

**WSR 14-12-026**  
**EXPEDITED RULES**  
**BUILDING CODE COUNCIL**

[Filed May 27, 2014, 1:18 p.m.]

Title of Rule and Other Identifying Information: Editorial changes to chapter 51-11C WAC, 2012 Washington State Energy Code—Commercial.

**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 Ray Allshouse, Chair, State Building Code Council, P.O. Box 41449, Olympia, WA 98504-1449, AND RECEIVED BY August 6, 2014.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: Makes editorial changes to the following sections of the commercial energy portion of the Washington State Energy Code, chapter 51-11C WAC.

**WAC 51-11C-10140**

**Section C101.4.2:** This change makes a grammatical correction to improve the clarity of the requirement.

**Section C101.4.4:** This change, along with others throughout the code (402.1.3.1, 403.2.6.1, 407.5.2.3, Table C407.5.1(2)), replaces the term "residential" with "Group R" for better correlation within and between codes.

**WAC 51-11C-10400**

**Section C104.2:** This change improves the grammar of the section and clarifies the intent.

**WAC 51-11C-40213**

**Section C402.1.3.1:** This change replaces the term "residential" with "Group R" and "nonresidential" to "Other than Group R" for consistency.

**WAC 51-11C-402131**

**Equation C402-1:** This change removes the language limiting glazing percentage limitation for UA alternative. The intent of the council in adopting the requirement was to remove this limitation, but the language remained in error.

**WAC 51-11C-40326**

**Section C403.2.6.1:**

This change replaces the term "residential" with "Group R."

**Section C403.2.6.2:**

This change corrects a typographical error in the text to specify condensate water heat recovery is intended.

**WAC 51-11C-40331**

**Section C403.3.1:**

The term "residential" is replaced with "Group R" in exceptions 1 and 3. VRF is removed from exception 3 as this should be referenced in the complex system requirements rather than those for simple systems. A new exception 5 is added to allow systems to comply through the use of exception 5 to Section C403.4.1. This was previously allowed under the 2009 WSEC.

**WAC 51-11C-40341**

**Section C403.4.1:**

This change adds the VRF systems removed in the previous section to exception 4.

**WAC 51-11C-40409**

**Section C404.9:**

This change makes an editorial correction to remove redundant language.

**WAC 51-11C-40705**

**Section C407.5.2.3:**

This change replaces the term "residential" with "Group R."

**WAC 51-11C-407052**

**Table C407.5.1(2):**

This change replaces the term "residential" with "Group R."

**WAC 51-11C-610714**

**Table A107.1(1):**

Footnote c is removed from this table. The footnote applied to information removed from the table in 2009 and is now irrelevant.

**WAC 51-11C-610714**

**Table A107.1(4):**

This change corrects acronyms for extruded and expanded polystyrene. In the early editions of ASHRAE 90.1, where this table originated, these acronyms were reversed; later editions corrected the error but it was not corrected in the WSEC.

Reasons Supporting Proposal: Some editorial errors were identified in the rules filed under WSR 13-04-056. This rule corrects those errors.

Statutory Authority for Adoption: RCW 19.27A.025, 19.27A.045.

Statute Being Implemented: Chapters 19.27, 19.27A, and 34.05 RCW.

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

Name of Proponent: State building code council, governmental.

Name of Agency Personnel Responsible for Drafting and Implementation: Krista Braaksma, P.O. Box 41449, Olympia, WA 98504-1449, (360) 407-9278; and Enforcement: Local jurisdictions.

May 9, 2014  
C. Ray Allshouse  
Council Chair

**AMENDATORY SECTION** (Amending WSR 13-20-120, filed 10/1/13, effective 11/1/13)

**WAC 51-11C-10140 Section C101.4—Applicability.**

**C101.4 Applicability.** Where, in any specific case, different sections of this code specify different materials, methods of construction or other requirements, the most restrictive shall govern. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall govern.

**C101.4.1 Existing buildings.** Except as specified in this chapter, this code shall not be used to require the removal, *alteration* or abandonment of, nor prevent the continued use and maintenance of, an existing building or building system lawfully in existence at the time of adoption of this code.

**C101.4.2 Historic buildings.** The building official may modify the specific requirements of this code for historic buildings and require ~~((in lieu of))~~ alternate ~~((requirements))~~ provisions which will result in a reasonable degree of energy efficiency. This modification may be allowed for those buildings or structures that are listed in the state or national register of historic places; designated as a historic property under local or state designation law or survey; certified as a contributing resource with a national register listed or locally designated historic district; or with an opinion or certification that the property is eligible to be listed on the national or state registers of historic places either individually or as a contributing building to a historic district by the state historic preservation officer or the keeper of the national register of historic places.

**C101.4.3 Additions, alterations, renovations or repairs.** Additions, alterations, renovations or repairs to an existing building, building system or portion thereof shall conform to the provisions of this code as they relate to new construction without requiring the unaltered portion(s) of the existing building or building system to comply with this code. Additions, alterations, renovations or repairs shall not create an unsafe or hazardous condition or overload existing building systems. An addition shall be deemed to comply with this code if the addition alone complies or if the existing building and addition comply with this code as a single building.

**EXCEPTION:** The following need not comply provided the energy use of the building is not increased:

1. Storm windows installed over existing fenestration.
2. Glass only replacements in an existing sash and frame.
3. Existing ceiling, wall or floor cavities exposed during construction provided that these cavities are insulated to full depth with insulation having a minimum nominal value of R-3.0 per inch installed per Section C402.
4. Construction where the existing roof, wall or floor cavity is not exposed.
5. Reroofing for roofs where neither the sheathing nor the insulation is exposed. Roofs without insulation in the cavity and where the sheathing or insulation is exposed during reroofing shall be insulated either above or below the sheathing.
6. Replacement of existing doors that separate *conditioned space* from the exterior shall not require the installation of a vestibule or revolving door, provided, however, that an existing vestibule that separates a *conditioned space* from the exterior shall not be removed.
7. Alterations to lighting systems only that replace less than 60 percent of the luminaires in a space, provided that such alterations do not increase the installed interior lighting power.
8. Alterations that replace only the bulb and ballast within the existing luminaires in a space provided that the *alteration* does not increase the installed interior lighting power.

**C101.4.3.1 Lighting and motors.** Alterations that replace 60 percent or more of the luminaires in a space enclosed by walls or ceiling-height partitions shall comply with Section C405.5. Where less than 60 percent of the luminaires in a space enclosed by walls or ceiling-height partitions are new, the installed lighting wattage shall be maintained or reduced.

Alterations that replace 60 percent or more of the exterior luminaires shall comply with Section C405.6. Where less than 60 percent of the exterior luminaires are new, the installed lighting wattage shall be maintained or reduced.

Where new wiring is being installed to serve added fixtures and/or fixtures are being relocated to a new circuit, controls shall comply with Sections C405.2.1, C405.2.2.3, C405.2.3, C405.2.4, and as applicable C408.3. In addition, office areas less than 300 ft<sup>2</sup> enclosed by walls or ceiling-height partitions, and all meeting and conference rooms, and all school classrooms, shall be equipped with occupancy sensors that comply with Section C405.2.2 and C408.3. Where a new lighting panel (or a moved lighting panel) with all new raceway and conductor wiring from the panel to the fixtures is being installed, controls shall also comply with the other requirements in Sections C405.2.2 and C408.3.

Where new walls or ceiling-height partitions are added to an existing space and create a new enclosed space, but the lighting fixtures are not being changed, other than being relocated, the new enclosed space shall have controls that comply with Sections C405.2.1, C405.2.2, C405.2.3 and C408.3.

Those motors which are altered or replaced shall comply with Section C403.2.13.

**C101.4.3.2 Mechanical systems.** Those parts of systems which are altered or replaced shall comply with Section C403. Additions or alterations shall not be made to an exist-

ing mechanical system that will cause the existing mechanical system to become out of compliance.

All new systems in existing buildings, including packaged unitary equipment and packaged split systems, shall comply with Section C403.

Where mechanical cooling is added to a space that was not previously cooled, the mechanical cooling system shall comply with the economizer requirements in Section C403.3.1 or C403.4.1.

**EXCEPTION:** Alternate designs that are not in full compliance with this code may be approved when the building official determines that existing building or occupancy constraints make full compliance impractical or where full compliance would be economically impractical.

Alterations to existing mechanical cooling systems shall not decrease economizer capacity unless the system complies with Section C403.3.1 or C403.4.1. In addition, for existing mechanical cooling systems that do not comply with Sections C403.3.1 or Section 403.4.1, including both the individual unit size limits and the total building capacity limits on units without economizer, other alterations shall comply with Table C101.4.3.2.

When space cooling equipment is replaced, controls shall be installed to provide for integrated operation with economizer in accordance with Section C403.3.

Existing equipment currently in use may be relocated within the same floor or same tenant space if removed and reinstalled within the same permit.

**C101.4.4 Change in occupancy or use.** Spaces undergoing a change in occupancy from an F, S or U occupancy to an occupancy other than F, S or U shall comply with this code. Any space that is converted to a ((~~residential~~) Group R) dwelling unit or portion thereof, from another use or occupancy shall comply with this code. Where the use in a space changes from one use in Table C405.5.2 (1) or (2) to another use in Table C405.5.2 (1) or (2), the installed lighting wattage shall comply with Section C405.5.

**EXCEPTION:** Where the component performance building envelope option in Section C402.1.3 is used to comply with this section, the Proposed UA is allowed to be up to 110 percent of the Target UA. Where the total building performance option in Section C407 is used to comply with this section, the annual energy consumption of the proposed design is allowed to be 110 percent of the annual energy consumption otherwise allowed by Section C407.3 and Section C401.2 (3).

**C101.4.5 Change in space conditioning.** Any nonconditioned space that is altered to become *conditioned space* or *semi-heated space* shall be required to be brought into full compliance with this code. Any semi-heated space that is altered to become conditioned space shall be required to be brought into full compliance with this code.

**EXCEPTION:** Where the component performance building envelope option in Section C402.1.3 is used to comply with this section, the Proposed UA is allowed to be up to 110 percent of the Target UA. Where the total building performance option in Section C407 is used to comply with this section, the annual energy consumption of the proposed design is allowed to be 110 percent of the annual energy consumption otherwise allowed by Section C407.3 and Section C401.2 (3).

**C101.4.6 Mixed occupancy.** Where a building includes both *residential* and *commercial* occupancies, each occupancy shall be separately considered and meet the applicable provisions of IECC—Commercial Provisions or IECC—Residential Provisions.

**AMENDATORY SECTION** (Amending WSR 13-04-056, filed 2/1/13, effective 7/1/13)

#### **WAC 51-11C-10400 Section C104—Inspections.**

**C104.1 General.** Construction or work for which a permit is required shall be subject to inspection by the *code official*.

**C104.2 Required approvals.** Work shall not be done beyond the point indicated in each successive inspection without first obtaining the approval of the *code official*. The *code official*, upon notification, shall make the requested inspections and shall either indicate the portion of the construction that is satisfactory as completed, or notify the permit holder or his or her agent wherein the same fails to comply with this code. Any portions that do not comply shall be corrected and such portion shall not be covered or concealed until authorized by the *code official*. Where applicable, inspections shall include at least((=)) the requirements in Sections C104.2.1 through C104.2.3.2.

##### **C104.2.1 Envelope**

**C104.2.1.1 Wall Insulation Inspection:** To be made after all wall insulation and air vapor retarder sheet or film materials are in place, but before any wall covering is placed.

**C104.2.1.2 Glazing Inspection:** To be made after glazing materials are installed in the building.

**C104.2.1.3 Exterior Roofing Insulation:** To be made after the installation of the roof insulation, but before concealment.

**C104.2.1.4 Slab/Floor Insulation:** To be made after the installation of the slab/floor insulation, but before concealment.

##### **C104.2.2 Mechanical**

**C104.2.2.1 Mechanical Equipment Efficiency and Economizer:** To be made after all equipment and controls required by this code are installed and prior to the concealment of such equipment or controls.

**C104.2.2.2 Mechanical Pipe and Duct Insulation:** To be made after all pipe and duct insulation is in place, but before concealment.

##### **C104.2.3 Lighting and motors**

**C104.2.3.1 Lighting Equipment and Controls:** To be made after the installation of all lighting equipment and controls required by this code, but before concealment of the lighting equipment.

**C104.2.3.2 Motor Inspections:** To be made after installation of all equipment covered by this code, but before concealment.

**C104.3 Final inspection.** The building shall have a final inspection and not be occupied until *approved*.

**C104.4 Reinspection.** A building shall be reinspected when determined necessary by the *code official*.

**C104.5 Approved inspection agencies.** The *code official* is authorized to accept reports of *approved* inspection agencies, provided such agencies satisfy the requirements as to qualifications and reliability.

