

Chapter 388-03 WAC

CERTIFICATION OF DSHS SPOKEN LANGUAGE INTERPRETERS, TRANSLATORS, EMPLOYEES, AND LICENSED AGENCY PERSONNEL (LAPL)

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PURPOSE AND SCOPE

WAC 388-03-010 What is the purpose of these rules?

These rules:

- (1) Establish the qualifications for department certified and authorized interpreters, translators, employees, and licensed agency personnel (LAPL); and
- (2) Establish the requirements and procedures for administering and evaluating the department's interpreter, translator, employee, and LAPL examinations.

[Statutory Authority: RCW 74.04.025, 74.08.090, Title VI of the Civil Rights Act of 1964, and 45 C.F.R. Section 80.3 (b)(2). WSR 15-07-008, §

388-03-010, filed 3/6/15, effective 4/6/15. Statutory Authority: RCW 2.43.010, 74.04.025, and 74.08.090. WSR 00-06-014, § 388-03-010, filed 2/22/00, effective 3/24/00.]

WAC 388-03-020 What is the scope of these rules?

Except where stated otherwise, these rules apply to any person who:

- (1) Seeks employment with the department as a bilingual employee;
- (2) Wishes to provide services to the department as a contracted interpreter or translator; or
- (3) Works for a nonDSHS county agency/program that contracts with the department to provide services to the department's limited English proficient (LEP) clients, also known as licensed agency personnel (LAPL).

[Statutory Authority: RCW 74.04.025, 74.08.090, Title VI of the Civil Rights Act of 1964, and 45 C.F.R. Section 80.3 (b)(2). WSR 15-07-008, § 388-03-020, filed 3/6/15, effective 4/6/15. Statutory Authority: RCW 2.43.010, 74.04.025, and 74.08.090. WSR 00-06-014, § 388-03-020, filed 2/22/00, effective 3/24/00.]

DEFINITIONS

WAC 388-03-030 What definitions are important to understanding these rules? The following definitions are important to this chapter:

"Authorized interpreter" means a person who has met the training and language examination requirements for screened languages.

"Certified/authorized bilingual employee" means a department employee who has passed a department bilingual employee examination in either a certified or a screened language.

"Certified interpreter" means a person who has met the training requirements and has passed one or both of the following examinations:

- (1) The department's social services interpreter certification examination in a certified language; or
- (2) The department's medical interpreter certification examination in a certified language.

"Certified languages for interpreters" means any of the languages listed under certified languages on the official LTC web site and in the official LTC examination manual.

"Certified languages for translators" means any of the languages listed under certified languages on the official LTC web site and in the official LTC examination manual.

"Certified translator" means a person who has met the training requirements and has passed the department's translator certification examination in a certified language.

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

"Employee" means a department bilingual employee whose position requires the use of bilingual skills as part of the job functions.

"Examination manual" means the language testing and certification section's professional language certification examination manual. To obtain a copy of this manual, visit the LTC web site.

"Interpretation" means the process of transferring a message orally from one language into another.

"Language access provider" means, pursuant to RCW 41.56.030(10) and solely for the purpose of public employ-

ees' collective bargaining, any independent contractor who provides spoken language interpreter services for department of social and health services appointments or medicaid enrollee appointments.

"Language specialist" means a high school or above language instructor who possesses a BA or higher academic degree majoring in language/linguistics studies of any language.

"Language testing and certification (LTC)" means the section within the department that is responsible for managing the bilingual skills testing and certification of employees, LAPL, and contracted interpreters and translators.

"Licensed agency personnel (LAPL)" means an employee of a county government agency/program that contracts with the department to provide services to department clients.

"Limited-English proficient (LEP) client" means a person applying for or receiving department services, either directly or indirectly, who, because of a non-English speaking cultural background, cannot readily speak or understand the English language.

"Medical interpreter" means an interpreter who renders language interpretation services in a health care setting.

"Position cluster" means a group of DSHS jobs/positions that share the same or similar nature of job functions or responsibilities.

"Recognized interpreter" for spoken languages means a person who is certified by:

- (1) The Washington state administrative office of the courts (AOC) as a court interpreter; or
- (2) The Administrative Office of the United States Courts as a federal court interpreter; or
- (3) A national interpreter certification body as a health care interpreter and is recognized by the department; or
- (4) A nonprofit organization that uses a credible certification program to certify professional interpreters and is recognized by the department; or
- (5) Another state or U.S. territory or another country whose certification program is comparable to DSHS certification and based upon similar requirements.

"Recognized translator" for spoken languages means a person who is certified by:

- (1) The American Translators Association (ATA); or
- (2) A nonprofit organization that uses a credible certification program to certify professional translators and is recognized by the department; or
- (3) Another state or U.S. territory or another country whose certification program is comparable to DSHS certification and based upon similar requirements.

"Screened language" means any spoken language or any dialect within a spoken language that is not one of the certified languages.

"Social service interpreter" means an interpreter who renders language interpretation services in settings where human services programs are provided.

"Source language" means the language from which an interpretation and/or translation is rendered.

"Target language" means the language into which an interpretation and/or translation is rendered.

"Translation" means the process of transferring a written message from one language into another.

[Statutory Authority: RCW 74.04.025, 74.08.090, 45 C.F.R. Section 80.3 (b)(2), Title VI of the Civil Rights Act of 1964 and Reyes vs. Thompson Consent Order. WSR 15-17-092, § 388-03-030, filed 8/18/15, effective 9/18/15. Statutory Authority: RCW 74.04.025, 74.08.090, Title VI of the Civil Rights Act of 1964, and 45 C.F.R. Section 80.3 (b)(2). WSR 15-07-008, § 388-03-030, filed 3/6/15, effective 4/6/15. Statutory Authority: RCW 2.43.010, 74.04.025, and 74.08.090. WSR 00-06-014, § 388-03-030, filed 2/22/00, effective 3/24/00.]

CODE OF PROFESSIONAL CONDUCT

WAC 388-03-050 What is the department's code of professional conduct for interpreters, translators, and LAPL? The code of conduct is the professional standard established by the department for all interpreters, translators, and LAPL who provide language services to department programs and clients. Any violation of this code may disqualify a provider from providing those services. Specifically, the code addresses:

(1) **Accuracy.** Interpreters/translators must always express the source language message in a thorough and faithful manner. They must:

- (a) Omit or add nothing;
- (b) Give consideration to linguistic variations in both the source and target languages; and
- (c) Conserve the tone and spirit of the source language.

