

WAC 131-16-400 Definition of "special funds" for the purpose of determining eligibility for tenurable faculty positions. (1) RCW 28B.50.851 authorizes the state board for community and technical colleges to designate certain funds as "special funds" for the purpose of exempting positions funded thereby from the award of community college faculty tenure status as provided in RCW 28B.50.850 through 28B.50.869.

(2) For the purpose of implementing the provisions of RCW 28B.50.851, "special funds" shall be defined as all funds received by a college district other than those generated by operating fees collected by such district pursuant to chapter 28B.15 RCW and state general funds appropriated by the legislature and distributed to college districts by the state board by formula allocation.

(3) "Special funds" shall include, but not be limited to, funds designated as special funds by the legislature, funds received by a community college district through contracts with federal, state, local, or private agencies; grants or gifts from philanthropic organizations; revenue produced by any auxiliary enterprise operated by a college district; federal vocational funds; funds awarded to colleges by the state board as grants for specified purposes, not allocated by formula; and specifically funds received for operating overseas military educational programs.

(4) In order to qualify for the exemption from faculty tenure status, a position must be primarily maintained and funded at least 51% for salary and related benefits by such "special funds" as defined in this section.

(5) Determination of the application of the provisions of this section to any future programs shall be made by the state director consistent with subsections (2) and (3) of this section.

[Statutory Authority: Chapter 28B.50 RCW. WSR 98-23-051, § 131-16-400, filed 11/13/98, effective 12/14/98. Statutory Authority: RCW 28B.50.090 (7)(d) and (10), 28B.50.851, 28B.15.502(4), 28B.15.522, 28B.50.140(3) and 1990 c 29. WSR 90-20-009 (Order 122, Resolution Nos. 90-42 and 90-43), § 131-16-400, filed 9/20/90, effective 10/21/90; Order 67, § 131-16-400, filed 9/13/77; Order 57, § 131-16-400, filed 5/10/76; Order 43, § 131-16-400, filed 9/12/75.]