**C104.6 Inspection requests.** It shall be the duty of the holder of the permit or their duly authorized agent to notify the *code official* when work is ready for inspection. It shall be the duty of the permit holder to provide access to and means for inspections of such work that are required by this code.

**C104.7 Reinspection and testing.** Where any work or installation does not pass an initial test or inspection, the necessary corrections shall be made so as to achieve compliance with this code. The work or installation shall then be resubmitted to the *code official* for inspection and testing.

**C104.8 Approval.** After the prescribed tests and inspections indicate that the work complies in all respects with this code, a notice of approval shall be issued by the *code official*.

**C104.8.1 Revocation.** The *code official* is authorized to, in writing, suspend or revoke a notice of approval issued under the provisions of this code wherever the certificate is issued in error, or on the basis of incorrect information supplied, or where it is determined that the building or structure, premise, or portion thereof is in violation of any ordinance or regulation or any of the provisions of this code.

AMENDATORY SECTION (Amending WSR 13-04-056, filed 2/1/13, effective 7/1/13)

**WAC 51-11C-40213 Section C402.1.3—Component performance option.**

**C402.1.3 Component performance building envelope option.**

**C402.1.3.1 General.** Buildings or structures whose design heat loss rate ( $UA_p$ ) and solar heat gain coefficient rate ( $SHGC * A_p$ ) are less than or equal to the target heat loss rate ( $UA_t$ ) and solar heat gain coefficient rate ( $SHGC * A_t$ ) shall be considered in compliance with this section. The stated *U*-factor, *F*-factor or allowable area of any component assembly, listed in Table C402.1.2 and Table C402.3, such as roof/ceiling, opaque wall, opaque door, fenestration, floor over conditioned space, slab-on-grade floor, radiant floor or opaque floor may be increased and the *U*-factor or *F*-factor for other components decreased, provided that the total heat gain or loss for the entire building envelope does not exceed the total resulting from compliance to the *U*-factors, *F*-factors or allowable areas specified in this section. Compliance shall be calculated in total for the building envelope for ~~((nonresidential))~~ other than Group R spaces and for ~~((residential))~~ Group R spaces.

**C402.1.3.2 Component *U*-factors.** The *U*-factors for typical construction assemblies are included in Chapter 3 and Appendix A. These values shall be used for all calculations. Where proposed construction assemblies are not represented

in Chapter 3 or Appendix A, values shall be calculated in accordance with the ASHRAE Handbook—Fundamentals, using the framing factors listed in Appendix A.

For envelope assemblies containing metal framing, the *U*-factor shall be determined by one of the following methods:

1. Results of laboratory measurements according to acceptable methods of test.
2. ASHRAE Handbook—Fundamentals where the metal framing is bonded on one or both sides to a metal skin or covering.
3. The zone method as provided in ASHRAE Handbook—Fundamentals.
4. Effective framing/cavity *R*-values as provided in Appendix A.

When return air ceiling plenums are employed, the roof/ceiling assembly shall:

- a. For thermal transmittance purposes, not include the ceiling proper nor the plenum space as part of the assembly; and
- b. For gross area purposes, be based upon the interior face of the upper plenum surface.

5. Tables in ASHRAE 90.1-2010 Normative Appendix A.

**C402.1.3.3 UA calculations.** The target  $UA_t$  and the proposed  $UA_p$  shall be calculated using Equations C402-1 and C402-2 and the corresponding areas and *U*-factors from Table C402.1.2 and Table C402.3. For the target  $UA_t$  calculation, the skylights shall be located in roof/ceiling area up to the maximum skylight area per Section C402.3.1 and the remainder of the fenestration allowed per Section C402.3.1 shall be located in the wall area.

**C402.1.3.4 SHGC rate calculations.** Solar heat gain coefficient shall comply with Table C402.3. The target  $SHGCA_t$  and the proposed  $SHGCA_p$  shall be calculated using Equations C402-3 and C402-4 and the corresponding areas and SHGCs from Table C402.3.

AMENDATORY SECTION (Amending WSR 13-23-096, filed 11/20/13, effective 4/1/14)

**WAC 51-11C-402131 Equation C402-1—Target  $UA_t$ .**

**Equation C402-1  
Target  $UA_t$**

$$UA_t = U_{radt}A_{radt} + U_{mrt}A_{mrt} + U_{rat}A_{rat} + U_{mwt}(A_{mwt} + A_{mbwgt}) + U_{mbwt}(A_{mbwt} + A_{mbwgt}) + U_{sftw}(A_{sftw} + A_{sftwbgt}) + U_{wftw}(A_{wftw} + A_{wftwbgt}) + U_{fimt}A_{fimt} + U_{fjt}A_{fjt} + F_{st}P_{st} + F_{srt}P_{srt} + U_{dst}A_{dst} + U_{drt}A_{drt} + U_{vgt}A_{vgt} + U_{vgmt}A_{vgmt} + U_{vgmot}A_{vgmot} + U_{vgdt}A_{vgdt} + U_{ogt}A_{ogt}$$

$UA_t$	=	The target combined specific heat transfer of the gross roof/ceiling assembly, exterior wall and floor area.	$U_{vgt}$	=	The thermal transmittance value for vertical fenestration with nonmetal framing found in Table C402.3 which corresponds to the proposed vertical fenestration area as a percent of gross exterior wall area. *Buildings utilizing Section C402.3.1.3 shall use the thermal transmittance value specified there.
Where:					
$U_{radt}$	=	The thermal transmittance value for roofs with the insulation entirely above deck found in Table C402.1.2.	$U_{vgmt}$	=	The thermal transmittance value for vertical fenestration with fixed metal framing found in Table C402.3 which corresponds to the proposed vertical fenestration area as a percent of gross exterior wall area. *Buildings utilizing Section C402.3.1.3 shall use the thermal transmittance value specified there.
$U_{mrt}$	=	The thermal transmittance value for metal building roofs found in Table C402.1.2.	$U_{vgmot}$	=	The thermal transmittance value for vertical fenestration with operable metal framing found in Table C402.3 which corresponds to the proposed vertical fenestration area as a percent of gross exterior wall area. *Buildings utilizing Section C402.3.1.3 shall use the thermal transmittance value specified there.
$U_{rat}$	=	The thermal transmittance value for attic and other roofs found in Table C402.1.2.	$U_{vgdt}$	=	The thermal transmittance value for entrance doors found in Table C402.3 which corresponds to the proposed vertical fenestration area as a percent of gross exterior wall area. Buildings utilizing Section C402.3.1.3 shall use the thermal transmittance value specified there.
$U_{mwt}$	=	The thermal transmittance value for opaque mass walls found in Table C402.1.2.	$U_{ogt}$	=	The thermal transmittance for skylights found in Table C402.3 which corresponds to the proposed skylight area as a percent of gross exterior roof area.
$U_{mbwt}$	=	The thermal transmittance value for opaque metal building walls found in Table C402.1.2.	$A_{fmt}$	=	The proposed mass floor over unconditioned space area, $A_{fm}$ .
$U_{sfwt}$	=	The thermal transmittance value for opaque steel-framed walls found in Table C402.1.2.			
$U_{wfw}$	=	The thermal transmittance value for opaque wood framed and other walls found in Table C402.1.2.			
$U_{fmt}$	=	The thermal transmittance value for mass floors over unconditioned space found in Table C402.1.2.			
$U_{ff}$	=	The thermal transmittance value for joist floors over unconditioned space found in Table C402.1.2.			
$F_{st}$	=	The F-factor for slab-on-grade floors found in Table C402.1.2.			
$F_{srt}$	=	The F-factor for radiant slab floors found in Table C402.1.2.			
$U_{dst}$	=	The thermal transmittance value for opaque swinging doors found in Table C402.2.			
$U_{drt}$	=	The thermal transmittance value for opaque roll-up or sliding doors found in Table C402.2.			

- $A_{fjt}$  = The proposed joist floor over unconditioned space area,  $A_{fj}$ .
- $P_{st}$  = The proposed linear feet of slab-on-grade floor perimeter,  $P_s$ .
- $P_{srt}$  = The proposed linear feet of radiant slab floor perimeter,  $P_{rs}$ .
- $A_{dst}$  = The proposed opaque swinging door area,  $A_{ds}$ .
- $A_{drt}$  = The proposed opaque roll-up or sliding door area,  $A_{dr}$ .

and

If the vertical fenestration area as a percent of gross above-grade exterior wall area does not exceed the maximum allowed in Section C402.3.1.3:

- $A_{mwt}$  = The proposed opaque above grade mass wall area,  $A_{mw}$ .
- $A_{mwbgt}$  = The proposed opaque below grade mass wall area,  $A_{mw}$ .
- $A_{mbwt}$  = The proposed opaque above grade metal building wall area,  $A_{mbw}$ .
- $A_{mbwbgt}$  = The proposed opaque below grade metal building wall area,  $A_{mbwb}$ .
- $A_{sfwt}$  = The proposed opaque above grade steel framed wall area,  $A_{mfw}$ .
- $A_{sfwbgt}$  = The proposed opaque below grade steel framed wall area,  $A_{mfwbg}$ .
- $A_{wfw}$  = The proposed opaque above grade wall wood framed and other area,  $A_{wfwbg}$ .
- $A_{wfwbg}$  = The proposed opaque below grade wall wood framed and other area,  $A_{wfwbg}$ .
- $A_{vgt}$  = The proposed vertical fenestration area with nonmetal framing,  $A_{vg}$ .
- $A_{vgmt}$  = The proposed vertical fenestration area with fixed metal framing,  $A_{vgm}$ .
- $A_{vgmot}$  = The proposed vertical fenestration area with operable metal framing,  $A_{vgmo}$ .

- $A_{vgdt}$  = The proposed entrance door area,  $A_{vgd}$ .

or

~~((For buildings utilizing Section C402.3.1.3, vertical fenestration area as a percent of gross exterior above-grade wall may not exceed the amount allowed by that section. For all other buildings,))~~ If the vertical fenestration area as a percent of gross above-grade exterior wall area exceeds the maximum allowed in Section C402.3.1, the area of each vertical fenestration element shall be reduced in the base envelope design by the same percentage and the net area of each above-grade wall type increased proportionately by the same percentage so that the total vertical fenestration area is exactly equal to the allowed percentage per Section C402.3.1 of the gross above-grade wall area. The target wall area of a given wall type shall be the sum of the proposed below grade area and the increased above-grade area.

and

If the skylight area as a percent of gross exterior roof area does not exceed the maximum allowed in Section C402.3.1:

- $A_{radt}$  = The proposed roof area with insulation entirely above the deck,  $A_{rad}$ .
- $A_{mrt}$  = The proposed roof area for metal buildings,  $A_{mr}$ .
- $A_{rat}$  = The proposed attic and other roof area,  $A_{or}$ .
- $A_{ogat}$  = The proposed skylight area,  $A_{ogor}$ .

or

If the skylight area as a percent of gross exterior roof area exceeds the maximum allowed in Section C402.3.1, the area of each skylight element shall be reduced in the base envelope design by the same percentage and the net area of each roof type increased proportionately by the same percentage so that the total skylight area is exactly equal to the allowed percentage per Section C402.3.1 of the gross roof area.

\*Note: The vertical fenestration area does not include opaque doors and opaque spandrel panels.

AMENDATORY SECTION (Amending WSR 13-04-056, filed 2/1/13, effective 7/1/13)

**WAC 51-11C-40326 Section C403.2.6—Energy recovery.**

**C403.2.6 Energy recovery.**

**C403.2.6.1 Energy recovery ventilation systems.** Any system with minimum outside air requirements at design condi-

tions greater than 5,000 CFM or any system required by Table C403.2.6 shall include an energy recovery system. The energy recovery system shall have the capability to provide a change in the enthalpy of the outdoor air supply of not less than 50 percent of the difference between the outdoor air and return air enthalpies, at design conditions. Where an air economizer is required, the energy recovery system shall include a bypass or controls which permit operation of the economizer as required by Section C403.4. Where a single room or space is supplied by multiple units, the aggregate ventilation (cfm) of those units shall be used in applying this requirement.