(2) **Cultural sensitivity-courtesy.** Interpreters/translators must be culturally sensitive, and respectful of the individual(s) they serve.

(3) **Confidentiality.** Interpreters/translators must not divulge any information publicly or privately obtained through their assignments, including, but not limited to, information gained through access to documents or other written materials.

(4) **Proficiency.** Interpreters/translators must meet the minimum proficiency standard set by DSHS.

(5) **Compensation.** Interpreters/translators must:

(a) Not accept additional money, consideration, or favors for services reimbursed by the department. The fee schedule agreed to between the contracted language services providers and the department shall be the maximum compensation accepted.

(b) Not use the department's time, facilities, equipment or supplies for private gain or other advantage; and

(c) Not use or attempt to use their position to secure privileges or exemptions.

(6) **Nondiscrimination.** Interpreters/translators must:

- (a) Always be impartial and unbiased;
- (b) Not discriminate on the basis of gender, disability, race, color, national origin, age, socio-economic or educational or marital status, religious or political beliefs, or sexual orientation; and

(c) Refuse or withdraw from an assignment, without threat or retaliation, if they are unable to perform the required service in an ethical manner.

(7) **Self-representation.** Interpreters/translators must accurately and completely represent their certifications, training, and experience.

(8) **Impartiality-conflict of interest.** Interpreters/translators must disclose to the department any real or perceived conflicts of interest that would affect their professional objectivity. Note: Providing interpreting or translating services to

family members or friends may violate the family member or friend's right to confidentiality, constitute a conflict of interest, or violate a DSHS contract or subcontract.

(9) **Professional demeanor.** Interpreters/translators must be punctual, prepared, and dressed in a manner appropriate, and not distracting for the situation.

(10) **Scope of practice.** Interpreters/translators must not:

(a) Counsel, refer, give advice, or express personal opinions to the individuals for whom they are interpreting/translating;

(b) Engage in activities with clients that are not directly related to providing interpreting and/or translating services to DSHS;

(c) Have unsupervised access to DSHS clients, including but not limited to phoning clients directly, other than at the request of a DSHS employee;

(d) Market their services to DSHS clients, including but not limited to, arranging services or appointments for DSHS clients in order to create business for themselves; or

(e) Transport DSHS clients for any business, including social service or medical appointments.

(11) **Reporting obstacles to practice.** Interpreters/translators must assess at all times their ability to interpret/translate.

(a) Interpreters/translators must immediately notify the parties if they have any reservations about their competency or ability to remain impartial and offer to withdraw without threat or retaliation;

(b) Interpreters/translators must immediately withdraw from encounters they perceive as a violation of this code.

(12) **Professional development.** As specified in WAC 388-03-160, interpreters/translators are expected to continually develop their skills and knowledge through:

(a) Professional interpreter/translator training;

(b) Continuing education; and

(c) Regular interaction with colleagues and specialists in related fields.

[Statutory Authority: RCW 74.04.025, 74.08.090, Title VI of the Civil Rights Act of 1964, and 45 C.F.R. Section 80.3 (b)(2). WSR 15-07-008, § 388-03-050, filed 3/6/15, effective 4/6/15. Statutory Authority: RCW 2.43.010, 74.04.025, and 74.08.090. WSR 00-06-014, § 388-03-050, filed 2/22/00, effective 3/24/00.]

LTC RESPONSIBILITIES FOR CERTIFYING SPOKEN LANGUAGE INTERPRETERS AND TRANSLATORS

WAC 388-03-060 What is the responsibility of the language testing and certification (LTC) section in certifying and authorizing interpreters, translators, employees, and LAPL? Language testing and certification (LTC) is the section within DSHS responsible for:

(1) Establishing and publishing systems, methods, and procedures for certifying, screening and/or evaluating the interpretation and/or translation skills of employees, LAPL, interpreters and translators who work with department clients, employees, and service providers;

(2) Ensuring that certified/authorized interpreters, translators, employees, and LAPL are aware of DSHS's code of professional conduct for interpreters, translators, and LAPL;

(3) Overseeing that the test development process is empirically sound, the test instruments are valid and reliable, and the test administration procedures and test evaluation criteria are consistent with the standards established by the department;

(4) Coordinating and managing precertification/authorization training requirements, postcertification/authorization continuing education requirements, and coordinating the decertification process for interpreters/translators; and

(5) Maintaining the online interpreter database for public access.

[Statutory Authority: RCW 74.04.025, 74.08.090, 45 C.F.R. Section 80.3 (b)(2), Title VI of the Civil Rights Act of 1964 and Reyes vs. Thompson Consent Order. WSR 15-17-092, § 388-03-060, filed 8/18/15, effective 9/18/15. Statutory Authority: RCW 74.04.025, 74.08.090, Title VI of the Civil Rights Act of 1964, and 45 C.F.R. Section 80.3 (b)(2). WSR 15-07-008, § 388-03-060, filed 3/6/15, effective 4/6/15. Statutory Authority: RCW 2.43.010, 74.04.025, and 74.08.090. WSR 00-06-014, § 388-03-060, filed 2/22/00, effective 3/24/00.]

CERTIFICATION/AUTHORIZATION OF INTERPRETERS AND TRANSLATORS

WAC 388-03-110 What requirements apply to persons providing language services to DSHS clients? (1) Any department staff member serving in a bilingual capacity must pass a bilingual skills examination.

(2) Any candidate seeking employment with the department in a position that requires bilingual skills must pass a bilingual skills examination.

(3) Any employee of a non-DSHS county agency/program that contracts with the department to provide services to the department's limited English proficient (LEP) clients (also known as licensed agency personnel) must pass a bilingual skills examination.

(4) Any candidate wishing to provide language services to the department's LEP clients as a contracted interpreter or translator must meet the training requirements and pass a bilingual skills examination.

(5) Interpreters can be certified or authorized by the department as:

- (a) Social services interpreters; and/or
- (b) Medical interpreters.

(6) Translators can be certified by the department in any of the certified languages.

[Statutory Authority: RCW 74.04.025, 74.08.090, Title VI of the Civil Rights Act of 1964, and 45 C.F.R. Section 80.3 (b)(2). WSR 15-07-008, § 388-03-110, filed 3/6/15, effective 4/6/15. Statutory Authority: RCW 2.43.-010, 74.04.025, and 74.08.090. WSR 00-06-014, § 388-03-110, filed 2/22/00, effective 3/24/00.]

