

WSR 10-14-007
EXPEDITED RULES
PROFESSIONAL EDUCATOR
STANDARDS BOARD

[Filed June 24, 2010, 8:55 a.m.]

Title of Rule and Other Identifying Information: Technical corrections to WAC 181-78A-261 based on legislative requirements to permit nonhigher education organizations to provide educator preparation programs.

NOTICE

THIS RULE IS BEING PROPOSED UNDER AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRITERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THIS USE OF THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO David Brenna, Professional Educator Standards Board, 600 Washington Street South, Room 400, Olympia, WA 98504, AND RECEIVED BY September 7, 2010.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: The change responds to legislation that allows nonhigher education providers to be approved. Technical changes only.

Reasons Supporting Proposal: Legislative requirements.

Statutory Authority for Adoption: Chapter 28A-410 [28A.410] RCW.

Statute Being Implemented: Chapter 28A.410 RCW.

Rule is not necessitated by federal law, federal or state court decision.

Name of Proponent: Professional educator standards board, governmental.

Name of Agency Personnel Responsible for Drafting: David Brenna, 600 Washington Street, Room 400, Olympia, WA, (360) 725-6238.

June 24, 2010

David Brenna

Legislative and
Policy Coordinator

AMENDATORY SECTION (Amending WSR 09-20-100, filed 10/7/09, effective 11/7/09)

**WAC 181-78A-261 Approval standard—~~((Unit))~~
Program resources and governance ~~((and resources))~~.**
 Building on the mission to prepare educators who demonstrate a positive impact on student learning, the unit has the leadership, authority, budget, personnel, facilities, and resources, including information technology resources, for the preparation of candidates to meet state standards. The following evidence shall be evaluated to determine whether each preparation program is in compliance with the resources program approval standard of WAC 181-78A-220(3):

~~((Unit))~~ Program leadership, authority and budget

(1) A separate administrative unit is responsible for the composition and organization of the preparation program.

(a) An officially designated administrator is responsible for the management of operations and resources for the preparation program.

(b) ~~((The unit receives sufficient))~~ Budgetary allocations ~~((at least proportional to other institutional units))~~ are sufficient for the program to assure that candidates meet state standards.

Personnel

(2) The ~~((unit))~~ program has adequate personnel to promote teaching and learning.

(a) Workload policies allow ~~((faculty))~~ program personnel ~~((be actively engaged in teaching, scholarship, assessment, advisement, service, and collaborative work with P-12 schools))~~ effectively perform their assigned responsibilities within the program.

(b) Specific ~~((staff and/or faculty in the unit))~~ program personnel are assigned the responsibility of advising applicants for certification and endorsements and for maintaining certification records.

(c) The ~~((unit))~~ program has adequate ~~((clinical faculty, site))~~ field supervisors ~~((and other support personnel))~~ ~~((part-time faculty, and/or graduate teaching assistants)).~~

Faculty qualifications and professional practices

(3) Faculty are qualified and exemplify professional practices.

(a) Faculty are qualified for their assignments by virtue of education, experience and current understanding of research and best practices.

(b) Faculty exemplify professional practices in teaching. ~~((e) Faculty exemplify professional practices in scholarship.~~

~~((d) Faculty exemplify professional practices in service.))~~

Faculty performance and professional development

(4) The ~~((unit))~~ program systematically and comprehensively evaluates faculty performance and supports professional development.

(a) The faculty evaluate their own effectiveness in ~~((teaching, scholarship, and service))~~ achieving program goals.

(b) The ~~((unit))~~ program evaluates faculty effectiveness in teaching and learning.

(c) The ~~((unit))~~ program provides opportunity for faculty to engage in professional development.

~~((Unit))~~ Program facilities and resources

(5) The ~~((unit is provided))~~ program has adequate facilities and resources to promote teaching and learning.

(a) The ~~((unit is provided))~~ program has the necessary classrooms, lab space, office space, and/or other facilities.

(b) The ~~((unit is provided))~~ program has technology, library, curricular, and electronic information resources.

(c) The facilities support faculty and candidate use of technology.

WSR 10-14-109
EXPEDITED RULES
OFFICE OF
INSURANCE COMMISSIONER

[Insurance Commissioner Matter No. R 2010-05—Filed July 7, 2010, 7:39 a.m.]

Title of Rule and Other Identifying Information: WAC 284-23-806 Juvenile life insurance.