- EXCEPTION: An energy recovery ventilation system shall not be required in any of the following conditions:
1. Where energy recovery systems are prohibited by the *International Mechanical Code*.
  2. Laboratory fume hood systems that include at least one of the following features:
    - 2.1. Variable-air-volume hood exhaust and room supply systems capable of reducing exhaust and makeup air volume to 50 percent or less of design values.
    - 2.2. Direct makeup (auxiliary) air supply equal to at least 75 percent of the exhaust rate, heated no warmer than 2°F (1.1°C) above room setpoint, cooled to no cooler than 3°F (1.7°C) below room setpoint, no humidification added, and no simultaneous heating and cooling used for dehumidification control.
  3. Systems serving spaces that are heated to less than 60°F (15.5°C) and are not cooled.
  4. Where more than 60 percent of the outdoor heating energy is provided from site-recovered or site solar energy.
  5. Heating energy recovery in Climate Zones 1 and 2.
  6. Cooling energy recovery in Climate Zones 3C, 4C, 5B, 5C, 6B, 7 and 8.
  7. Systems requiring dehumidification that employ energy recovery in series with the cooling coil.
  8. Multi-zone systems with cold deck supply air and zone reheat where the minimum outdoor air is less than 70 percent of total supply air.
  9. Systems serving ~~((residential multifamily spaces))~~ Group R dwelling or sleeping units where the largest source of air exhausted at a single location at the building exterior is less than 25 percent of the design outdoor air flow rate.

**C403.2.6.2 Condensate systems.** On-site steam heating systems shall have condensate water heat recovery. On-site includes a system that is located within or adjacent to one or more buildings within the boundary of a contiguous area or campus under one ownership and which serves one or more of those buildings.

Buildings using steam generated off-site with steam heating systems which do not have condensate water recovery shall have condensate water heat recovery.

**C403.2.6.3 Condenser heat recovery.** Facilities having food service, meat or deli departments and having 500,000 Btu/h or greater of remote refrigeration condensers shall have condenser waste heat recovery from freezers and coolers and shall use the waste heat for service water heating, space heating or for dehumidification reheat. Facilities having a gross conditioned floor area of 40,000 ft<sup>2</sup> or greater and 1,000,000 Btu/h or greater of remote refrigeration shall have condenser

waste heat recovery from freezers and coolers and shall use the waste heat for service water heating, and either for space heating or for dehumidification reheat for maintaining low space humidity.

AMENDATORY SECTION (Amending WSR 13-04-056, filed 2/1/13, effective 7/1/13)

**WAC 51-11C-40331 Section C403.3.1—Economizers.**

**C403.3.1 Economizers.** Each cooling system that has a fan shall include an air economizer meeting the requirements of Sections C403.3.1.1 through C403.3.1.1.4.

- EXCEPTION: Economizers are not required for the systems listed below:
1. Qualifying small equipment: This exception shall not be used for unitary cooling equipment installed outdoors or in a mechanical room adjacent to the outdoors. This exception is allowed to be used for other cooling units and split systems with a total cooling capacity rated in accordance with Section C403.2.3 of less than 33,000 Btu/h (hereafter referred to as qualifying small systems) provided that these are high-efficiency cooling equipment with SEER and EER values more than 15 percent higher than minimum efficiencies listed in Tables C403.2.3 (1) through (3), in the appropriate size category, using the same test procedures. Equipment shall be listed in the appropriate certification program to qualify for this exception. The total capacity of all qualifying small equipment without economizers shall not exceed 72,000 Btu/h per building, or 5 percent of its air economizer capacity, whichever is greater. That portion of the equipment serving ~~((residential))~~ Group R occupancies is not included in determining the total capacity of all units without economizers in a building. Redundant units are not counted in the capacity limitations. This exception shall not be used for the shell-and-core permit or for the initial tenant improvement or for Total Building Performance.
  2. Systems with dehumidification that affect other systems so as to increase the overall building energy consumption. New humidification equipment shall comply with Section C403.2.3.4.
  3. For ~~((residential))~~ Group R occupancies, cooling units installed outdoors or in a mechanical room adjacent to outdoors with a total cooling capacity less than 20,000 Btu/h and other cooling units with a total cooling capacity less than 54,000 Btu/h provided that these are high-efficiency cooling equipment with IEER, SEER, and EER values more than 15 percent higher than minimum efficiencies listed in Tables C403.2.3 (1) through (10), in the appropriate size category, using the same test procedures. Equipment shall be listed in the appropriate certification program to qualify for this exception. For split systems ~~((and VRF systems))~~, compliance is based on the cooling capacity of individual fan coil units.
  4. Where the cooling *efficiency* meets or exceeds the *efficiency* requirements in Table C403.3.1(2).
  5. Equipment used to cool any dedicated server room, electronic equipment room or telecom switch room provided the system complies with Exception 5 of Section C403.4.1. The total allowance for equipment utilizing Exception 5 of Section C403.4.1 includes the sum of both simple and complex systems.

**Table C403.3.1(2)**  
**Equipment Efficiency Performance**  
**Exception for Economizers**

Climate Zones	Cooling Equipment Performance Improvement (EER OR IPLV)
2B	10% Efficiency Improvement
3B	15% Efficiency Improvement
4B	20% Efficiency Improvement

**C403.3.1.1 Air economizers.** Air economizers shall comply with Sections C403.3.1.1.1 through C403.3.1.1.4.

**C403.3.1.1.1 Design capacity.** Air economizer systems shall be capable of modulating *outdoor air* and return air dampers to provide up to 100 percent of the design supply air quantity as *outdoor air* for cooling.

**C403.3.1.1.2 Control signal.** Economizer dampers shall be capable of being sequenced with the mechanical cooling equipment and shall not be controlled by only mixed air temperature. Air economizers on systems with cooling capacity greater than 65,000 Btu/h shall be capable of providing partial cooling even when additional mechanical cooling is required to meet the remainder of the cooling load.

EXCEPTION: The use of mixed air temperature limit control shall be permitted for systems that are both controlled from space temperature (such as single *zone* systems) and having cooling capacity less than 65,000 Btu/h.

**C403.3.1.1.3 High-limit shutoff.** Air economizers shall be capable of automatically reducing *outdoor air* intake to the design minimum *outdoor air* quantity when *outdoor air* intake will no longer reduce cooling energy usage. High-limit shutoff control types for specific climates shall be chosen from Table C403.3.1.1.3(1). High-limit shutoff control settings for these control types shall be those specified in Table C403.3.1.1.3(2).

**C403.3.1.1.4 Relief of excess outdoor air.** Systems shall be capable of relieving excess *outdoor air* during air economizer operation to prevent over-pressurizing the building. The relief air outlet shall be located to avoid recirculation into the building.

AMENDATORY SECTION (Amending WSR 13-20-120, filed 10/1/13, effective 11/1/13)

**WAC 51-11C-40341 Section C403.4.1—Economizers.**

**C403.4.1 Economizers.** Air economizers shall be provided on all new systems including those serving computer server rooms, electronic equipment, radio equipment, and telephone switchgear. Economizers shall comply with Sections C403.4.1.1 through C403.4.1.4.

- EXCEPTIONS:
- Water-cooled refrigeration equipment serving chilled beams and chilled ceiling space cooling systems only which are provided with a water economizer meeting the requirements of Section C403.4.1.1 through C403.4.1.4. Water economizer capacity per building shall not exceed 500 tons. This exception shall not be used for Total Building Performance.
  - Systems complying with all of the following criteria:
    - Consist of multiple water source heat pumps connected to a common water loop;
    - Have a minimum of 60 percent air economizer;
    - Have water source heat pumps with an EER at least 15 percent higher for cooling and a COP at least 15 percent higher for heating than that specified in Section C403.2.3;
    - Where provided, have a central boiler or furnace efficiency of 90 percent minimum for units up to 199,000 Btu/h; and
    - Provide heat recovery with a minimum 50 percent heat recovery effectiveness as defined in Section C403.2.6 to preheat the outside air supply.
  - Chilled water terminal units connected to systems with chilled water generation equipment with IPLV values more than 25 percent higher than minimum part load efficiencies listed in Table C403.2.3(7), in the appropriate size category, using the same test procedures. Equipment shall be listed in the appropriate certification program to qualify for this exception. The total capacity of all systems without economizers shall not exceed 480,000 Btu/h per building, or 20 percent of its air economizer capacity, whichever is greater. That portion of the equipment serving Group R Occupancy is not included in determining the total capacity of all units without economizers in a building. This exception shall not be used for the initial permit (this includes any initial permit for the space including, but not limited to, the shell-and-core permit, built-to-suit permit, and tenant improvement permit) or for Total Building Performance Method.
  - For Group R occupancies, cooling units installed outdoors or in a mechanical room adjacent to outdoors with a total cooling capacity less than 20,000 Btu/h and other cooling units with a total cooling capacity less than 54,000 Btu/h provided that these are high-efficiency cooling equipment with SEER and EER values more than 15 percent higher than minimum efficiencies listed in Tables C403.2.3 (1) through (3), in the appropriate size category, using the same test procedures. Equipment shall be listed in the appropriate certification program to qualify for this exception. For split systems and VRF systems, compliance is based on the cooling capacity of individual fan coil units.
  - Equipment used to cool any dedicated server room, electronic equipment room or telecom switch room provided that they completely comply with Option a, b, or c in the table below. The total capacity of all systems without economizers shall not exceed 240,000 Btu/h per building or 10 percent of its air economizer capacity, whichever is greater. This exception shall not be used for Total Building Performance.

	Equipment Type	Higher Equipment Efficiency	Part-Load Control	Economizer
Option a	Tables C403.2.3(1) and C403.2.3(2) <sup>a</sup>	+15% <sup>b</sup>	Required over 85,000 Btu/h <sup>c</sup>	None Required
Option b	Tables C403.2.3(1) and C403.2.3(2) <sup>a</sup>	+5% <sup>d</sup>	Required over 85,000 Btu/h <sup>c</sup>	Waterside Economizer <sup>c</sup>
Option c	ASHRAE Standard 127 <sup>f</sup>	+0% <sup>e</sup>	Required over 85,000 Btu/h <sup>c</sup>	Waterside Economizer <sup>c</sup>



## Notes for Exception 5:

- a For a system where all of the cooling equipment is subject to the AHRI standards listed in Tables C403.2.3(1) and C403.2.3(2), the system shall comply with all of the following (note that if the system contains any cooling equipment that exceeds the capacity limits in Table C403.2.3(1) or C403.2.3(2), or if the system contains any cooling equipment that is not included in Table C403.2.3(1) or C403.2.3(2), then the system is not allowed to use this option).
- b The cooling equipment shall have an EER value and an IPLV value that is a minimum of 15 percent greater than the value listed in Tables C403.2.3(1) and C403.2.3(2) (1.15 x values in Tables C403.2.3(1) and C403.2.3(2)).
- c For units with a total cooling capacity over 85,000 Btu/h, the system shall utilize part-load capacity control schemes that are able to modulate to a part-load capacity of 50 percent of the load or less that results in the compressor operating at the same or higher EER at part loads than at full load (e.g., minimum of two-stages of compressor unloading such as cylinder unloading, two-stage scrolls, dual tandem scrolls, but hot gas bypass is not credited as a compressor unloading system).
- d The cooling equipment shall have an EER value and an IPLV value that is a minimum of 5 percent greater than the value listed in Tables C403.2.3(1) and C403.2.3(2) (1.05 x values in Tables C403.2.3(1) and C403.2.3(2)).
- e The system shall include a water economizer in lieu of air economizer. Water economizers shall meet the requirements of C403.4.1.2 through C403.4.1.4 and be capable of providing the total concurrent cooling load served by the connected terminal equipment lacking airside economizer, at outside air temperatures of 50°F dry-bulb/45°F wet-bulb and below. For this calculation, all factors including solar and internal load shall be the same as those used for peak load calculations, except for the outside temperatures. The equipment shall be served by a dedicated condenser water system unless a nondedicated condenser water system exists that can provide appropriate water temperatures during hours when waterside economizer cooling is available.
- f For a system where all cooling equipment is subject to ASHRAE Standard 127.
- g The cooling equipment subject to the ASHRAE Standard 127 shall have an EER value and an IPLV value that is equal or greater than the value listed in Tables C403.2.3(1) and C403.2.3(2) when determined in accordance with the rating conditions ASHRAE Standard 127 (i.e., not the rating conditions in AHRI Standard 210/240 or 340/360). This information shall be provided by an independent third party.

6. Variable refrigerant flow (VRF) systems, multiple-zone split-system heat pumps, consisting of multiple, individually metered indoor units with multi-speed fan motors, served on a single common refrigeration circuit with an exterior reverse-cycle heat pump with variable speed compressor(s) and variable speed condenser fan(s). These systems shall also be capable of providing simultaneous heating and cooling operation, where recovered energy from the indoor units operating in one mode can be transferred to one or more indoor units operating in the other mode, and shall serve at least 20 percent internal (no perimeter wall within 12") and 20 percent perimeter zones (as determined by conditioned floor area) and the outdoor unit shall be at least 65,000 Btu/h in total capacity. Systems utilizing this exception shall have 50 percent heat recovery effectiveness as defined by Section C403.2.6 on the outside air. For the purposes of this exception, dedicated server rooms, electronic equipment rooms or telecom switch rooms are not considered perimeter zones. This exception shall be limited to buildings of 60,000 square feet and less.