WAC 388-03-112 When am I considered certified or authorized? (1) For department employees, candidates for bilingual positions, and LAPL, you are considered certified or authorized once you have passed the required bilingual skills examination for your position cluster. Information regarding position clusters and their respective required examination can be found on the DSHS HRD web site.

(2) For medical and social service interpreters in certified languages, you are considered certified once you have taken the required two-hour minimum DSHS interpreter/translator orientation training in the medical field for

medical interpreters and/or in the social service field for social service interpreters and the required two-hour minimum interpreter/translator professional ethics training, and you have passed the required written and oral examination for interpreters. If you pass the required examination before you complete the required trainings, your certificate will not be issued to you until you complete the required trainings.

(3) For medical and social service interpreters in screened languages, you are considered authorized once you have taken the required two-hour minimum DSHS interpreter/translator orientation training in the medical field for medical interpreters and/or in the social service field for social service interpreters and the required two-hour minimum interpreter/translator professional ethics training, and you have passed the required written and oral examination. Instead of a certificate, an authorization letter will be issued to you. If you pass the required examination before you complete the required trainings, your authorization letter will not be issued to you until you complete the required trainings.

(4) For document translators in certified languages, you are considered certified once you have taken the required two-hour minimum DSHS interpreter/translator orientation training in the social service field and the required two-hour minimum interpreter/translator professional ethics training, and you have passed the required document translation examination for translators. If you pass the required examination before you complete the required trainings, your certificate will not be issued to you until you complete the required trainings.

(5) Your certificate/authorization letter will be mailed to you within a month from the date you complete your required trainings and pass all examination requirements, whichever is later. It is your responsibility to:

- (a) Check the accuracy of the information presented on your certificate/authorization letter;
- (b) Inform the LTC section of any change of your name, phone number, email address, or mailing address;
- (c) Request any name change in writing with a copy of a court document attesting to the name change; and
- (d) Contact the LTC section if your certificate/authorization letter is not received within the normal time frame.

(6) Your certification/authorization status may be denied/revoked if it is proven that you have committed any of the acts listed in WAC 388-03-170.

[Statutory Authority: RCW 74.04.025, 74.08.090, Title VI of the Civil Rights Act of 1964, and 45 C.F.R. Section 80.3 (b)(2). WSR 15-07-008, § 388-03-112, filed 3/6/15, effective 4/6/15. Statutory Authority: RCW 2.43.-010, 74.04.025, and 74.08.090. WSR 00-06-014, § 388-03-112, filed 2/22/00, effective 3/24/00.]

WAC 388-03-114 Can I provide language services to DSHS without taking a department examination? There are five ways that you may gain department recognition as an interpreter or translator without taking the department's certification examinations.

(1) If you are certified as an interpreter by either the Washington state administrative office of the courts or the Administrative Office of the United States Courts, the department will recognize you as a social services interpreter without requiring you to take its social service interpreter examination. However, you must formally submit a written request

for recognition, a photocopy of your valid official certificate, and a copy of official record attesting to your completion of the required minimum DSHS interpreter/translator orientation and interpreter/translator professional ethics trainings to the entity you contract with for your language services.

(2) If you are certified as an interpreter by either the Certification Commission for Healthcare Interpreters (CCHI) or the National Board of Certification for the Medical Interpreters (NBCMI), the department will recognize you as a medical interpreter without requiring you to take its medical interpreter examination. However, you must formally submit a written request for recognition, a photocopy of your valid official certificate, and a copy of official record attesting to your completion of the required minimum DSHS interpreter/translator orientation and interpreter/translator professional ethics trainings to the entity you contract with for your language services.

(3) If you are certified as a translator by the American Translators Association (ATA), the department will recognize you as a translator without requiring you to take its translator examination. However, you must formally submit a written request for recognition, a photocopy of your valid official certificate, and a copy of official record attesting to your completion of the required minimum DSHS interpreter/translator orientation and interpreter/translator professional ethics trainings to the entity you contract with for your language services.

(4) If you are certified as an interpreter or translator by another state or U.S. territory or another country that is comparable to DSHS certification and based upon similar requirements, the department may recognize your certification. In your written request for DSHS recognition, you must submit a photocopy of your valid official certificate and a copy of the official examination manual containing descriptions of the test development process, the scope of the examination, the knowledge and skills to be evaluated, the test validation approach and related statistics, the evaluation criteria, and the passing benchmark. Your request must be submitted to LTC. LTC will evaluate all requests on a case-by-case basis. If LTC determines that your certification meets DSHS certification requirements, a recognition letter will be issued to you, which you will submit with your written request and a copy of your valid official certificate, and a copy of the official record attesting to your completion of the required minimum DSHS interpreter/translator orientation and interpreter/translator professional ethics trainings to the entity you contract with for your language services.

(5) If you are certified as an interpreter or translator by a nonprofit organization that uses a credible certification program and is recognized by the department, the department may recognize your certification. In your written request for DSHS recognition, you must submit a photocopy of your valid official certificate and a copy of the official examination manual containing descriptions of the test development process, the scope of the examination, the knowledge and skills to be evaluated, the test validation approach and related statistics, the evaluation criteria, and the passing benchmark. Your request must be submitted to LTC. LTC will evaluate all requests on a case-by-case basis. If LTC determines that your certification meets DSHS certification requirements, a recognition letter will be issued to you, which you will sub-

mit with your written request and a copy of your valid official certificate, and a copy of official record attesting to your completion of the required minimum DSHS interpreter/translator orientation and interpreter/translator professional ethics trainings to the entity you contract with for your language services.

(6) DSHS does not recognize any academic interpreter/translator degrees/certificates or training courses as substitutes for its certification/authorization examination requirements.

[Statutory Authority: RCW 74.04.025, 74.08.090, Title VI of the Civil Rights Act of 1964, 45 C.F.R. Section 80.3 (b)(2), and Reyes vs. Thompson Consent Order. WSR 16-04-021, § 388-03-114, filed 1/22/16, effective 2/22/16. Statutory Authority: RCW 74.04.025, 74.08.090, Title VI of the Civil Rights Act of 1964, and 45 C.F.R. Section 80.3 (b)(2). WSR 15-07-008, § 388-03-114, filed 3/6/15, effective 4/6/15. Statutory Authority: RCW 2.43.010, 74.04.025, and 74.08.090. WSR 00-06-014, § 388-03-114, filed 2/22/00, effective 3/24/00.]