NOTICE

THIS RULE IS BEING PROPOSED UNDER AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRITERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THIS USE OF THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO Kacy Scott, Office of the Insurance Commissioner, P.O. Box 40258, Olympia, WA 98504-0258, e-mail Kacys@oic.wa.gov, AND RECEIVED BY September 7, 2010.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: Amend the new rule to provide clarity and ease of compliance.

Reasons Supporting Proposal: WAC 284-23-806 was filed for permanent adoption on June 2, 2010. After the rule was filed for adoption an interested party wrote pointing out that WAC 284-23-806(5) contained a potential ambiguity. This rule making will remove that ambiguity.

Statutory Authority for Adoption: RCW 48.02.060 (3)(a).

Statute Being Implemented: RCW 48.23.345.

Rule is not necessitated by federal law, federal or state court decision.

Name of Proponent: Mike Kreidler, insurance commissioner, governmental.

Name of Agency Personnel Responsible for Drafting: Kacy Scott, P.O. Box 40258, Olympia, WA 98504-0258, (360) 725-7041; Implementation: Beth Berendt, P.O. Box 40255, Olympia, WA 98505-0255, (360) 725-7117; and Enforcement: Carol Sureau, P.O. Box 40255, Olympia, WA 98505-0255, (360) 725-7050.

July 7, 2010
Mike Kreidler
Insurance Commissioner

AMENDATORY SECTION (Amending Matter No. R 2009-05, filed 6/2/10, effective 7/3/10)

WAC 284-23-806 Required procedures and standards for sale of juvenile life insurance policies. Beginning July 1, 2009, an insurer must comply with the following procedures and standards when underwriting juvenile life insurance policies:

(1) An insurer may refuse an applicant's request for life insurance when the combined life insurance-in-force exceeds the issuing insurer's maximum for juveniles.

(2) Life insurance upon a juvenile must not be made or take effect unless at the time the contract is made, the applicant is a person having an insurable interest in the life of the juvenile. The insurer must obtain and keep documentation sufficient to demonstrate that the applicant for the policy has an insurable interest in the life of the juvenile.

(3) In addition to the signature of the applicant, the consent of the parent or legal guardian with whom the juvenile resides, as evidenced by signature, must be obtained before submitting the application for underwriting. Any juvenile age fifteen or older must sign the application for insurance on the juvenile's life.

(4) An insurer must have underwriting standards and procedures justifying the issuance of a life insurance policy on the life of a juvenile. The insurer must provide the insurance commissioner with documentation from its records and files to support its underwriting justification upon request. The justification must address the following elements:

(a) The issued policy must conform to the insurer's established standards and practices for underwriting juvenile life insurance or explain any variance.

(b) As part of its underwriting practice, the insurer must identify the amount, if any, of other life insurance contracts on the life of the juvenile which are in force or applied for at the time of application.

(c) The insurer must confirm that the policy death benefit is grossly proportional to the value of life insurance or accidental death benefits issued for other siblings or immediate family members, and if not, justify why proportionality or equivalency was not required.

(d) The commissioner must be able to determine that the insurer had good cause to underwrite when the overall amount of insurance on the juvenile exceeds the annual household income, and if it does so, justify why such an amount was approved. The extent to which the beneficiary or applicant is dependent on the juvenile for income or other support is an example of such a justification.

(5) If an application on the life of a juvenile is fifty thousand dollars or less and issued without underwriting, the insurer must meet the following (~~additional~~) alternative requirements:

(a) In addition to asking the applicant, take reasonable steps to determine the total amount of insurance in-force on the life of the juvenile at the date of application including, but not limited to, checking any national data base for in-force insurance information;

(b) Document the steps taken to determine the total amount of insurance in-force on a particular application and make the documentation available to the insurance commissioner upon request; and

(c) File an amended application or endorsement for use in Washington including the following statement: "This policy may be void or reduced when a claim is submitted if the total amount of life insurance in-force from all sources exceeds the underwriting limits established for issuance of this policy on the life of a juvenile." This statement must be printed in bold face type of at least twelve-point font.

(6) For each application for juvenile life insurance rejected by an insurer, each insurer must maintain at its home or principal office a complete file containing the original

signed application, underwriting analysis, correspondence with the applicant and any other documents pertinent to the decision to reject the applicant as an insured, for a period of not less than ten years from the date the application was signed by the applicant. Such file shall be subject to inspection by the insurance commissioner.