**C403.4.1.1 Design capacity.** Water economizer systems shall be capable of cooling supply air by indirect evaporation and providing up to 100 percent of the expected system cooling load at *outdoor air* temperatures of 50°F dry-bulb (10°C dry-bulb)/45°F wet-bulb (7.2°C wet-bulb) and below.

EXCEPTION: Systems in which a water economizer is used and where dehumidification requirements cannot be met using outdoor air temperatures of 50°F dry-bulb (10°C dry-bulb)/45°F wet-bulb (7.2°C wet-bulb) shall satisfy 100 percent of the expected system cooling load at 45°F dry-bulb (7.2°C dry-bulb)/40°F wet-bulb (4.5°C wet-bulb).

**C403.4.1.2 Maximum pressure drop.** Precooling coils and water-to-water heat exchangers used as part of a water economizer system shall either have a waterside pressure drop of less than 15 feet (4572 mm) of water or a secondary loop shall be created so that the coil or heat exchanger pressure drop is not seen by the circulating pumps when the system is in the normal cooling (noneconomizer) mode.

**C403.4.1.3 Integrated economizer control.** Economizer systems shall be integrated with the mechanical cooling system and be capable of providing partial cooling even where additional mechanical cooling is required to meet the remainder of the cooling load.

EXCEPTIONS:

1. Direct expansion systems that include controls that reduce the quantity of *outdoor air* required to prevent coil frosting at the lowest step of compressor unloading, provided this lowest step is no greater than 25 percent of the total system capacity.
2. Individual direct expansion units that have a rated cooling capacity less than 54,000 Btu/h (15,827 W) and use nonintegrated economizer controls that preclude simultaneous operation of the economizer and mechanical cooling.

**C403.4.1.4 Economizer heating system impact.** HVAC system design and economizer controls shall be such that economizer operation does not increase the building heating energy use during normal operation.

EXCEPTION: Economizers on VAV systems that cause *zone* level heating to increase due to a reduction in supply air temperature.

**AMENDATORY SECTION** (Amending WSR 13-04-056, filed 2/1/13, effective 7/1/13)

**WAC 51-11C-40409 Section C404.9—Domestic hot water meters.**

**C404.9 Domestic hot water meters.** Each individual dwelling unit in a Group R-2 (~~(multi-family residential)~~) occupancy with central service shall be provided with a domestic hot water meter to allow for domestic hot water billing based on actual domestic hot water usage.

**AMENDATORY SECTION** (Amending WSR 13-04-056, filed 2/1/13, effective 7/1/13)

**WAC 51-11C-40705 Section C407.5—Calculation procedure.**

**C407.5 Calculation procedure.** Except as specified by this section, the *standard reference design* and *proposed design*

shall be configured and analyzed using identical methods and techniques.

**C407.5.1 Building specifications.** The *standard reference design* and *proposed design* shall be configured and analyzed as specified by Table C407.5.1(1). Table C407.5.1(1) shall include by reference all notes contained in Table C402.2.

**C407.5.2 Thermal blocks.** The *standard reference design* and *proposed design* shall be analyzed using identical thermal blocks as specified in Section C407.5.2.1, C407.5.2.2 or C407.5.2.3.

**C407.5.2.1 HVAC zones designed.** Where HVAC zones are defined on HVAC design drawings, each HVAC zone shall be modeled as a separate thermal block.

- EXCEPTION: Different HVAC zones shall be allowed to be combined to create a single thermal block or identical thermal blocks to which multipliers are applied provided:
1. The space use classification is the same throughout the thermal block.
  2. All HVAC zones in the thermal block that are adjacent to glazed exterior walls face the same orientation or their orientations are within 45 degrees (0.79 rad) of each other.
  3. All of the zones are served by the same HVAC system or by the same kind of HVAC system.

**C407.5.2.2 HVAC zones not designed.** Where HVAC zones have not yet been designed, thermal blocks shall be defined based on similar internal load densities, occupancy, lighting,

thermal and temperature schedules, and in combination with the following guidelines:

1. Separate thermal blocks shall be assumed for interior and perimeter spaces. Interior spaces shall be those located more than 15 feet (4572 mm) from an exterior wall. Perimeter spaces shall be those located closer than 15 feet (4572 mm) from an exterior wall.

2. Separate thermal blocks shall be assumed for spaces adjacent to glazed exterior walls: A separate zone shall be provided for each orientation, except orientations that differ by no more than 45 degrees (0.79 rad) shall be permitted to be considered to be the same orientation. Each zone shall include floor area that is 15 feet (4572 mm) or less from a glazed perimeter wall, except that floor area within 15 feet (4572 mm) of glazed perimeter walls having more than one orientation shall be divided proportionately between zones.

3. Separate thermal blocks shall be assumed for spaces having floors that are in contact with the ground or exposed to ambient conditions from zones that do not share these features.

4. Separate thermal blocks shall be assumed for spaces having exterior ceiling or roof assemblies from zones that do not share these features.

**C407.5.2.3 Multifamily ((residential)) Group R buildings.** ((Residential)) Group R spaces shall be modeled using one thermal block per space except that those facing the same orientations are permitted to be combined into one thermal block. Corner units and units with roof or floor loads shall only be combined with units sharing these features.

AMENDATORY SECTION (Amending WSR 13-04-056, filed 2/1/13, effective 7/1/13)

**WAC 51-11C-407052 Table C407.5.1(2)—HVAC systems map.**

**Table C407.5.1(2)  
HVAC Systems Map**

Condenser Cooling Source <sup>a</sup>	Heating System Classification <sup>b</sup>	Standard Reference Design HVAC System Type <sup>c</sup>		
		Single-Zone ((Residential)) Group R System	Single-Zone ((Nonresidential)) Other than Group R System	All Other
Water/ground	Electric resistance	System 5	System 5	System 1
	Heat pump	System 6	System 6	System 6
	Fossil fuel	System 7	System 7	System 2
	Electric resistance	System 8	System 9	System 3
Air/none	Heat pump	System 8	System 9	System 3
	Fossil fuel	System 10	System 11	System 4

- a Select "water/ground" if the proposed design system condenser is water or evaporatively cooled; select "air/none" if the condenser is air cooled. Closed-circuit dry coolers shall be considered air cooled. Systems utilizing district cooling shall be treated as if the condenser water type were "water." If no mechanical cooling is specified or the mechanical cooling system in the proposed design does not require heat rejection, the system shall be treated as if the condenser water type were "Air." For proposed designs with ground-source or groundwater-source heat pumps, the standard reference design HVAC system shall be water-source heat pump (System 6).
- b ((Select the path that corresponds to the proposed design heat source: Electric resistance, heat pump (including air source and water source), or fuel fired. Systems utilizing district heating (steam or hot water) and systems with no heating capability shall be treated as if the heating system type were "fossil fuel.") Systems utilizing district heating (steam or hot water) or district cooling and systems with no heating capability shall be treated as if the heating system type were "fossil fuel" for the purpose of Standard Reference Design HVAC system selection. Otherwise, select the path that corresponds to the proposed design heat source: Electric resistance, heat pump (including air source and water source), or fuel fired. For systems with mixed fuel heating sources, the system or systems that use the secondary heating source type (the one with the smallest total installed output capacity

for the spaces served by the system) shall be modeled identically in the standard reference design and the primary heating source type shall be used to determine *standard reference design* HVAC system type.

- c Select the *standard reference design* HVAC system category: The system under "single-zone ((residential)) Group R system" shall be selected if the HVAC system in the proposed design is a single-zone system and serves a residential space. The system under "single-zone ((nonresidential)) other than Group R system" shall be selected if the HVAC system in the proposed design is a single-zone system and serves other than ((residential)) Group R spaces. The system under "all other" shall be selected for all other cases.

**AMENDATORY SECTION** (Amending WSR 13-04-056, filed 2/1/13, effective 7/1/13)

**WAC 51-11C-610711 Table A107.1(1)—Default U-factors for doors.**

**Table A107.1(1)  
Default U-factors for Doors**

Door Type	No Glazed Fenestration	Single Glazing	Double Glazing with 1/4 in. Airspace	Double Glazing with 1/2 in. Airspace	Double Glazing with e = 0.10, 1/2 in. Argon
<b>Swinging Doors (Rough opening - 38 in. x 82 in.)</b>					
<b>Slab Doors</b>					
Wood slab in wood frame <sup>a</sup>	0.46				
6% glazed fenestration (22 in. x 8 in. lite)	-	0.48	0.47	0.46	0.44
25% glazed fenestration (22 in. x 36 in. lite)	-	0.58	0.48	0.46	0.42
45% glazed fenestration (22 in. x 64 in. lite)	-	0.69	0.49	0.46	0.39
More than 50% glazed fenestration	Use Table C303.1.3(1)/R303.1.3(1) as appropriate				
Insulated steel slab with wood edge in wood frame <sup>a</sup>	0.16				
6% glazed fenestration (22 in. x 8 in. lite)	-	0.21	0.20	0.19	0.18
25% glazed fenestration (22 in. x 36 in. lite)	-	0.39	0.28	0.26	0.23
45% glazed fenestration (22 in. x 64 in. lite)	-	0.58	0.38	0.35	0.26
More than 50% glazed fenestration	Use Table C303.1.3(1)/R303.1.3(1) as appropriate				
Foam insulated steel slab with metal edge in steel frame <sup>b</sup>	0.37				
6% glazed fenestration (22 in. x 8 in. lite)	-	0.44	0.42	0.41	0.39
25% glazed fenestration (22 in. x 36 in. lite)	-	0.55	0.50	0.48	0.44
45% glazed fenestration (22 in. x 64 in. lite)	-	0.71	0.59	0.56	0.48
More than 50% glazed fenestration	Use Table C303.1.3(1)/R303.1.3(1) as appropriate				
Cardboard honeycomb slab with metal edge in steel frame <sup>b</sup>	0.61				
<b>Style and Rail Doors</b>					
Sliding glass doors/French doors	Use Table C303.1.3(1)/R303.1.3(1) as appropriate				

Door Type	No Glazed Fenestration	Single Glazing	Double Glazing with 1/4 in. Airspace	Double Glazing with 1/2 in. Airspace	Double Glazing with e = 0.10, 1/2 in. Argon
<b>Site-Assembled Style and Rail Doors</b>					
Aluminum in aluminum frame	-	1.32	0.99	0.93	0.79
Aluminum in aluminum frame with thermal break	-	1.13	0.80	0.74	0.63

Note: Appendix A Tables A107.1(2) through A107.1(4) may also be used if applicable.

a Thermally broken sill (add 0.03 for nonthermally broken sill)

b Nonthermally broken sill

(e Nominal U-factors are through the center of the insulated panel before consideration of thermal bridges around the edges of the door sections and due to the frame.)

**AMENDATORY SECTION** (Amending WSR 13-04-056, filed 2/1/13, effective 7/1/13)

**WAC 51-11C-610714 Table A107.1(4)—Default U-factors for steel garage and hangar doors.**

**Table A107.1(4)  
Default U-factors for Steel Garage and Hangar Doors**

<b>Double-skin Steel Garage and Aircraft Hangar Doors</b>					
<b>Insulation<sup>e</sup></b>	<b>One-piece tilt-up<sup>a</sup></b>		<b>Sectional tilt-up<sup>b</sup></b>	<b>Aircraft hangar</b>	
	<b>8 ft. x 7 ft.</b>	<b>16 ft. x 7 ft.</b>	<b>9 ft. x 7 ft.</b>	<b>72 ft. x 12 ft.<sup>c</sup></b>	<b>240 ft. x 50 ft.<sup>d</sup></b>
1-3/8 in. thickness ((EPS)) XPS, steel ribs ((XPS)) EPS, steel ribs	0.36 0.33	0.33 0.31	0.34 - 0.39 0.31 - 0.36		
2 in. thickness ((EPS)) XPS, steel ribs ((XPS)) EPS, steel ribs	0.31 0.29	0.28 0.26	0.29 - 0.33 0.27 - 0.31		
3 in. thickness ((EPS)) XPS, steel ribs ((XPS)) EPS, steel ribs	0.26 0.24	0.23 0.21	0.25 - 0.28 0.24 - 0.27		
4 in. thickness ((EPS)) XPS, steel ribs ((XPS)) EPS, steel ribs	0.23 0.21	0.20 0.19	0.23 - 0.25 0.21 - 0.24		
6 in. thickness ((EPS)) XPS, steel ribs ((XPS)) EPS, steel ribs	0.20 0.19	0.16 0.15	0.20 - 0.21 0.19 - 0.21		
4 in. thickness Noninsulated Expanded polystyrene Mineral wool, steel ribs Extruded polystyrene				1.10 0.25 0.25 0.23	1.23 0.16 0.16 0.15
6 in. thickness Noninsulated Expanded polystyrene Mineral wool, steel ribs Extruded polystyrene				1.10 0.21 0.23 0.20	1.23 0.13 0.13 0.12
Uninsulated All products	1.15				

a Values are for thermally broken or thermally unbroken doors.

b Lower values are for thermally broken doors; upper values are for doors with no thermal break.

c Typical size for a small private airplane (single-engine or twin).

d Typical hangar door for a midsize commercial jet airliner.

e ((EPS)) XPS is extruded polystyrene, ((XPS)) EPS is expanded polystyrene.

