

**WAC 490-105-100 Exemption from licensing requirements.** RCW

28C.10.030 provides exemption for some entities for certain types of education or training. These exemptions are further interpreted or defined as follows:

(1) "Conducting educational programs" includes instructional or training programs or courses taught by a third party pursuant to a written contract with a trade, business, professional, or fraternal organization, primarily for the training of that business' employees or organizations members, and for which no tuition fee is charged to the employee or member. Organizations that incentivize membership during the enrollment process cannot qualify for the exemption found in RCW 28C.10.030(1).

(2) "Avocational" or "recreational" means instruction that is primarily intended for leisure and is not offered to provide a student with employable skills or competencies. Instruction offered as a prerequisite for a vocational program does not qualify for this exemption.

(3) "Entities not otherwise exempt offering only workshops or seminars lasting no longer than three calendar days" means instruction that can be completed within three scheduled class days. A class day shall be defined by the school's class schedule, but must allow reasonable breaks and may not exceed fourteen hours. A vocational education program divided into a series of supplementary seminars does not qualify for this exemption.

(4) "Programs of continuing professional education" include:

(a) Review programs offered solely as preparation for tests leading to certification in specific disciplines but not offered to provide occupational competencies. For example, this exemption applies to test preparation programs that lead to: Certification by a state board of accountancy (CPA); certification by the institute of certified management accounting (CMA); admission to practice before a state bar; certification in health occupations initiated by the American Medical Association, American Dental Association, and their respective professional auxiliaries; and, acquisition of other public certificates of convenience and necessity; and

(b) Programs offered to conform with rules adopted by state agencies that require practitioners to undergo continuing professional education as a condition to renewing certification or licensure.

[Statutory Authority: RCW 28.10.040 [28C.10.040]. WSR 15-24-088, § 490-105-100, filed 11/30/15, effective 12/31/15; WSR 08-04-110, § 490-105-100, filed 2/6/08, effective 3/8/08. Statutory Authority: RCW 28C.10.040(2). WSR 98-22-033, § 490-105-100, filed 10/29/98, effective 11/29/98.]