WAC 388-03-115 Who determines if my request for examination exemption is "sufficiently documented"? The department determines if your request is sufficiently documented (except for WAC 388-03-114 (1), (2) and (3)). It may request further proof of your qualification. In all cases, the department's decision regarding the sufficiency of your documentation is final.

[Statutory Authority: RCW 74.04.025, 74.08.090, Title VI of the Civil Rights Act of 1964, and 45 C.F.R. Section 80.3 (b)(2). WSR 15-07-008, § 388-03-115, filed 3/6/15, effective 4/6/15. Statutory Authority: RCW 2.43.-010, 74.04.025, and 74.08.090. WSR 00-06-014, § 388-03-115, filed 2/22/00, effective 3/24/00.]

WAC 388-03-116 What if my certification documents are in a foreign language? (1) All documents submitted to LTC in a foreign language must be accompanied by an accurate translation into English by a qualified translator other than the holder of the certificate.

(2) Each translated document must bear the affidavit of the translator, sworn to before a notary public, certifying that the:

(a) Translator is competent in both the language of the document and the English language; and

(b) Translation is an accurate and complete translation of the foreign language original.

(3) Applicants must pay all costs related to translating any documents relevant to their request for department recognition.

[Statutory Authority: RCW 74.04.025, 74.08.090, Title VI of the Civil Rights Act of 1964, and 45 C.F.R. Section 80.3 (b)(2). WSR 15-07-008, § 388-03-116, filed 3/6/15, effective 4/6/15. Statutory Authority: RCW 2.43.-010, 74.04.025, and 74.08.090. WSR 00-06-014, § 388-03-116, filed 2/22/00, effective 3/24/00.]

WAC 388-03-117 What happens to my request for department recognition as an interpreter/translator? When LTC receives your written request for recognition and the required documentation of your qualification, it will:

(1) Process your request as expeditiously as possible; and

(2) If approved, issue you a letter of recognition; or

(3) If not approved, issue you a letter explaining the reason why your request was not approved.

(4) These procedures do not apply to WAC 388-03-114 (1), (2) and (3).

[Statutory Authority: RCW 74.04.025, 74.08.090, Title VI of the Civil Rights Act of 1964, and 45 C.F.R. Section 80.3 (b)(2). WSR 15-07-008, § 388-03-117, filed 3/6/15, effective 4/6/15. Statutory Authority: RCW 2.43.-010, 74.04.025, and 74.08.090. WSR 00-06-014, § 388-03-117, filed 2/22/00, effective 3/24/00.]

WAC 388-03-118 Does the department maintain lists of certified/ authorized interpreters and translators? (1) To enable contracted agencies and department programs to locate and contact certified and/or authorized interpreters and translators, the department maintains lists of certified interpreters, certified translators, and authorized interpreters.

(2) These lists are published and updated regularly to include newly certified and authorized interpreters/translators.

(3) Any interpreter or translator who considers certain information on the list to be confidential, such as physical address and telephone numbers, can request to have such information removed. The request must be made in writing and you must mail or email it to LTC. However, LTC will provide details regarding interpreters to the extent required by RCW 41.56.510(4).

(4) Only contracted interpreters and translators are included for online search.

[Statutory Authority: RCW 74.04.025, 74.08.090, Title VI of the Civil Rights Act of 1964, and 45 C.F.R. Section 80.3 (b)(2). WSR 15-07-008, § 388-03-118, filed 3/6/15, effective 4/6/15. Statutory Authority: RCW 2.43.-010, 74.04.025, and 74.08.090. WSR 00-06-014, § 388-03-118, filed 2/22/00, effective 3/24/00.]

EXAMINATIONS—ELIGIBILITY AND REGISTRATION

WAC 388-03-120 Who can take the department's interpreter/translator certification and screening examinations? (1) You are eligible to take any DSHS interpreter/translator certification or screening examination if you are eighteen years of age or older with a high school diploma (or GED) or higher academic degree(s), or its equivalent from another country, and:

(a) Currently employed by DSHS in a bilingual position; or

(b) Selected for an interview for a DSHS position with bilingual requirements; or

(c) Currently working through contracted agencies as a social service and/or medical interpreter; or

(d) Wishing to work through contracted agencies as a social service and/or medical interpreter, or a translator.

(2) Screening tests will not substitute for or be substituted by any certified language tests.

(3) LTC provides reasonable accommodations for individuals who have one or more documented disabilities within the meaning of the Americans with Disabilities Act (ADA) of 1990 and/or Washington's law against discrimination (WLAD). If you have a documented disability covered under the ADA and/or WLAD and require test accommodations, you must:

(a) Submit a copy of a qualified medical professional's statement specifying your disability and the specific accom-

modation required in completing a paper-and-pencil written test and an oral test using audio materials; and

(b) In the special instructions box of the test sign-up form, specify your special needs such as special equipment or the amount of extra time required in completing any of the tests. LTC will request and verify supporting documents for your special accommodation. The appointment date and time you selected through online scheduling may need to be adjusted or rescheduled depending on what is required to accommodate your situation.

[Statutory Authority: RCW 74.04.025, 74.08.090, Title VI of the Civil Rights Act of 1964, and 45 C.F.R. Section 80.3 (b)(2). WSR 15-07-008, § 388-03-120, filed 3/6/15, effective 4/6/15. Statutory Authority: RCW 2.43.-010, 74.04.025, and 74.08.090. WSR 00-06-014, § 388-03-120, filed 2/22/00, effective 3/24/00.]

WAC 388-03-122 What type of test is given by the department to certify and authorize persons providing language services to DSHS clients? (1) Certification examinations evaluate bilingual proficiency and interpretation/translation skills by comparing your proficiency and skills to minimum competency standards.

(2) Minimum competency standards are determined by the nature of the work involved and by experienced practicing interpreters/translators, bilingual professionals, and language specialists.

(3) Five different types of tests are used to evaluate the bilingual proficiency and interpretation/translation skills of the following categories of people:

(a) Department employees and employment candidates with bilingual assignments (employee test);

(b) Social services interpreters providing oral interpretation services to department social service programs (social services interpreter test);

(c) Translators providing written document translation services to department social service programs (translator test);

(d) Medical interpreters providing interpretation services to department clients in medical settings (medical interpreter test); and

(e) Licensed agency personnel (LAPL) whose agency is providing contracted services to the department (LAPL test).

(4) For a list of the specific types of examinations and languages tested (and other important testing information), see the most recent edition of the "professional language certification examination manual" published on the LTC web site.