**WSR 14-12-027**  
**EXPEDITED RULES**  
**BUILDING CODE COUNCIL**

[Filed May 27, 2014, 1:21 p.m.]

Title of Rule and Other Identifying Information: Editorial changes to chapter 51-11R WAC, 2012 Washington State Energy Code—Residential.

**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 Ray Allshouse, Chair, State Building Code Council, P.O. Box 41449, Olympia, WA 98504-1449, AND RECEIVED BY August 6, 2014.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: Makes editorial changes to the following sections of the residential energy portion of the Washington State Energy Code:

Table R303.1.3(2): Footnote c was removed from the table. This footnote applied to information removed in 2009 and is now irrelevant.

Section R402.4.3: Exceptions 2 and 3 were duplicative and were combined into a single item.

Table R406.2, item 3a. An allowance for a 92% AFUE boiler was replaced in the high efficiency HVAC option. This option was included in the previous code.

Reasons Supporting Proposal: Some editorial errors were identified in the rules filed under WSR 13-04-055. This rule corrects those errors.

Statutory Authority for Adoption: RCW 19.27A.025, 19.27A.045.

Statute Being Implemented: Chapters 19.27, 19.27A, and 34.05 RCW.

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

Name of Proponent: State building code council, governmental.

Name of Agency Personnel Responsible for Drafting and Implementation: Krista Braaksma, P.O. Box 41449, Olympia, WA 98504-1449, (360) 407-9278; and Enforcement: Local jurisdictions.

May 9, 2014  
 C. Ray Allshouse  
 Council Chair

AMENDATORY SECTION (Amending WSR 13-04-055, filed 2/1/13, effective 7/1/13)

**WAC 51-11R-30312 Table R303.1.3(2)—Default door U-factors.**

**TABLE R303.1.3(2)**  
**DEFAULT DOOR U-FACTORS**

Door Type	No Glazed Fenestration	Single Glazing	Double Glazing with 1/4 in. Airspace	Double Glazing with 1/2 in. Airspace	Double Glazing with e = 0.10, 1/2 in. Argon
<b>SWINGING DOORS (Rough opening - 38 in. x 82 in.)</b>					
<b>Slab Doors</b>					
Wood slab in wood frame <sup>a</sup>	0.46				
6% glazed fenestration (22 in. x 8 in. lite)	-	0.48	0.47	0.46	0.44
25% glazed fenestration (22 in. x 36 in. lite)	-	0.58	0.48	0.46	0.42
45% glazed fenestration (22 in. x 64 in. lite)	-	0.69	0.49	0.46	0.39
More than 50% glazed fenestration	Use Table R303.1.3(1)				
Insulated steel slab with wood edge in wood frame <sup>a</sup>	0.16				
6% glazed fenestration (22 in. x 8 in. lite)	-	0.21	0.20	0.19	0.18
25% glazed fenestration (22 in. x 36 in. lite)	-	0.39	0.28	0.26	0.23

Door Type	No Glazed Fenestration	Single Glazing	Double Glazing with 1/4 in. Airspace	Double Glazing with 1/2 in. Airspace	Double Glazing with e = 0.10, 1/2 in. Argon
45% glazed fenestration (22 in. x 64 in. lite)	-	0.58	0.38	0.35	0.26
More than 50% glazed fenestration	Use Table R303.1.3(1)				
Foam insulated steel slab with metal edge in steel frame <sup>b</sup>	0.37				
6% glazed fenestration (22 in. x 8 in. lite)	-	0.44	0.42	0.41	0.39
25% glazed fenestration (22 in. x 36 in. lite)	-	0.55	0.50	0.48	0.44
45% glazed fenestration (22 in. x 64 in. lite)	-	0.71	0.59	0.56	0.48
More than 50% glazed fenestration	Use Table R303.1.3(1)				
Cardboard honeycomb slab with metal edge in steel frame <sup>b</sup>	0.61				
<b>Style and Rail Doors</b>					
Sliding glass doors/French doors	Use Table R303.1.3(1)				
<b>Site-Assembled Style and Rail Doors</b>					
Aluminum in aluminum frame	-	1.32	0.99	0.93	0.79
Aluminum in aluminum frame with thermal break	-	1.13	0.80	0.74	0.63

Note: Appendix A Tables A107.1(2) through A107.1(4) may also be used if applicable.

- a Thermally broken sill (add 0.03 for nonthermally broken sill).
- b Nonthermally broken sill.
- (<sup>e</sup> Nominal U-factors are through the center of the insulated panel before consideration of thermal bridges around the edges of the door section and due to the frame.)

**AMENDATORY SECTION** (Amending WSR 13-04-055, filed 2/1/13, effective 7/1/13)

**WAC 51-11R-40240 Section R402.4—Air leakage.**

**R402.4 Air leakage (Mandatory).** The building thermal envelope shall be constructed to limit air leakage in accordance with the requirements of Sections R402.4.1 through R402.4.4.

**R402.4.1 Building thermal envelope.** The *building thermal envelope* shall comply with Sections R402.4.1.1 and R402.4.1.2. The sealing methods between dissimilar materials shall allow for differential expansion and contraction.

**R402.4.1.1 Installation.** The components of the *building thermal envelope* as listed in Table R402.4.1.1 shall be installed in accordance with the manufacturer's instructions and the criteria listed in Table R402.4.1.1, as applicable to the

method of construction. Where required by the *code official*, an *approved* third party shall inspect all components and verify compliance.

**R402.4.1.2 Testing.** The building or dwelling unit shall be tested and verified as having an air leakage rate of not exceeding 5 air changes per hour. Testing shall be conducted with a blower door at a pressure of 0.2 inches w.g. (50 Pascals). Where required by the *code official*, testing shall be conducted by an *approved* third party. A written report of the results of the test shall be signed by the party conducting the test and provided to the *code official*. Testing shall be performed at any time after creation of all penetrations of the *building thermal envelope*. Once visual inspection has confirmed sealing (see Table R402.4.1.1), operable windows and doors manufactured by *small business* shall be permitted to be sealed off at the frame prior to the test.

During testing:

1. Exterior windows and doors, fireplace and stove doors shall be closed, but not sealed, beyond the intended weatherstripping or other infiltration control measures;
2. Dampers including exhaust, intake, makeup air, backdraft and flue dampers shall be closed, but not sealed beyond intended infiltration control measures;

- 3. Interior doors, if installed at the time of the test, shall be open, access hatches to conditioned crawl spaces and conditioned attics shall be open;
- 4. Exterior openings for continuous ventilation systems and heat recovery ventilators shall be closed and sealed;
- 5. Heating and cooling systems, if installed at the time of the test, shall be turned off; and
- 6. Supply and return registers, if installed at the time of the test, shall be fully open.

**R402.4.2 Fireplaces.** New wood-burning fireplaces shall have tight-fitting flue dampers and outdoor combustion air.

**R402.4.3 Air leakage of fenestration.** Windows, skylights and sliding glass doors shall have an air infiltration rate of no more than 0.3 cfm per square foot (1.5 L/s/m<sup>2</sup>), and swinging doors no more than 0.5 cfm per square foot (2.6 L/s/m<sup>2</sup>), when tested according to NFRC 400 or AAMA/WDMA/CSA 101/I.S.2/A440 by an accredited, independent laboratory and *listed* and *labeled* by the manufacturer.

EXCEPTIONS:

- 1. Field-fabricated fenestration products (windows, skylights and doors).
- 2. Custom exterior fenestration products manufactured by a small business provided they meet the applicable provisions of Chapter 24 of the *International Building Code*. Once visual inspection has confirmed the presence of a gasket, operable windows and doors manufactured by *small business* shall be permitted to be sealed off at the frame prior to the test.  
(~~3. Custom exterior windows and doors manufactured by a small business provided they meet the applicable provisions of chapter 24 of the *International Building Code*. Once visual inspection has confirmed the presence of a gasket, operable windows and doors manufactured by *small business* shall be permitted to be sealed off at the frame prior to the test.~~)

**R402.4.4 Recessed lighting.** Recessed luminaires installed in the *building thermal envelope* shall be Type IC-rated and certified under ASTM E283 as having an air leakage rate not more than 2.0 cfm (0.944 L/s) when tested at a 1.57 psf (75 Pa) pressure differential and shall have a label attached showing compliance with this test method. All recessed luminaires shall be sealed with a gasket or caulk between the housing and the interior wall or ceiling covering.

AMENDATORY SECTION (Amending WSR 13-20-121, filed 10/1/13, effective 11/1/13)

**WAC 51-11R-40621 Table R406.2—Energy credits.**

**TABLE 406.2  
ENERGY CREDITS (DEBITS)**

OPTION	DESCRIPTION	CREDIT(S)
1a	EFFICIENT BUILDING ENVELOPE 1a: Prescriptive compliance is based on Table R402.1.1 with the following modifications: Fenestration U = 0.28 Floor R-38 Slab on grade R-10 perimeter and under entire slab Below grade slab R-10 perimeter and under entire slab	0.5

OPTION	DESCRIPTION	CREDIT(S)
	<b>or</b> Compliance based on Section R402.1.4: Reduce the Total UA by 5%.	
1b	EFFICIENT BUILDING ENVELOPE 1b: Prescriptive compliance is based on Table R402.1.1 with the following modifications: Fenestration U = 0.25 Wall R-21 plus R-4 Floor R-38 Basement wall R-21 int plus R-5 ci Slab on grade R-10 perimeter and under entire slab Below grade slab R-10 perimeter and under entire slab <b>or</b> Compliance based on Section R402.1.4: Reduce the Total UA by 15%.	1.0
1c	EFFICIENT BUILDING ENVELOPE 1c: Prescriptive compliance is based on Table R402.1.1 with the following modifications: Fenestration U = 0.22 Ceiling and single-rafter or joist-vaulted R-49 advanced Wood frame wall R-21 int plus R-12 ci Floor R-38 Basement wall R-21 int plus R-12 ci Slab on grade R-10 perimeter and under entire slab Below grade slab R-10 perimeter and under entire slab <b>or</b> Compliance based on Section R402.1.4: Reduce the Total UA by 30%.	2.0
2a	AIR LEAKAGE CONTROL AND EFFICIENT VENTILATION 2a: Compliance based on R402.4.1.2: Reduce the tested air leakage to 4.0 air changes per hour maximum <b>and</b> All whole house ventilation requirements as determined by Section M1507.3 of the <i>International Residential Code</i> shall be met with a high efficiency fan (maximum 0.35 watts/cfm), not interlocked with the furnace fan. Ventilation systems using a furnace including an ECM motor are allowed, provided that they are controlled to operate at low speed in ventilation only mode. To qualify to claim this credit, the building permit drawings shall specify the option being selected and shall specify the maximum tested building air leakage and shall show the qualified ventilation system.	0.5
2b	AIR LEAKAGE CONTROL AND EFFICIENT VENTILATION 2b: Compliance based on Section R402.4.1.2: Reduce the tested air leakage to 2.0 air changes per hour maximum <b>and</b> All whole house ventilation requirements as determined by Section M1507.3 of the <i>International Residential Code</i> shall be	1.0

