Chapter 392-126 Finance

(Section 392-126-305, filed 8/13/84.) Repealed by WSR 89-17-069 (Order 89-10), filed 8/16/89, effective 9/16/89. Statutory Authority: RCW 28A.58.095.

Definition—Certificated insurance benefits. [Statutory Authority: RCW 28A.58.095. WSR 84-17-053 (Order 84-32), § 392-126-285, filed 10/17/86.] Repealed by WSR 89-17-069 (Order 89-10), filed 8/16/89, effective 9/16/89. Statutory Authority: RCW 28A.58.095.

Definition—Prior school year certificated staff highest derived base salary. [Statutory Authority: RCW 28A.58.095. WSR 86-21-091 (Order 86-16), § 392-126-250, filed 10/17/86; WSR 86-01-023 (Order 85-18), § 392-126-250, filed 12/9/85; WSR 84-17-053 (Order 84-32), § 392-126-250, filed 8/13/84.] Repealed by WSR 89-17-069 (Order 89-10), filed 8/16/89, effective 9/16/89. Statutory Authority: RCW 28A.58.095.

Definition—District certificated insurance benefits. [Statutory Authority: RCW 28A.58.095. WSR 86-01-023 (Order 85-18), § 392-126-265, filed 8/13/84.] Repealed by WSR 89-17-069 (Order 89-10), filed 8/16/89, effective 9/16/89. Statutory Authority: RCW 28A.58.095.

Definition—Prior school year district certificated derived base salary. [Statutory Authority: RCW 28A.58.095. WSR 86-21-091 (Order 86-16), § 392-126-250, filed 10/17/86; WSR 86-01-023 (Order 85-18), § 392-126-250, filed 12/9/85; WSR 84-17-053 (Order 84-32), § 392-126-250, filed 8/13/84.] Repealed by WSR 89-17-069 (Order 89-10), filed 8/16/89, effective 9/16/89. Statutory Authority: RCW 28A.58.095.

Definition—Form S-277. [Statutory Authority: RCW 28A.58.095. WSR 84-17-053 (Order 84-32), § 392-126-310, filed 8/13/84.] Repealed by WSR 89-17-069 (Order 89-10), filed 8/16/89, effective 9/16/89. Statutory Authority: RCW 28A.58.095.
392-126-370 Definition—Form 1045. [Statutory Authority: RCW 28A.58.095. WSR 84-17-053 (Order 84-32), § 392-126-370, filed 8/13/84.] Repealed by WSR 89-17-069 (Order 89-10), filed 8/16/89, effective 9/16/89. Statutory Authority: RCW 28A.58.095.

392-126-375 Definition—Form 1046. [Statutory Authority: RCW 28A.58.095. WSR 84-17-053 (Order 84-32), § 392-126-375, filed 8/13/84.] Repealed by WSR 89-17-069 (Order 89-10), filed 8/16/89, effective 9/16/89. Statutory Authority: RCW 28A.58.095.

392-126-380 Definition—Form 1047. [Statutory Authority: RCW 28A.58.095. WSR 84-17-053 (Order 84-32), § 392-126-380, filed 8/13/84.] Repealed by WSR 89-17-069 (Order 89-10), filed 8/16/89, effective 9/16/89. Statutory Authority: RCW 28A.58.095.


392-126-390 Definition—Prior school year classified staff highest annual salaries. [Statutory Authority: RCW 28A.58.095. WSR 86-21-091 (Order 86-16), § 392-126-390, filed 10/17/86.] Repealed by WSR 89-17-069 (Order 89-10), filed 8/16/89, effective 9/16/89. Statutory Authority: RCW 28A.58.095.


392-126-400 Salary-compensation lid compliance—Compliance of average certificated salaries. [Statutory Authority: RCW 28A.58.095. WSR 88-17-069 (Order 88-10), filed 8/16/89, effective 9/16/89. Statutory Authority: RCW 28A.58.095.]


392-126-410 Salary-compensation lid compliance—No increases constitute compliance—Certificated staff. [Statutory Authority: RCW 28A.58.095. WSR 84-17-053 (Order 84-32), § 392-126-410, filed 8/13/84.] Repealed by WSR 89-17-069 (Order 89-10), filed 8/16/89, effective 9/16/89. Statutory Authority: RCW 28A.58.095.