(5) Examinations for interpreters include written and oral components. To satisfy testing requirements, an interpreter must pass both the written and oral test components.

(6) Examinations for DSHS bilingual positions and LAPL usually include written and oral components and these can be taken on the same day if the test schedule allows it.

(7) Examinations for translators include only a written document translation component.

[Statutory Authority: RCW 74.04.025, 74.08.090, Title VI of the Civil Rights Act of 1964, and 45 C.F.R. Section 80.3 (b)(2). WSR 15-07-008, § 388-03-122, filed 3/6/15, effective 4/6/15. Statutory Authority: RCW 2.43.-010, 74.04.025, and 74.08.090. WSR 00-06-014, § 388-03-122, filed 2/22/00, effective 3/24/00.]

WAC 388-03-123 What is a screening examination?

(1) A screening examination is an examination administered by the department to candidates who wish to become "authorized interpreters." Authorized interpreters are individuals who speak a language or a dialect within a language that is not one of the certified languages.

(2) The scope of a screening examination is narrower than that of a certified language examination. Screening examinations assess a candidate's English and target language skills but the broader, more comprehensive type of assessment used for certified languages examination is not possible due to limited department resources.

(3) Screening examinations are available for social services interpreters and medical interpreters.

[Statutory Authority: RCW 74.04.025, 74.08.090, Title VI of the Civil Rights Act of 1964, and 45 C.F.R. Section 80.3 (b)(2). WSR 15-07-008, § 388-03-123, filed 3/6/15, effective 4/6/15. Statutory Authority: RCW 2.43-010, 74.04.025, and 74.08.090. WSR 00-06-014, § 388-03-123, filed 2/22/00, effective 3/24/00.]

WAC 388-03-125 How do I register for a certification or screening examination if I am not a department employee or an applicant for a bilingual position with the department? You must do the following:

(1) Read the examination manual and other related information on the LTC web site. The LTC web site can be accessed from any private or public computer with internet access.

(2) Follow the instructions on the LTC web site to register for a test of your choice online. You need to have a valid email address and a valid credit card or debit card to register for a test.

(3) You will receive an email appointment confirmation instantaneously after you complete the online test registration process. You can access the pretest study package from the LTC web site. If you did not receive your test confirmation email a few minutes after you completed the registration process, it is your responsibility to contact the LTC office.

(4) If you are only registering for the oral test or registering to retake a test, you do not need to call the LTC office. Simply follow the steps in subsections (2) and (3) of this section.

(5) Walk-in registration at a test site is not allowed under any circumstances.

(6) Telephone registration is allowed only for department employees, applicants for department bilingual positions, and LAPL.

[Statutory Authority: RCW 74.04.025, 74.08.090, Title VI of the Civil Rights Act of 1964, and 45 C.F.R. Section 80.3 (b)(2). WSR 15-07-008, § 388-03-125, filed 3/6/15, effective 4/6/15. Statutory Authority: RCW 2.43-010, 74.04.025, and 74.08.090. WSR 00-06-014, § 388-03-125, filed 2/22/00, effective 3/24/00.]

WAC 388-03-126 What does the pretest package contain? The pretest study package contains a study guide that includes sample test questions, sample oral exercises, a list of important terminology and the department's code of professional conduct.

[Statutory Authority: RCW 74.04.025, 74.08.090, Title VI of the Civil Rights Act of 1964, and 45 C.F.R. Section 80.3 (b)(2). WSR 15-07-008, § 388-03-126, filed 3/6/15, effective 4/6/15. Statutory Authority: RCW 2.43-010, 74.04.025, and 74.08.090. WSR 00-06-014, § 388-03-126, filed 2/22/00, effective 3/24/00.]

(1/22/16)

EXAMINATION—FEES**WAC 388-03-130 What examination fees must I pay?**

Examination fees are listed in the examination manual on the LTC web site.

[Statutory Authority: RCW 74.04.025, 74.08.090, Title VI of the Civil Rights Act of 1964, and 45 C.F.R. Section 80.3 (b)(2). WSR 15-07-008, § 388-03-130, filed 3/6/15, effective 4/6/15. Statutory Authority: RCW 2.43-010, 74.04.025, and 74.08.090. WSR 00-06-014, § 388-03-130, filed 2/22/00, effective 3/24/00.]

WAC 388-03-132 How do I pay my examination fees? You may pay your examination fees with a credit card or debit card when you register from the LTC web site.

[Statutory Authority: RCW 74.04.025, 74.08.090, Title VI of the Civil Rights Act of 1964, and 45 C.F.R. Section 80.3 (b)(2). WSR 15-07-008, § 388-03-132, filed 3/6/15, effective 4/6/15. Statutory Authority: RCW 2.43-010, 74.04.025, and 74.08.090. WSR 00-06-014, § 388-03-132, filed 2/22/00, effective 3/24/00.]

WAC 388-03-133 Are my examination fees refundable? (1) Examination fees are nonrefundable except in the following circumstances:

(a) If an applicant dies before taking the examination, their examination fees are refundable to their estate; or

(b) If you officially move out of Washington state before taking the examination, your examination fees can be refunded to you upon request.

(2) If you fail to attend your confirmed test session(s) because of an emergency, your test session(s) may be rescheduled upon request but your test fee will not be refunded. Rescheduling due to an emergency will be done only once and only if the emergency is properly documented. Examples of proper documentation include an official police report or a signed physician statement.

[Statutory Authority: RCW 74.04.025, 74.08.090, Title VI of the Civil Rights Act of 1964, and 45 C.F.R. Section 80.3 (b)(2). WSR 15-07-008, § 388-03-133, filed 3/6/15, effective 4/6/15. Statutory Authority: RCW 2.43-010, 74.04.025, and 74.08.090. WSR 00-06-014, § 388-03-133, filed 2/22/00, effective 3/24/00.]

EXAMINATIONS—SCHEDULING

WAC 388-03-135 Where are the test locations and how frequent are the test sessions? (1) Normally, testing for all languages is conducted in eastern and western Washington. The number of test locations and the frequency of test sessions are determined on the basis of budgetary allotment for the testing program and varying language needs of the department.

(2) Test locations can change because of scheduling factors and varying demand for testing services. Carefully read your test confirmation letter because it contains specific information on test date, test time, and test location. Current test locations and driving directions to test locations are always published on the LTC web site.

