizations provided by Title I, Subtitle B of the Federal Dairy and Tobacco Adjustment Act of 1983; and

(b) An additional assessment of .00625 (five-eighths of one cent) per hundredweight.

[Statutory Authority: RCW 15.44.060(1), 15.44.130, 15.44.080. 01-21-054, § 142-30-010, filed 10/16/01, effective 1/1/02. Statutory Authority: RCW 15.44.130. 85-15-003 (Order 85-4), § 142-30-010, filed 7/5/85. Statutory Authority: Chapter 15.44 RCW. 83-08-019 (Order 83-2), § 142-30-010, filed 3/29/83; Order 2-76, § 142-30-10 (codified as WAC 142-30-010), filed 11/15/76, effective 1/1/77.]

Title 148 WAC DEAF, WASHINGTON STATE SCHOOL FOR THE

Chapters
148-120 **Student conduct code.**
148-171 **Special education programs.**

Chapter 148-120 WAC STUDENT CONDUCT CODE

WAC	
148-120-100	Conduct violations.
148-120-200	Policy.
148-120-220	Short-term suspension.
148-120-225	Short-term suspension—Notice and conference—Grievance procedure.
148-120-230	Long-term suspension.
148-120-234	Long-term suspension—Misconduct not a manifestation of disability—Notice.
148-120-236	Long-term suspension—Misconduct not a manifestation of disability—Hearing.
148-120-300	Disciplinary exclusion—Definitions.
148-120-301	Change of placement for disciplinary removals.
148-120-302	Removals—Ten school days or less.
148-120-303	Required services.
148-120-304	Change of placement—Removals for weapons or drugs.
148-120-305	Functional behavioral assessment and intervention plan.
148-120-306	Dangerous behavior—Authority of hearing officer.
148-120-307	Determination of interim alternative educational setting.
148-120-308	Manifestation determination review requirements.
148-120-309	Procedures for conducting a manifestation determination.
148-120-310	Determination that behavior was not manifestation of disability.
148-120-311	Expedited due process hearings.
148-120-312	Placement during appeals.
148-120-313	Referral to and action by law enforcement and judicial authorities.
148-120-314	Aversive interventions.