OPTION	DESCRIPTION	CREDIT(S)
	met with a heat recovery ventilation system with minimum sensible heat recovery efficiency of 0.70. To qualify to claim this credit, the building permit drawings shall specify the option being selected and shall specify the maximum tested building air leakage and shall show the heat recovery ventilation system.	
2c	<b>AIR LEAKAGE CONTROL AND EFFICIENT VENTILATION 2c:</b> Compliance based on Section R402.4.1.2: Reduce the tested air leakage to 1.5 air changes per hour maximum <b>and</b> All whole house ventilation requirements as determined by Section M1507.3 of the <i>International Residential Code</i> shall be met with a heat recovery ventilation system with minimum sensible heat recovery efficiency of 0.85. To qualify to claim this credit, the building permit drawings shall specify the option being selected and shall specify the maximum tested building air leakage and shall show the heat recovery ventilation system.	1.5
3a	<b>HIGH EFFICIENCY HVAC EQUIPMENT 3a:</b> Gas, propane or oil-fired furnace with minimum AFUE of 95%, <u>or gas, propane or oil-fired boiler with minimum AFUE of 92%.</u> To qualify to claim this credit, the building permit drawings shall specify the option being selected and shall specify the heating equipment type and the minimum equipment efficiency.	0.5
3b	<b>HIGH EFFICIENCY HVAC EQUIPMENT 3b:</b> Air-source heat pump with minimum HSPF of 8.5 To qualify to claim this credit, the building permit drawings shall specify the option being selected and shall specify the heating equipment type and the minimum equipment efficiency.	1.0
3c	<b>HIGH EFFICIENCY HVAC EQUIPMENT 3c:</b> Closed-loop ground source heat pump; with a minimum COP of 3.3 <b>or</b> Open loop water source heat pump with a maximum pumping hydraulic head of 150 feet and minimum COP of 3.6 To qualify to claim this credit, the building permit drawings shall specify the option being selected and shall specify the heating equipment type and the minimum equipment efficiency.	2.0
3d	<b>HIGH EFFICIENCY HVAC EQUIPMENT 3d:</b> <b>DUCTLESS SPLIT SYSTEM HEAT PUMPS, ZONAL CONTROL:</b> In homes where the primary space heating system is zonal electric heating, a ductless	1.0

OPTION	DESCRIPTION	CREDIT(S)
	heat pump system shall be installed and provide heating to at least one zone of the housing unit. To qualify to claim this credit, the building permit drawings shall specify the option being selected and shall specify the heating equipment type and the minimum equipment efficiency.	
4	<b>HIGH EFFICIENCY HVAC DISTRIBUTION SYSTEM:<sup>a</sup></b> All heating and cooling system components installed inside the conditioned space. All combustion equipment shall be direct vent or sealed combustion. Locating system components in conditioned crawl spaces is not permitted under this option. Electric resistance heat is not permitted under this option. Direct combustion heating equipment with AFUE less than 80% is not permitted under this option. To qualify to claim this credit, the building permit drawings shall specify the option being selected and shall specify the heating equipment type and shall show the location of the heating and cooling equipment and all the ductwork.	1.0
5a	<b>EFFICIENT WATER HEATING 5a:</b> Water heating system shall include one of the following: Gas, propane or oil water heater with a minimum EF of 0.62 <b>or</b> Electric water heater with a minimum EF of 0.93. <b>and for both cases</b> All showerhead and kitchen sink faucets installed in the house shall be rated at 1.75 GPM or less. All other lavatory faucets shall be rated at 1.0 GPM or less. <sup>b</sup> To qualify to claim this credit, the building permit drawings shall specify the option being selected and shall specify the water heater equipment type and the minimum equipment efficiency and shall specify the maximum flow rates for all showerheads, kitchen sink faucets, and other lavatory faucets.	0.5
5b	<b>EFFICIENT WATER HEATING 5b:</b> Water heating system shall include one of the following: Gas, propane or oil water heater with a minimum EF of 0.82 <b>or</b> Solar water heating supplementing a minimum standard water heater. Solar water heating will provide a rated minimum savings of 85 therms or 2000 kWh based on the Solar Rating and Certification Corporation (SRCC) Annual Performance of OG-300 Certified Solar Water Heating Systems <b>or</b>	1.5



OPTION	DESCRIPTION	CREDIT(S)
	<p>Electric heat pump water heater with a minimum EF of 2.0 and meeting the standards of NEEA's Northern Climate Specifications for Heat Pump Water Heaters  <b>or</b>                      Water heater heated by ground source heat pump meeting the requirements of Option 3c.                      To qualify to claim this credit, the building permit drawings shall specify the option being selected and shall specify the water heater equipment type and the minimum equipment efficiency and, for solar water heating systems, the calculation of the minimum energy savings.</p>	
6	<p><b>RENEWABLE ELECTRIC ENERGY:</b>                      For each 1200 kWh of electrical generation provided annually by on-site wind or solar equipment a 0.5 credit shall be allowed, up to 3 credits. Generation shall be calculated as follows:                      For solar electric systems, the design shall be demonstrated to meet this requirement using the National Renewable Energy Laboratory calculator PVWATTS. Documentation noting solar access shall be included on the plans.                      For wind generation projects designs shall document annual power generation based on the following factors:                      The wind turbine power curve; average annual wind speed at the site; frequency distribution of the wind speed at the site and height of the tower.                      To qualify to claim this credit, the building permit drawings shall specify the option being selected and shall show the photovoltaic or wind turbine equipment type, provide documentation of solar and wind access, and include a calculation of the minimum annual energy power production.</p>	0.5

2 Residential kitchen faucets: Maximum flow rate - 6.6 L/min (1.75 gal/min) when tested in accordance with ASME A112.18.1/CSA B125.1.  
 3 Residential showerheads: Maximum flow rate - 6.6 L/min (1.75 gal/min) when tested in accordance with ASME A112.18.1/CSA B125.1.

**WSR 14-12-028**  
**EXPEDITED RULES**  
**BUILDING CODE COUNCIL**

[Filed May 27, 2014, 1:22 p.m.]

Title of Rule and Other Identifying Information: Editorial changes to chapter 51-52 WAC, adoption and amendment of the 2012 International Mechanical Code.

**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 Ray Allshouse, Chair, State Building Code Council, P.O. Box 41449, Olympia, WA 98504-1449, AND RECEIVED BY August 6, 2014.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: Editorial change to Sections 403.8.7.2 and 403.8.9.2:

A sentence was added to these sections to clarify that outdoor air needs to be supplied to all habitable spaces per Section 403.8.5.1.

Reasons Supporting Proposal: Editorial errors were identified in the rules filed under WSR 13-04-053. This rule corrects those errors.

Statutory Authority for Adoption: RCW 19.27A.025, 19.27A.045.

Statute Being Implemented: Chapters 19.27, 19.27A, and 34.05 RCW.

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

Name of Proponent: State building code council, governmental.

Name of Agency Personnel Responsible for Drafting and Implementation: Krista Braaksma, P.O. Box 41449, Olympia, WA 98504-1449, (360) 407-9278; and Enforcement: Local jurisdictions.

May 9, 2014  
 C. Ray Allshouse  
 Council Chair

AMENDATORY SECTION (Amending WSR 13-04-053, filed 2/1/13, effective 7/1/13)

**WAC 51-52-0403 Section 403—Mechanical ventilation.**

Footnotes: <sup>a</sup> **Interior Duct Placement.** Ducts included as Option 4 of Table R406.2 shall be placed wholly within the heated envelope of the housing unit. The placement shall be inspected and certified to receive the credits associated with this option.

EXCEPTION: Ducts complying with this section may have up to 5% of the total linear feet of ducts located in the exterior cavities or buffer spaces of the dwelling. If this exception is used the ducts will be tested to the following standards:  
 Post-construction test: Leakage to outdoors shall be less than or equal to 1 CFM per 100 ft<sup>2</sup> of conditioned floor area when tested at a pressure differential of 0.1 inches w.g. (25 Pa) across the entire system, including the manufacturer's air handler enclosure. All register boots shall be taped or otherwise sealed during the test.

<sup>b</sup> **Plumbing Fixtures Flow Ratings.** Low flow plumbing fixtures (water closets and urinals) and fittings (faucets and showerheads) shall comply with the following requirements:  
 1 Residential bathroom lavatory sink faucets: Maximum flow rate - 3.8 L/min (1.0 gal/min) when tested in accordance with ASME A112.18.1/CSA B125.1.

**403.2 Outdoor air required.** The minimum ventilation rate of *outdoor air* shall be determined in accordance with Section 403.3.

- EXCEPTIONS:
1. Where the registered design professional demonstrates that an engineered ventilation system design will prevent the maximum concentration of contaminants from exceeding that obtainable by the rate of *outdoor air* ventilation determined in accordance with Section 403.3, the minimum required rate of *outdoor air* shall be reduced in accordance with such engineered system design.
  2. Alternate systems designed in accordance with ASHRAE Standard 62.1 Section 6.2, Ventilation Rate Procedure, shall be permitted.

**403.2.1 Recirculation of air.** The air required by Section 403.3 shall not be recirculated. Air in excess of that required by Section 403.3 shall not be prohibited from being recirculated as a component of supply air to building spaces, except that:

1. Ventilation air shall not be recirculated from one dwelling to another or to dissimilar occupancies.
2. Supply air to a swimming pool and associated deck areas shall not be recirculated unless such air is dehumidified to maintain the relative humidity of the area at 60 percent or less. Air from this area shall not be recirculated to other spaces where 10 percent or more of the resulting supply air-stream consists of air recirculated from these spaces.
3. Where mechanical exhaust is required by Note b in Table 403.3, recirculation of air from such spaces shall be

prohibited. All air supplied to such spaces shall be exhausted, including any air in excess of that required by Table 403.3. (Item 4 is not adopted.)

**403.3 Outdoor airflow rate.** Ventilation systems shall be designed to have the capacity to supply the minimum outdoor airflow rate determined in accordance with this section. The occupant load utilized for design of the ventilation system shall not be less than the number determined from the estimated maximum occupant load rate indicated in Table 403.3. Ventilation rates for occupancies not represented in Table 403.3 shall be those for a listed occupancy classification that is most similar in terms of occupant density, activities and building construction; or shall be determined by an approved engineering analysis. The ventilation system shall be designed to supply the required rate of ventilation air continuously during the period the building is occupied, except as otherwise stated in other provisions of the code.

With the exception of smoking lounges, the ventilation rates in Table 403.3 are based on the absence of smoking in occupiable spaces. Where smoking is anticipated in a space other than a smoking lounge, the ventilation system serving the space shall be designed to provide ventilation over and above that required by Table 403.3 in accordance with accepted engineering practice.

EXCEPTION: Where occupancy density is known and documented in the plans, the outside air rate may be based on the design occupant density. Under no circumstance shall the occupancies used result in outside air less than one-half that resulting from application of Table 403.3 estimated maximum occupancy rates.

**Table 403.3  
REQUIRED OUTDOOR VENTILATION AIR**

Occupancy Classification	Occupant Density #/1000 ft <sup>2a</sup>	People Outdoor Airflow Rate in Breathing Zone R <sub>p</sub> cfm/Person	Area Outdoor Airflow Rate in Breathing Zone R <sub>a</sub> cfm/ft <sup>2a</sup>	Exhaust Airflow Rate cfm/ft <sup>2</sup>
<b>Offices</b>				
Conference rooms	50	5	0.06	—
Kitchenettes	—	—	—	0.30
Office spaces	5	5	0.06	—
Reception areas	30	5	0.06	—
Telephone/data entry	60	5	0.06	—
Main entry lobbies	10	5	0.06	—
<b>Private dwellings, single and multiple</b>				
Garages, common for multiple units <sup>b</sup>	—	—	—	0.75
Garages, separate for each dwelling <sup>b</sup>	—	—	—	100 cfm per car
Kitchens <sup>b</sup>	—	—	—	25/100 <sup>f</sup>
Living areas <sup>c</sup>	Based on the number of bedrooms. First bedroom, 2; each additional bedroom, 1	See Tables 403.8.1 and 403.8.5.1	—	—
Toilet rooms, bathrooms and laundry areas <sup>g, 1</sup>	—	—	—	20/50 <sup>f</sup>
<b>Sports and amusement</b>				
Disco/dance floors	100	20	0.06	—

Occupancy Classification	Occupant Density #/1000 ft <sup>2a</sup>	People Outdoor Airflow Rate in Breathing Zone R <sub>p</sub> cfm/Person	Area Outdoor Airflow Rate in Breathing Zone R <sub>a</sub> cfm/ft <sup>2a</sup>	Exhaust Airflow Rate cfm/ft <sup>2</sup>
Bowling alleys (seating areas)	40	10	0.12	—
Game arcades	20	7.5	0.18	—
Ice arenas, without combustion engines <sup>i</sup>	—	—	0.30	0.5
Gym, stadium, arena (play area) <sup>j</sup>	—	—	0.30	—
Spectator areas	150	7.5	0.06	—
Swimming pools (pool and deck area)	—	—	0.48	—
Health club/aerobics room	40	20	0.06	—
Health club/weight room	10	20	0.06	—
<b>Storage</b>				
Janitor closets, trash rooms, recycling rooms	—	—	—	1.0
Repair garages, enclosed parking garage <sup>b, d</sup>	—	—	—	0.75
Storage rooms, chemical	—	—	—	1.5
Warehouses	—	—	0.06	—

For SI: 1 cubic foot per minute = 0.0004719 m<sup>3</sup>/s, 1 ton = 908 kg, 1 cubic foot per minutes per square foot = 0.00508 m<sup>3</sup>/(s•m<sup>2</sup>), °C = [(°F) -32]/1.8, 1 square foot = 0.0929 m<sup>2</sup>.