[Statutory Authority: RCW 74.04.025, 74.08.090, Title VI of the Civil Rights Act of 1964, and 45 C.F.R. Section 80.3 (b)(2). WSR 15-07-008, § 388-03-135, filed 3/6/15, effective 4/6/15. Statutory Authority: RCW 2.43-010, 74.04.025, and 74.08.090. WSR 00-06-014, § 388-03-135, filed 2/22/00, effective 3/24/00.]

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WAC 388-03-136 Can I change my test appointment date and time? (1) You may request a change in your test appointment date and time only if the request is made within ten calendar days from the date your confirmation letter is sent, otherwise LTC considers your test appointment "confirmed" and your examination fees will not be refunded.

(2) Except in bona fide emergency situations (see WAC 388-03-133(2)), you will not be allowed to reschedule your appointment free of charge if you fail to attend your confirmed test appointment. If you miss your confirmed test appointment for reasons other than an emergency, you may schedule another appointment date and time by paying the appropriate examination fee.

[Statutory Authority: RCW 74.04.025, 74.08.090, Title VI of the Civil Rights Act of 1964, and 45 C.F.R. Section 80.3 (b)(2). WSR 15-07-008, § 388-03-136, filed 3/6/15, effective 4/6/15.]

EXAMINATIONS—ADMINISTRATION AND SCORING

WAC 388-03-138 What procedural requirements apply to administering certification and screening examinations? (1) The department has a "no-comment, no-return" examination policy. Once an examination is given, it becomes the property of the department and it will not be released to anyone, including test candidates. Such property includes the test booklet, answer sheets, oral test recordings, test grading sheets, and notes taken by the candidate.

(2) The department will not discuss specific examination content, including specific test questions or answers, with test candidates or any other party. Candidates can receive general critiques of their oral test performance if they submit a written request. Generic critiques of written test performance are not available except for the employee test.

(3) Passing scores for the different examinations are established by the department based on bilingual fluency required by law, testing technicalities and the language needs of the department. Test scores will only be reported to candidates in writing. No score information will be released over the telephone to anyone, including the test candidate.

(4) All interpreter and translator candidates must follow test instructions. Failure to follow test instructions may result in an invalid test. Invalid tests will not be scored and, therefore, no test results will be reported to the candidate.

(5) If a candidate arrives late for the written test but decides to proceed with taking the test, the candidate will take the test during the remaining time allowed. The lost time resulting from their late arrival will not be made up in additional testing time.

(6) If a candidate arrives late for an oral test, they may lose their confirmed time slot. A lost time slot resulting from a late arrival will not be made up.

(7) Tests will not be rescheduled because a candidate arrives late at a testing site except in the case of a bona fide emergency. If you are too late to take the test for some reason other than an emergency, you may register for another examination by paying another test fee.

(8) No electronic devices such as laptops, tablets, electronic dictionaries, smart phones, cell phones are allowed during the written and oral test.

(9) No reference materials of any kind will be allowed during the written and oral tests. However, hard copy dictionaries are allowed for the document translator examination.

[Statutory Authority: RCW 74.04.025, 74.08.090, Title VI of the Civil Rights Act of 1964, and 45 C.F.R. Section 80.3 (b)(2). WSR 15-07-008, § 388-03-138, filed 3/6/15, effective 4/6/15. Statutory Authority: RCW 2.43.-010, 74.04.025, and 74.08.090. WSR 00-06-014, § 388-03-138, filed 2/22/00, effective 3/24/00.]

WAC 388-03-140 What if a test candidate is suspected of cheating? If a test administrator concludes with reasonable evidence that a candidate cheated during an examination, the accused candidate may be declared ineligible indefinitely for all interpreter and translator certification/authorization tests administered by the department. The candidate will be notified in writing about the department's decision.

[Statutory Authority: RCW 74.04.025, 74.08.090, Title VI of the Civil Rights Act of 1964, and 45 C.F.R. Section 80.3 (b)(2). WSR 15-07-008, § 388-03-140, filed 3/6/15, effective 4/6/15. Statutory Authority: RCW 2.43.-010, 74.04.025, and 74.08.090. WSR 00-06-014, § 388-03-140, filed 2/22/00, effective 3/24/00.]

WAC 388-03-142 Can I appeal the decision about my inability to take any DSHS test because of cheating? If you are notified that you are ineligible to take any DSHS test because of cheating, you have the right to appeal the decision by using the adjudicative proceeding process in chapters 34.05 RCW and 388-02 WAC.

[Statutory Authority: RCW 74.04.025, 74.08.090, Title VI of the Civil Rights Act of 1964, and 45 C.F.R. Section 80.3 (b)(2). WSR 15-07-008, § 388-03-142, filed 3/6/15, effective 4/6/15.]

WAC 388-03-144 How do I request an adjudicative hearing about the department's decision to declare me ineligible due to cheating? To request an adjudicative hearing, you must:

(1) File a written application for hearing with the department's board of appeals within twenty-one days of receiving the department's decision to deny you from taking any DSHS test.

(2) Your written application must include:

(a) A copy of the decision that you are contesting;

(b) A specific statement of the issue(s) and the law involved; and

(c) Your reasons for contesting the decision.

(3) Your written application for hearing must be delivered to the board of appeals in person, electronically by fax or by certified mail. (See WAC 388-02-0030.)

(4) Once the board of appeals receives your written application, an adjudicative hearing will be scheduled.

(5) The adjudicative hearing will be governed by the provisions of chapters 34.05 RCW and 388-02 WAC.

[Statutory Authority: RCW 74.04.025, 74.08.090, Title VI of the Civil Rights Act of 1964, and 45 C.F.R. Section 80.3 (b)(2). WSR 15-07-008, § 388-03-144, filed 3/6/15, effective 4/6/15.]

WAC 388-03-150 How does the department score my bilingual examinations? (1) Depending on the nature of the test or test section, the department uses either an objective or a holistic scoring method to evaluate your examination.

(2) Please consult the examination manual for the evaluation indicators used by the department for each test or sub-test.

[Statutory Authority: RCW 74.04.025, 74.08.090, Title VI of the Civil Rights Act of 1964, and 45 C.F.R. Section 80.3 (b)(2). WSR 15-07-008, § 388-03-150, filed 3/6/15, effective 4/6/15. Statutory Authority: RCW 2.43.-010, 74.04.025, and 74.08.090. WSR 00-06-014, § 388-03-150, filed 2/22/00, effective 3/24/00.]

WAC 388-03-152 When does the department mail my test scores? Score report letters will be sent to candidates when they finish either portion (written or oral) of the test:

(1) For an interpreter written test, your scores should be available within two to four weeks from the date you took the examination.