392-126-430 Salary-compensation lid compliance—No increases constitute compliance—District initial edit of classified personnel data. [Statutory Authority: RCW 28A.58.095. WSR 84-17-053 (Order 84-32), § 392-126-430, filed 8/13/84.] Repealed by WSR 89-17-069 (Order 89-10), filed 8/16/89, effective 9/16/89. Statutory Authority: RCW 28A.58.095.

392-126-440 Salary-compensation lid compliance—No increases constitute compliance—District subsequent changes of certificated personnel data. [Statutory Authority: RCW 28A.58.095. WSR 84-17-053 (Order 84-32), § 392-126-440, filed 8/13/84.] Repealed by WSR 89-17-069 (Order 89-10), filed 8/16/89, effective 9/16/89. Statutory Authority: RCW 28A.58.095.

392-126-450 Salary-compensation lid compliance—Reporting cycle—Determination of violation after review—Certificated staff. [Statutory Authority: RCW 28A.58.095. WSR 84-17-053 (Order 84-32), § 392-126-450, filed 12/9/85; WSR 84-17-053 (Order 84-32), § 392-126-450, filed 8/13/84.] Repealed by WSR 89-17-069 (Order 89-10), filed 8/16/89, effective 9/16/89. Statutory Authority: RCW 28A.58.095.

392-126-460 Salary-compensation lid compliance—Reporting cycle—Determination of violation after review—Classified staff. [Statutory Authority: RCW 28A.58.095. WSR 84-17-053 (Order 84-32), § 392-126-460, filed 12/9/85; WSR 84-17-053 (Order 84-32), § 392-126-460, filed 8/13/84.] Repealed by WSR 89-17-069 (Order 89-10), filed 8/16/89, effective 9/16/89. Statutory Authority: RCW 28A.58.095.


392-126-480 Salary-compensation lid compliance—Reporting cycle—Determination of violation after review—District subsequent changes of certificated personnel data. [Statutory Authority: RCW 28A.58.095. WSR 84-17-053 (Order 84-32), § 392-126-480, filed 8/13/84.] Repealed by WSR 89-17-069 (Order 89-10), filed 8/16/89, effective 9/16/89. Statutory Authority: RCW 28A.58.095.

392-126-490 Salary-compensation lid compliance—Reporting cycle—Review of additional information—Certificated staff. [Statutory Authority: RCW 28A.58.095. WSR 84-17-053 (Order 84-32), § 392-126-490, filed 12/9/85; WSR 84-17-053 (Order 84-32), § 392-126-490, filed 8/13/84.] Repealed by WSR 89-17-069 (Order 89-10), filed 8/16/89, effective 9/16/89. Statutory Authority: RCW 28A.58.095.
FINANCE—SHARED LEAVE

WAC 392-126-004 Authority. The authority for this chapter is RCW 28A.400.380 which authorizes the superintendent of public instruction to adopt rules and regulations promulgating standards governing the administration of the shared leave program which permits sharing of annual and sick leave by school district and educational service district employees and sharing of personal holiday by educational service district employees.

WAC 392-126-005 Purpose. The purpose of this chapter is to set forth policies and procedures for the operation of a permissive shared leave program in school districts and educational service districts which permits employees to donate annual leave, sick leave, or personal holiday to a fellow employee who is suffering from or has a relative or household member suffering from an extraordinary or severe illness, injury, impairment, or physical or mental condition, or who has been called to service in the uniformed services.

WAC 392-126-006 Definition—Program. "Program" means the leave sharing program established in RCW 41.04.660.

WAC 392-126-007 Definition—Uniformed services. "Uniformed services" means the armed forces, the Army National Guard, and the Air National Guard of any state, territory, commonwealth, possession, or district when engaged in active duty for training, inactive duty training, full-time National Guard duty, or state active duty, the commissioned corps of the Public Health Service, the Coast Guard, and any other category of persons designated by the president of the United States in time of war or national emergency.

WAC 392-126-008 Definition—Annual leave. As used in this chapter, "annual leave" means vacation leave that an employee accrues and is maintained in records of a district for employees eligible to accrue vacation leave.

WAC 392-126-009 Definition—Sick leave. As used in this chapter, "sick leave" means leave granted to an employee for the purpose of absence from work with pay in the event of illness, injury, and emergencies as authorized in RCW 28A.400.300 (2)(c).