- a. Based upon *net occupiable floor area*.
- b. Mechanical exhaust required and the recirculation of air from such spaces is prohibited (see Section 403.2.1, Item 3).
- c. Spaces unheated or maintained below 50°F are not covered by these requirements unless the occupancy is continuous.
- d. Ventilation systems in enclosed parking garages shall comply with Section 404.
- e. Rates are per water closet or urinal. The higher rate shall be provided where the exhaust system is designed to operate intermittently. The lower rate shall be permitted only where the exhaust system is designed to operate continuously while occupied.
- f. Rates are per room unless otherwise indicated. The higher rate shall be provided where the exhaust system is designed to operate intermittently. The lower rate shall be permitted only where the exhaust system is designed to operate continuously while occupied.
- g. Mechanical exhaust is required and recirculation is prohibited.
- h. For nail salons, each nail station shall be provided with a *source capture system* capable of exhausting not less than 50 cfm per station.
- i. A laundry area within a kitchen or bathroom is not required to have local exhaust. For the laundry area to qualify as being within the kitchen, the laundry room door must open directly into the kitchen and not into an adjacent corridor. Where there are doors that separate the laundry area from the kitchen or bathroom the door shall be louvered.

- j. When combustion equipment is intended to be used on the playing surface, additional dilution ventilation and/or source control shall be provided.

**403.8 Ventilation systems for Group R occupancies.** Each dwelling unit or sleeping unit shall be equipped with local exhaust and whole house ventilation systems and shall comply with Sections 403.8.1 through 403.8.11. All public corridors and other than Group R occupied spaces that support the Group R occupancy shall meet the ventilation requirements of Section 402 or Sections 403.1 to 403.7.

**403.8.1 Minimum ventilation performance.** Ventilation systems shall be designed and installed to satisfy the ventilation requirements of Table 403.3 or Table 403.8.1. Breathing zone ventilation rates from Table 403.3 shall be calculated per Section 403.3.1.1 and corrected per zone air distribution effectiveness requirements per Section 403.3.1.2.

**Table 403.8.1**  
**VENTILATION RATES FOR ALL GROUP R PRIVATE DWELLINGS, SINGLE AND MULTIPLE**  
**(CONTINUOUSLY OPERATING SYSTEMS)**

Floor Area (ft <sup>2</sup> )	Bedrooms <sup>1</sup>				
	0-1	2-3	4-5	6-7	>7
<1500	30	45	60	75	90

Floor Area (ft <sup>2</sup> )	Bedrooms <sup>1</sup>				
	0-1	2-3	4-5	6-7	>7
1501 - 3000	45	60	75	90	105
3001 - 4500	60	75	90	105	120
4501 - 6000	75	90	105	120	135
6001 - 7500	90	105	120	135	150
>7500	105	120	135	150	165

<sup>1</sup>Ventilation rates in table are minimum outdoor airflow rates measured in cfm.

**403.8.2 Control and operation.**

1. Location of controls. Controls for all ventilation systems shall be readily accessible by the occupant.

2. Instructions. Operating instructions for whole house ventilation systems shall be provided to the occupant by the installer of the system.

3. Local exhaust ventilation systems. Local exhaust ventilation systems shall be controlled by manual switches, dehumidistats, timers, or other approved means.

4. Continuous whole house ventilation systems. Continuous whole house ventilation systems shall operate continuously. Exhaust fans, forced-air system fans, or supply fans shall be equipped with "fan on" as override controls. Controls shall be capable of operating the ventilation system without energizing other energy-consuming appliances. A label shall be affixed to the controls that reads "Whole House Ventilation (see operating instructions)."

5. Intermittent whole house ventilation systems. Intermittent whole house ventilation systems shall comply with the following:

5.1 They shall be capable of operating intermittently and continuously.

5.2 They shall have controls capable of operating the exhaust fans, forced-air system fans, or supply fans without energizing other energy-consuming appliances.

5.3 The ventilation rate shall be adjusted according to the exception in Section 403.8.5.1.

5.4 The system shall be designed so that it can operate automatically based on the type of control timer installed.

5.5 The intermittent mechanical ventilation system shall operate at least one hour out of every four.

5.6 The system shall have a manual control and automatic control, such as a 24-hour clock timer.

5.7 At the time of final inspection, the automatic control shall be set to operate the whole house fan according to the schedule used to calculate the whole house fan sizing.

5.8 A label shall be affixed to the control that reads "Whole House Ventilation (see operating instructions)."

EXCEPTION: Engineered central ventilation systems serving dwelling units or sleeping units are not required to have individual controls for each dwelling unit or sleeping unit when designed for continuous operation and approved by the code official.

**403.8.3 Outdoor air intake locations.** *Outdoor air* intakes shall be classified as either operable openings or mechanical air intakes and shall be located per the following criteria. The intake locations for operable openings and mechanical air intakes shall comply with the following:

1. Openings for mechanical air intakes shall comply with Section 401.4. Operable openings shall comply with Section 401.4 items 2 and 4 only.

2. Intake openings shall not be located closer than 10 feet from an appliance vent outlet unless such vent outlet is 3 feet above the *outdoor air* inlet. The vent shall be permitted to be closer if specifically allowed by Chapter 8 or by the International Fuel Gas Code.

3. Intake openings shall be located where they will not pick up objectionable odors, fumes, or flammable vapors.

4. Intake openings shall be located where they will not take air from a hazardous or unsanitary location.

5. Intake openings shall be located where they will not take air from a room or space having a fuel-burning appliances.

6. Intake openings shall not be located closer than 10 feet from a vent opening of a plumbing drainage system unless the vent opening is at least 3 feet above the air inlet.

7. Intake openings shall not be located where they will take air from an attic, crawl space, or garage.

**403.8.4 Local exhaust ventilation requirements.** Local exhaust ventilation systems shall exhaust at least the volume of air required for exhaust in Table 403.3. Exhaust shall be provided in each kitchen, bathroom, water closet, laundry area, indoor swimming pool, spa, and other room where water vapor or cooking odor is produced.

**403.8.4.1 Local exhaust systems.** Exhaust systems shall be designed and installed to meet all of the criteria below:

1. Local exhaust shall be discharged outdoors.

2. Exhaust outlets shall comply with Section 501.3.

3. Pressure equalization shall comply with Section 501.4.

4. Exhaust ducts in systems which are designed to operate intermittently shall be equipped with back-draft dampers.

5. All exhaust ducts in unconditioned spaces shall be insulated to a minimum of R-4.

6. Terminal outlet elements shall have at least the equivalent net free area of the ductwork.

7. Terminal outlet elements shall be screened or otherwise protected as required by Section 501.3.2.

8. Exhaust fans in separate dwelling units or sleeping units shall not share common exhaust ducts unless the system is engineered for this operation.

9. Where permitted by Chapter 5, multiple local exhaust ducts may be combined. If more than one of the exhaust fans in a dwelling unit or sleeping unit shares a common exhaust duct then each exhaust fan shall be equipped with a back-draft damper to prevent the recirculation of exhaust air from one room to another room via the exhaust ducting system.

**403.8.4.2 Local exhaust fans.** Exhaust fan construction and sizing shall meet the following criteria.

1. Exhaust fans shall be tested and rated in accordance with the airflow and sound rating procedures of the Home Ventilating Institute (HVI 915, HVI Loudness Testing and Rating Procedure, HVI 916, HVI Airflow Test Procedure, and HVI 920, HVI Product Performance Certification Procedure).

EXCEPTION: Where a range hood or down draft exhaust fan is used for local exhaust for a kitchen, the device is not required to be rated per these standards.

2. Installation of the system or equipment shall be carried out in accordance with manufacturers' installation instructions.

3. Fan airflow rating and duct system shall be designed and installed to deliver at least the exhaust airflow required by Table 403.3. The airflows required refer to the delivered airflow of the system as installed and tested using a flow hood, flow grid, or other airflow measurement device.

EXCEPTIONS:

1. An exhaust airflow rating at a pressure of 0.25 in. w.g. may be used, provided the duct sizing meets the prescriptive requirements of Table 403.8.4.2.
2. Where a range hood or down draft exhaust fan is used to satisfy the local exhaust requirements for kitchens, the range hood or down draft exhaust shall not be less than 100 cfm at 0.10 in. w.g.

**TABLE 403.8.4.2  
PRESCRIPTIVE EXHAUST DUCT SIZING**

Fan Tested cfm at 0.25 inches w.g.	Minimum Flex Diameter	Maximum Length in Feet	Minimum Smooth Diameter	Maximum Length in Feet	Maximum Elbows <sup>1</sup>
50	4 inches	25	4 inches	70	3
50	5 inches	90	5 inches	100	3
50	6 inches	No Limit	6 inches	No Limit	3
80	4 inches <sup>2</sup>	NA	4 inches	20	3
80	5 inches	15	5 inches	100	3
80	6 inches	90	6 inches	No Limit	3
100	5 inches <sup>2</sup>	NA	5 inches	50	3
100	6 inches	45	6 inches	No Limit	3
125	6 inches	15	6 inches	No Limit	3
125	7 inches	70	7 inches	No Limit	3

1. For each additional elbow, subtract 10 feet from length.
2. Flex ducts of this diameter are not permitted with fans of this size.

**403.8.5 Whole house ventilation requirements.** Each dwelling unit or sleeping unit shall be equipped with one of the following four types of mechanical whole house ventilation systems: A system using exhaust fans (see Section 403.8.6); a system integrated with forced-air systems (see Section 403.8.7); a system using supply fans (see Section 403.8.8); or a heat or energy recovery ventilation system (see Section 403.8.9). The whole house exhaust system is permitted to be one of the local exhaust systems required by Section 403.8.4 as long as the requirements of this section, in addition to the requirements of Section 403.8.5, are met.

**403.8.5.1 Outdoor air.** *Outdoor air* shall be distributed to each habitable space.

Where *outdoor air* supply intakes are separated from exhaust vents by doors, means shall be provided to ensure

airflow to all separated habitable spaces by installing distribution ducts, installed grilles, transoms, doors undercut to a minimum of 1/2-inch above the surface of the finish floor covering, or other similar means where permitted by the *International Building Code*.

The mechanical system shall operate continuously to supply at least the volume of *outdoor air* required in Table 403.3 or Table 403.8.1.

EXCEPTION: Intermittently operating ventilation systems: The whole house mechanical ventilation system is permitted to operate intermittently where the system has controls that enable operation for not less than 25 percent of each 4-hour segment and the ventilation rate prescribed in Table 403.3 or Table 403.8.1 is multiplied by the factor determined in accordance with Table 403.8.5.1.

**TABLE 403.8.5.1  
INTERMITTENT WHOLE HOUSE MECHANICAL VENTILATION RATE FACTORS<sup>a, b</sup>**

RUN-TIME PERCENTAGE IN EACH 4-HOUR SEGMENT	25%	33%	50%	66%	75%	100%
Factor <sup>a</sup>	4	3	2	1.5	1.3	1.0

<sup>a</sup> For ventilation system run-time values between those given, the factors are permitted to be determined by interpolation.

<sup>b</sup> Extrapolation beyond the table is prohibited.

**403.8.5.2 Whole house supply system general requirements.** Whole house ventilation systems integrated with a forced-air system, systems using supply fans and systems using a heat or energy recovery ventilation system shall comply with the following.

1. *Outdoor air* louvers shall be adequately sized for the required airflow and shall comply with Section 401.5. *Outdoor air* intake locations shall comply with mechanical air intakes requirements of Section 403.8.3.

2. *Outdoor air* ducts for dedicated or central supply systems and exhaust ducts for heat or energy recovery systems shall be provided with a means for balancing the system to the required airflow via balance dampers or other devices.

3. *Outdoor air* ducts for dedicated or central systems shall be provided with motorized dampers.

EXCEPTIONS: 1. *Outdoor air* ducts at heat or energy recovery ventilation systems are not required to have motorized dampers.  
2. *Outdoor air* ducts at continuous ventilation systems are not required to have motorized dampers.

4. *Outdoor air* ducts in the conditioned space shall be insulated to a minimum of R-4. In heat or energy recovery ventilation systems, ducts upstream of the heat exchanger shall also be insulated to at least R-4.