(2) For an interpreter, employee, or LAPL oral test, your scores should be available within four to six weeks from the date you took the examination.

(3) For an employee or LAPL written test and a document translator test, your scores should be available within four to six weeks from the date you took the examination.

(4) If you wish your test scores mailed to a specific organization or individual, you must personally notify the department in writing (signature required) and provide the name and mailing address of the organization or individual to whom your score should be sent.

(5) If you do not receive your score report letter within the suggested time period, you should contact LTC via email. The LTC email address can be found on the LTC web site.

[Statutory Authority: RCW 74.04.025, 74.08.090, Title VI of the Civil Rights Act of 1964, and 45 C.F.R. Section 80.3 (b)(2). WSR 15-07-008, § 388-03-152, filed 3/6/15, effective 4/6/15. Statutory Authority: RCW 2.43.-010, 74.04.025, and 74.08.090. WSR 00-06-014, § 388-03-152, filed 2/22/00, effective 3/24/00.]

WAC 388-03-153 I have passed my interpreter written test. How long is my written test score valid before I take my oral test? If passed, your written test score is valid for two years from the date of your score report letter. If it has been more than two years since you passed your interpreter written test, you need to retake the written test and pass it before it can be applied toward your certification/authorization status.

[Statutory Authority: RCW 74.04.025, 74.08.090, Title VI of the Civil Rights Act of 1964, and 45 C.F.R. Section 80.3 (b)(2). WSR 15-07-008, § 388-03-153, filed 3/6/15, effective 4/6/15.]

WAC 388-03-154 Can I appeal my test scores? You have two months, from the date your test score letter is sent, to appeal your test score. Note:

(1) Your appeal must be submitted to the department's LTC program manager in writing.

(2) Your appeal will not be honored if it is filed beyond the two-month appeal period.

(3) You will not be allowed to reschedule an examination while your score is being appealed.

[Statutory Authority: RCW 74.04.025, 74.08.090, Title VI of the Civil Rights Act of 1964, and 45 C.F.R. Section 80.3 (b)(2). WSR 15-07-008, § 388-03-154, filed 3/6/15, effective 4/6/15. Statutory Authority: RCW 2.43.-010, 74.04.025, and 74.08.090. WSR 00-06-014, § 388-03-154, filed 2/22/00, effective 3/24/00.]

(1/22/16)

WAC 388-03-156 How many times can I retake a failed test? You can retake a failed examination until you pass it. Each time you retake the test you must pay an examination fee (except for DSHS bilingual staff tests).

[Statutory Authority: RCW 74.04.025, 74.08.090, Title VI of the Civil Rights Act of 1964, and 45 C.F.R. Section 80.3 (b)(2). WSR 15-07-008, § 388-03-156, filed 3/6/15, effective 4/6/15. Statutory Authority: RCW 2.43.-010, 74.04.025, and 74.08.090. WSR 00-06-014, § 388-03-156, filed 2/22/00, effective 3/24/00.]

DECERTIFICATION/DEAUTHORIZATION OF INTERPRETERS AND TRANSLATORS

WAC 388-03-160 How do I maintain my certification or authorization status? (1) If you have been certified or authorized as a department bilingual employee or LAPL, your status does not expire as long as you remain in a designated bilingual position within the position cluster for which you were certified/authorized. Otherwise:

(a) If you moved out of a designated bilingual position and do not use your bilingual skills for four consecutive years or longer, you need to retest for the position cluster you are reentering; or

(b) If you are moving into a new designated bilingual position within a new position cluster, you need to meet the test requirements for the position cluster you are entering.

(2) If you have been certified or authorized as an interpreter or translator and are not a department employee, you can maintain your certification or authorization status by:

(a) Earning a minimum of twenty credit hours of DSHS approved continuing education (CE) every four years, of which at least one credit hour per year must be in ethics training. A current list of DSHS recognized continuing education and/or professional development courses is published on the LTC web site; or

(b) Retake the examination within four years from the date you were certified/authorized if you do not earn a minimum of twenty credit hours of DSHS recognized continuing education during this time frame. Once you pass all test requirements, a new certificate or authorization letter will be issued to you with a new expiration date. Your name and contact information will then be included for publication.

(c) Continuing education credits (CEC) earned before January 1, 2015 will not be accepted, even if the CEC were DSHS approved.

[Statutory Authority: RCW 74.04.025, 74.08.090, Title VI of the Civil Rights Act of 1964, 45 C.F.R. Section 80.3 (b)(2), and Reyes vs. Thompson Consent Order. WSR 16-04-021, § 388-03-160, filed 1/22/16, effective 2/22/16. Statutory Authority: RCW 74.04.025, 74.08.090, Title VI of the Civil Rights Act of 1964, and 45 C.F.R. Section 80.3 (b)(2). WSR 15-07-008, § 388-03-160, filed 3/6/15, effective 4/6/15.]

WAC 388-03-162 How does the department keep track of my continuing education credit hours? Before your certification or authorization status expires, you need to submit proof of your CE credit hours, a signed oath to abide by the code of conduct, and a criminal background check by following the procedures on the LTC website. You should only report DSHS approved CE credits. The information you submit will be verified before it is recorded in determining the renewal of your certification or authorization status. Once renewed, a new certificate or authorization letter will be

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issued to you with a new expiration date. Your name and contact information will then be included for publication.

[Statutory Authority: RCW 74.04.025, 74.08.090, Title VI of the Civil Rights Act of 1964, and 45 C.F.R. Section 80.3 (b)(2). WSR 15-07-008, § 388-03-162, filed 3/6/15, effective 4/6/15.]

WAC 388-03-164 What happens if I do not meet the requirements for maintaining my certification or authorization status? If you do not meet the requirements as specified under WAC 388-03-160, your certification or authorization status will expire after the expiration date on your certificate or authorization letter. Your name will be removed from the list of certified or authorized interpreters/translators. Once your certification or authorization status has expired, you must meet all requirements specified under WAC 388-03-112 before it can be renewed.

[Statutory Authority: RCW 74.04.025, 74.08.090, Title VI of the Civil Rights Act of 1964, and 45 C.F.R. Section 80.3 (b)(2). WSR 15-07-008, § 388-03-164, filed 3/6/15, effective 4/6/15.]