WAC 392-126-010 Definition—Vacation leave. As used in this chapter, "vacation leave" means leave granted to an employee in accordance with the policy established by the educational service district for the purpose of absence from work with pay in the event of annual leave.
employee who has an approved application to receive shared leave.

[Statutory Authority: RCW 28A.58.095. WSR 90-17-110 (Order 25), § 392-126-035, filed 8/21/90, effective 9/21/90.]

WAC 392-126-040 Definition—Leave donor. As used in this chapter, "leave donor" means an employee who has an approved written request for the transfer of annual leave, sick leave, or personal holiday to the shared leave program.


WAC 392-126-045 Definition—Donated annual leave. As used in this chapter, "donated annual leave" means the amount of annual leave donated by a leave donor under the shared leave program.

[Statutory Authority: RCW 28A.58.095. WSR 90-17-110 (Order 25), § 392-126-045, filed 8/21/90, effective 9/21/90.]

WAC 392-126-050 Definition—Donated sick leave. As used in this chapter, "donated sick leave" means the amount of sick leave donated by a leave donor under the shared leave program.

[Statutory Authority: RCW 28A.58.095. WSR 90-17-110 (Order 25), § 392-126-050, filed 8/21/90, effective 9/21/90.]

WAC 392-126-053 Definition—Donated personal holiday. As used in this chapter, "donated personal holiday" means the amount of personal holiday donated by a leave donor under the shared leave program of an educational service district pursuant to RCW 1.16.050.


WAC 392-126-055 Definition—Employee's relative. As used in this chapter, "employee's relative" means the leave recipient's spouse, child, stepchild, grandchild, grandparent, parent, sibling, or other close relative by blood or marriage.

[Statutory Authority: RCW 28A.58.095. WSR 90-17-110 (Order 25), § 392-126-055, filed 8/21/90, effective 9/21/90.]

WAC 392-126-060 Definitions—Household members. As used in this chapter, "household members" means those persons who reside in the same home as a family unit. This term shall include foster children and legal wards even if they do not live in the household. The term does not include persons sharing the same general house when the living style is primarily that of a dormitory or commune.

[Statutory Authority: RCW 28A.58.095. WSR 90-17-110 (Order 25), § 392-126-060, filed 8/21/90, effective 9/21/90.]

WAC 392-126-065 Definition—Extraordinary or severe. As used in this chapter, "extraordinary or severe" means serious or extreme and/or life threatening.

[Statutory Authority: RCW 28A.58.095. WSR 90-17-110 (Order 25), § 392-126-065, filed 8/21/90, effective 9/21/90.]

(4/25/11)
(3) All donated sick leave must be given voluntarily. No employee shall be coerced, threatened, intimidated, or financially induced into donating sick leave.


WAC 392-126-087 Donation of personal holiday. An educational service district employee may donate part or all of his or her personal holiday to specific individuals or pool.


WAC 392-126-090 Maximum amount. The district shall determine the amount of shared leave a recipient may receive and may only authorize an employee to use up to a maximum of five hundred twenty-two days of shared leave during total district employment. All forms of paid leave available for use by the recipient must be used prior to using shared leave.


WAC 392-126-092 Repayment of shared leave used. An employee who uses leave that is transferred to him or her may not be required to repay the value of the leave that he or she used.


WAC 392-126-095 Documentation. The district shall require the employee or his or her legal representative, to submit, prior to approval or disapproval, documentation from a licensed physician or other authorized health care practitioner verifying the severe or extraordinary nature and expected duration of the condition, or orders verifying the employee has been called to service in the uniformed services.


WAC 392-126-099 Calculation of shared leave benefit—Proration. Shared leave between employees of the same district shall be calculated as follows:

(1) The leave recipient shall be paid his or her regular rate of pay; therefore, one hour of shared leave may cover more or less than one hour of the recipient's salary. The dollar value of the leave shall be converted from the donor to the recipient. The leave received shall be coded as shared leave and shall be maintained separately from all other leave balances.

[Ch. 392-126 WAC p. 6]

[Statutory Authority: 1990 c 33. WSR 90-16-002 (Order 18), § 392-126-405, filed 7/19/90, effective 8/19/90. Statutory Authority: RCW 28A.100.090(1). WSR 90-01-140 (Order 23), § 392-126-405, filed 12/20/89, effective 1/20/90.]