WAC 388-03-166 What about certificates/authorization letters issued prior to the effective date of the revised chapter 388-03 WAC? WAC 388-03-160 applies to all certified/authorized/recognized interpreters/translators, regardless of when their certificates/authorization letters were issued. The expiration date for certificates/authorization letters is four years from the effective date of the revised chapter 388-03 WAC if the requirement of WAC 388-03-160 is not met.

[Statutory Authority: RCW 74.04.025, 74.08.090, Title VI of the Civil Rights Act of 1964, and 45 C.F.R. Section 80.3 (b)(2). WSR 15-07-008, § 388-03-166, filed 3/6/15, effective 4/6/15.]

WAC 388-03-170 Can the department deny or revoke my certification or authorization status? Except for current DSHS employees in designated bilingual positions, the department may deny or revoke either your certification or authorization status if it determines that you committed any of the following acts:

- (1) You have not been truthful when dealing with the department; or
- (2) You have violated any provision of the department's code of professional conduct that is determined to be creating major negative impacts on the department or the profession; or
- (3) You have committed any act that constitutes a felony or misdemeanor related to your language service assignments; or
- (4) You have committed any fraud, dishonesty, or corruption related to your language service assignments; or
- (5) You continued to violate any provision of the department's code of professional conduct after receipt of notification to discontinue; or
- (6) You continued to falsely or deceptively advertise your language service after receipt of notification to discontinue; or
- (7) It is determined that you are grossly incompetent as a language access provider.

In making this determination, the department will consider the investigation findings by the authorized entity, or the entity that contracts with you.

Alternatively, if the department determines that you engaged in misconduct but that the misconduct is not one of the acts described above, the department will alert you to your misconduct and notify you to discontinue such misconduct.

Once you have been decertified/deauthorized due to any of the proven acts listed above, you will be ineligible indefinitely for recertification/reauthorization.

[Statutory Authority: RCW 74.04.025, 74.08.090, Title VI of the Civil Rights Act of 1964, and 45 C.F.R. Section 80.3 (b)(2). WSR 15-07-008, § 388-03-170, filed 3/6/15, effective 4/6/15. Statutory Authority: RCW 2.43-010, 74.04.025, and 74.08.090. WSR 00-06-014, § 388-03-170, filed 2/22/00, effective 3/24/00.]

WAC 388-03-171 Can the department deny or revoke my certification or authorization status as a department bilingual employee? The DSHS human resources division (HRD) will address issues of bilingual employees through agency administrative policy or applicable collective bargaining agreements.

[Statutory Authority: RCW 74.04.025, 74.08.090, Title VI of the Civil Rights Act of 1964, and 45 C.F.R. Section 80.3 (b)(2). WSR 15-07-008, § 388-03-171, filed 3/6/15, effective 4/6/15.]

WAC 388-03-172 What procedures must the department follow if it denies or revokes my certification or authorization status? Except for current DSHS employees in designated bilingual positions, if it is alleged that you have committed any of the acts listed in WAC 388-03-170, before denying or revoking your certification or authorization status, the department must:

- (1) Have received an official request from the entity that contracts with you to have your certification/authorization status revoked;
- (2) Have received the findings of the investigation conducted by the authorized entity or the entity that contracts with you. You must be interviewed as part of the investigation process. The findings of the investigation must include definite conclusions about the alleged violation(s);
- (3) Within thirty days of receiving the official revocation request and investigation findings, send you written notification regarding the final decision of your certification or authorization status. The department's notification must be sent to you by certified mail; and
- (4) Remove your name from the department's database and the published online searchable list of certified/authorized interpreters/translators, if your certification/authorization status has been revoked.
- (5) If a revocation request is made by a third party while the investigation of an allegation described in subsection (2) of this section is not readily feasible, the department retains the right and authority to preliminarily deny or revoke a certification or authorization status pending completion of the investigation.

[Statutory Authority: RCW 74.04.025, 74.08.090, Title VI of the Civil Rights Act of 1964, and 45 C.F.R. Section 80.3 (b)(2). WSR 15-07-008, § 388-03-172, filed 3/6/15, effective 4/6/15. Statutory Authority: RCW 2.43-010, 74.04.025, and 74.08.090. WSR 00-06-014, § 388-03-172, filed 2/22/00, effective 3/24/00.]

WAC 388-03-173 What is the required time frame to file a revocation request? Any request for revocation must be officially filed with LTC within two years of the alleged occurrence of misconduct. Otherwise, the request shall be dismissed as untimely.

[Statutory Authority: RCW 74.04.025, 74.08.090, Title VI of the Civil Rights Act of 1964, and 45 C.F.R. Section 80.3 (b)(2). WSR 15-07-008, § 388-03-173, filed 3/6/15, effective 4/6/15.]

WAC 388-03-174 Can I appeal the decision to deny or revoke my certification or authorization? If your certification or authorization is denied or revoked, you have the right to appeal the decision by using the adjudicative proceeding process in chapters 34.05 RCW and 388-02 WAC.

[Statutory Authority: RCW 74.04.025, 74.08.090, Title VI of the Civil Rights Act of 1964, and 45 C.F.R. Section 80.3 (b)(2). WSR 15-07-008, § 388-03-174, filed 3/6/15, effective 4/6/15. Statutory Authority: RCW 2.43-010, 74.04.025, and 74.08.090. WSR 00-06-014, § 388-03-174, filed 2/22/00, effective 3/24/00.]

WAC 388-03-176 How do I request an adjudicative hearing? To request an adjudicative hearing, you must:

(1) File a written application for hearing with the department's board of appeals within twenty-one days of receiving the department's decision to deny or revoke your certification or authorization.

(2) Your written application must include:

(a) A copy of the decision that you are contesting; and

(b) A specific statement of the issue(s) and the law involved; and

(c) Your reasons for contesting the decision.

(3) Your written application for hearing must be delivered to the board of appeals in person, electronically by fax or by certified mail. (See WAC 388-02-0030.)

(4) Once the board of appeals receives your written application, an adjudicative hearing will be scheduled.

(5) The adjudicative hearing will be governed by the provisions of chapters 34.05 RCW and 388-02 WAC.

[Statutory Authority: RCW 74.04.025, 74.08.090, Title VI of the Civil Rights Act of 1964, and 45 C.F.R. Section 80.3 (b)(2). WSR 15-07-008, § 388-03-176, filed 3/6/15, effective 4/6/15. Statutory Authority: RCW 2.43-010, 74.04.025, and 74.08.090. WSR 00-06-014, § 388-03-176, filed 2/22/00, effective 3/24/00.]