WAC 392-126-410 Definition—Eligible school districts. As used in this chapter, "eligible school district" means a school district eligible for funding as a small high school district pursuant to the state Omnibus Appropriations Act in effect when the school districts are approved for participation in a cooperative project.

[Statutory Authority: RCW 28A.100.090(1). WSR 90-01-140 (Order 23), § 392-126-410, filed 12/20/89, effective 1/20/90.]

WAC 392-126-415 Definition—School year. As used in this chapter, "school year" means the same defined in WAC 392-121-031.

[Statutory Authority: RCW 28A.100.090(1). WSR 90-01-140 (Order 23), § 392-126-415, filed 12/20/89, effective 1/20/90.]

WAC 392-126-420 Application process. Eligible school districts may apply to participate in a cooperative partnership for a period of five years. If additional eligible school districts wish to join the cooperative partnership at a later date, the cooperative partnership shall reapply as a whole. The application shall be reviewed by the superintendent of public instruction for the following:

(1) The granting of waivers from rules and regulations; and
(2) Technical accuracy.

The applicant school districts may not commence the proposed cooperative partnership until the superintendent of public instruction has completed the review of the application: Provided, That for those cooperative programs approved by the superintendent of public instruction pursuant to RCW 28A.03.448 through 28A.03.450 shall be allowed to continue operations until they have had applications reviewed by the superintendent of public instruction.

[Statutory Authority: RCW 28A.100.090(1). WSR 90-01-140 (Order 23), § 392-126-420, filed 12/20/89, effective 1/20/90.]

WAC 392-126-425 Application process—Content of cooperative partnership application. The cooperative partnership application will include the following:

(1) A description of the cooperative project, including the programs, services, and administrative activities to be jointly operated;
(2) The improvements in curriculum offerings and educational opportunities expected to result from the establishment of the cooperative project;
(3) A list of statutory requirements or administrative rules which act as financial disincentives to the establishment and/or would impede the operation of the cooperative project;
(4) The financial impact to the school districts and the state that would result from the waiving of the statutory requirement or administrative rules;
(5) An assessment of community support for the proposed cooperative project, including an assessment of each affected community; and
(6) A plan for evaluating the educational and cost-effectiveness of the proposed cooperative project. The evaluation plan shall include a means of evaluating curriculum offerings and staffing patterns.

[Statutory Authority: RCW 28A.100.090(1). WSR 90-01-140 (Order 23), § 392-126-425, filed 12/20/89, effective 1/20/90.]

WAC 392-126-430 Application process—Waivers from rules and regulations. The superintendent of public instruction may grant waivers for five years from rules and regulations if they meet the following conditions:

(1) That the rules and regulations have been adopted by the superintendent of public instruction pursuant to express statutory authority;
(2) That waiving the rules will not affect the health, safety, or civil rights of students, parents, or staff; and
(3) That the request for waiver has been expressly stated in the cooperative partnership application.

[Statutory Authority: RCW 28A.100.090(1). WSR 90-01-140 (Order 23), § 392-126-430, filed 12/20/89, effective 1/20/90.]

WAC 392-126-435 Reporting process. Each school district participating in cooperative partnership shall submit the following reports:

(1) By September 1 of the third school year of continuous operation, a report on the progress of the cooperative partnership in meeting the objectives set forth in the application pursuant to WAC 392-126-425.
(2) By September 1 of the fifth school year of continuous operation, a report evaluating the success of the cooperative partnership in meeting the objectives set forth in the application submitted pursuant to WAC 392-126-425.

[Statutory Authority: RCW 28A.100.090(1). WSR 90-01-140 (Order 23), § 392-126-435, filed 12/20/89, effective 1/20/90.]

WAC 392-126-440 Reporting process—Reapplication. The report submitted pursuant to WAC 392-126-435 may include an application for continuation of the cooperative partnership. The contents of this application will conform to the requirements set forth in WAC 392-126-425 and will be subject to review by the superintendent of public instruction set forth in WAC 392-126-420.

[Statutory Authority: RCW 28A.100.090(1). WSR 90-01-140 (Order 23), § 392-126-440, filed 12/20/89, effective 1/20/90.]