5. All *outdoor air* ducts shall be designed and installed to deliver at least the outdoor airflow required by Section 403.8.5.1. The airflows required refer to the delivered airflow of the system as installed and tested using a flow hood, flow grid, or other airflow measurement device.

EXCEPTION: The *outdoor air* duct for supply fan systems and heat or energy recovery systems may be prescriptively sized per Table 403.8.5.2 for dedicated *outdoor air* ducts upstream of the supply fan. Supply fans shall have the capacity to provide the amount of *outdoor air* required by Section 403.8.5.1 at 0.40 in. w.g. as per HVI 916 (April 1995). When prescriptively sized the system shall be tested and balanced using a flow hood, flow-grid, or other airflow measurement device.

6. Whole house ventilation controls for intermittent operation shall allow concurrent operation of the forced-air fan and the associated outdoor air motorized damper.

7. Whole house ventilation controls for continuous operation shall be provided at the forced-air fan.

EXCEPTION: Engineered central ventilation systems serving dwelling units or sleeping units are not required to have individual controls for each dwelling or sleeping unit when designed for continuous operation and approved by the code official.

**TABLE 403.8.5.2  
PRESCRIPTIVE SUPPLY FAN DUCT SIZING**

Supply Fan Tested cfm at 0.40" w.g.		
Specified Volume from Table 408.1	Minimum Smooth Duct Diameter	Minimum Flexible Duct Diameter
50 - 90 cfm	4 inch	5 inch
90 - 150 cfm	5 inch	6 inch
150 - 250 cfm	6 inch	7 inch
250 - 400 cfm	7 inch	8 inch

**403.8.6 Whole house ventilation with exhaust fan systems.** This section establishes minimum requirements for mechanical whole house ventilation systems using exhaust fans.

**403.8.6.1 Outdoor air.** Exhaust fan only ventilation systems shall provide *outdoor air* to each occupiable space through one of the following methods:

1. *Outdoor air* may be drawn through air inlets installed in exterior walls or windows. The air inlets shall comply with all of the following:

1.1. Inlets shall have controllable, secure openings and shall be designed to not compromise the thermal properties of the building envelope.

1.2. Inlets shall be accessible to occupants, including compliance with Section 1109.13 of the *International Building Code* for designated accessible units, Type A units and Type B units.

1.3. Inlets shall be screened or otherwise protected from entry by insects, leaves, or other material.

1.4. Inlets shall provide not less than 4 square inches of net free area of opening for each 10 cfm of *outdoor air* required in Table 403.3 or Table 403.8.1.

1.5. Any inlet or combination of inlets which provide 10 cfm at 10 Pascals as determined by the Home Ventilation Institute Air Flow Test Standard (HVI 901 (November 1996)) are deemed equivalent to 4 square inches of net free area.

1.6. Each occupiable space shall have a minimum of one air inlet that has a minimum of 4 square inches of net free area.

2. In high-rise buildings, *outdoor air* may be drawn in through operable windows, doors, louvers or other operable openings to the outdoors. Exterior spaces shall have a minimum openable area of 4 percent of the total floor area being ventilated. Doors exiting to a corridor, court or public way shall not be used to provide *outdoor air*. The operable openings shall comply with the following:

2.1. Openings shall be controllable, securable, and shall be designed to not compromise the thermal properties of the building envelope.

2.2. Openings shall be accessible to occupants, including compliance with Section 1109.13 of the *International Building Code* for designated accessible units, Type A units and Type B units.

3. For interior adjoining spaces without *outdoor air* openings, one of the following two options shall be used to ventilate the interior adjoining space:

3.1. Provide a whole house transfer fan at the interior adjoining space sized to provide a minimum of the ventilation rate required per Section 403.8.5.1. The transfer fan shall circulate air between the interior room or space and the adjacent habitable space. The transfer fan may operate continuously or intermittently using controls per Section 403.8.2.

3.2. Provide a permanent opening to the interior adjoining space. Opening shall be unobstructed and shall have an area of not less than 8 percent of the floor area of the interior adjoining space, but not less than 25 square feet.

**403.8.6.2 Outside air intake locations.** All *outside air* intake opening types described in Section 403.8.6.1 shall be classified operable openings and shall not be classified as

mechanical air intakes. The intake locations shall comply with Section 403.8.3.

**403.8.6.3 Whole house exhaust system.** Whole house exhaust system shall be designed and installed to meet all of the applicable criteria below:

1. Whole house ventilation exhaust shall be discharged outdoors.
2. Exhaust outlets shall comply with Section 501.2.
3. Exhaust ducts in systems which are designed to operate intermittently shall be equipped with back-draft dampers.
4. All exhaust ducts in unconditioned spaces shall be insulated to a minimum of R-4.5. Terminal outlet elements shall have at least the equivalent net free area of the ductwork.
5. Terminal outlet elements shall be screened or otherwise protected as required by Section 501.2.2.
6. One of the required local exhaust fans for the laundry room or bathroom may be designated as the whole house exhaust fan.
7. Exhaust fans in separate dwelling units or sleeping units shall not share common exhaust ducts unless the system is engineered for this operation.
8. Where permitted by Chapter 5 whole house exhaust ducts may be combined with other local exhaust ducts. If more than one of the exhaust fans in a dwelling unit or sleeping unit shares a common exhaust duct then each exhaust fan shall be equipped with a back-draft damper to prevent the recirculation of exhaust air from one room to another room via the exhaust ducting system.

**403.8.6.4 Whole house exhaust and transfer fans.** Exhaust fan construction and sizing shall meet the following criteria.

1. Exhaust and transfer fans shall be tested and rated in accordance with the airflow and sound rating procedures of the Home Ventilating Institute (HVI 915, HVI Loudness Testing and Rating Procedure, HVI 916, HVI Airflow Test Procedure, and HVI 920, HVI Product Performance Certification Procedure).
2. Installation of system or equipment shall be carried out in accordance with manufacturers' design requirements and installation instructions.
3. Fan airflow rating and duct system shall be designed and installed to deliver at least the outdoor airflow required by Table 403.3 or Table 403.8.1. The airflows required refer to the delivered airflow of the system as installed and tested using a flow hood, flow grid, or other airflow measurement device.

EXCEPTION: An airflow rating at a pressure of 0.25 in. w.g. may be used, provided the duct sizing meets the prescriptive requirements of Table 403.8.5.2.

**403.8.6.5 Fan noise.** Whole house exhaust and transfer fans located 4 feet or less from the interior grille shall have a sone rating of 1.0 or less measured at 0.10 inches water gauge. Manufacturer's noise ratings shall be determined as per HVI 915. Remotely mounted fans shall be acoustically isolated from the structural elements of the building and from attached ductwork using insulated flexible duct or other approved material.

**403.8.7 Whole house ventilation integrated with forced-air systems.** This section establishes minimum requirements for mechanical whole house ventilation systems using forced-air system fans.

**403.8.7.1 Outdoor air.** Forced-air system fan ventilation systems shall provide *outdoor air* through one of the following methods:

1. A dedicated *outdoor air* louver and *outdoor air* duct for each dwelling unit or sleeping unit shall supply *outdoor air* to the return side of the forced-air system fan; or
2. A central *outdoor air* delivery system that supplies multiple dwelling units or sleeping units shall supply *outdoor air* to the return side of the forced air system fan.

**403.8.7.2 Whole house forced-air system.** Where *outdoor air* is provided to each habitable dwelling unit or sleeping unit by a forced-air system, the *outdoor air* duct shall be connected to the return air stream at a point within 4 feet upstream of the forced-air unit. It shall not be connected directly to the forced-air unit cabinet in order to prevent thermal shock to the heat exchanger. At a minimum, filtration of the *outdoor air* shall be provided at the forced-air unit. The filter shall be accessible for regular maintenance and replacement. The filter shall have a Minimum Efficiency Rating Value (MERV) of at least 6. Each habitable space in the dwelling or sleeping unit shall be served by a forced-air system with outdoor air connection.

**403.8.8 Whole house ventilation with supply fan systems.** This section establishes minimum requirements for mechanical whole house ventilation systems using supply fan systems.

**403.8.8.1 Outdoor air.** Supply fan ventilation systems shall provide *outdoor air* through one of the following methods:

1. A dedicated *outdoor air* louver and *outdoor air* duct for each dwelling unit or sleeping unit shall supply *outdoor air* to a supply fan; or
2. A central *outdoor air* supply fan system shall distribute unconditioned or conditioned air to multiple dwelling units or sleeping units.

**403.8.8.2 Whole house supply system.** Where *outdoor air* is provided to each habitable dwelling unit or sleeping unit by supply fan systems the *outdoor air* shall be filtered.

The system filter may be located at the intake device or inline with the fan. The filter shall be accessible for regular maintenance and replacement. The filter shall have a Minimum Efficiency Rating Value (MERV) of at least 6.

**403.8.9 Whole house ventilation with heat recovery or energy recovery ventilation systems.** This section establishes minimum requirements for mechanical whole house ventilation systems using heat recovery or energy recovery ventilation systems.

**403.8.9.1 Outdoor air.** Heat recovery or energy recovery ventilation systems shall provide *outdoor air* through one of the following methods:

1. A dedicated *outdoor air* louver and *outdoor air* duct for each dwelling unit or sleeping unit shall supply *outdoor air* to the heat recovery or energy recovery ventilator; or

2. A central *outdoor air* heat recovery or energy recovery unit shall distribute conditioned air to multiple dwelling units or sleeping units.

#### 403.8.9.2 Whole house heat recovery ventilator system.

Where *outdoor air* is provided to each habitable dwelling unit or sleeping unit by heat recovery or energy recovery ventilator the *outdoor air* shall be filtered. The filter shall be located on the upstream side of the heat exchanger in both the intake and exhaust airstreams with a Minimum Efficiency Rating Value (MERV) of at least 6. The system filter may be located at the intake device or inline with the fan. The filter shall be accessible for regular maintenance and replacement. Each habitable space in the dwelling or sleeping unit shall be served by a heat recovery ventilator system with outdoor air connection.

#### 403.8.10 Local exhaust ventilation and whole house ventilation alternate performance or design requirements.

In lieu of complying with Sections 403.8.4 or 403.8.5 compliance with the section shall be demonstrated through engineering calculations by an engineer licensed to practice in the state of Washington or by performance testing. Documentation of calculations or performance test results shall be submitted to and approved by the building official. Performance testing shall be conducted in accordance with approved test methods.

**403.8.11 Alternate systems.** When approved by the code official, systems designed in accordance with ASHRAE Standard 62.2 shall be permitted.

**Reviser's note:** The brackets and enclosed material in the text of the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

### WSR 14-12-069

#### EXPEDITED RULES

#### UNIVERSITY OF WASHINGTON

[Filed June 2, 2014, 1:51 p.m.]

Title of Rule and Other Identifying Information: Various Title 478 WAC "housekeeping" amendments in ten chapters, including WAC 478-04-030, 478-04-040, 478-108-010, 478-120-025, 478-120-030, 478-120-050, 478-120-065, 478-120-075, 478-120-085, 478-120-095, 478-120-140, 478-120-145, 478-124-030, 478-124-035, 478-124-040, 478-136-035, 478-137-050, 478-156-016, 478-160-055, 478-160-060, 478-160-100, 478-160-105, 478-160-231, 478-168-180, 478-168-325, 478-324-020, and 478-324-130.

#### 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 Rebecca Goodwin Dearth, University of Washington, Rules Coordination Office, Box 351210, Seattle, WA 98195-1210, or e-mail rules@uw.edu, AND RECEIVED BY August 4, 2014.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: Housekeeping changes to Title 478 WAC rules are needed for the following reasons:

- Amendments that "clarify language of a rule without changing its effect" are made in WAC 478-04-040 (to eliminate an outdated article number); WAC 478-108-010 (to better identify specific statutes and rules); WAC 478-124-030 (to better identify applicable jurisdictions); WAC 478-124-040 (to apply gender-neutral language); WAC 478-136-035 and 478-137-050 (to clarify definition by statute and local rule language); WAC 478-156-016 (to clarify language provided as example); WAC 478-160-055, 478-160-105, and 478-324-130 (to clarify current practices); WAC 478-160-060 (to clarify the admission process); and WAC 478-160-100 (to update current states in program).
- Amendments that "make address or name changes" are made in WAC 478-120-025, 478-120-030, 478-120-050, 478-120-065, 478-120-075, 478-120-085, 478-120-095, 478-120-140, 478-120-145, 478-136-035, 478-156-016, 478-160-231, 478-168-180, and 478-168-325.
- An amendment that will "only correct typographical errors" is made in WAC 478-124-035.
- An amendment that will "adopt or incorporate by reference without material change ... rules of other Washington state agencies" is made in WAC 478-324-020.
- Repeal of WAC 478-04-030 is made as "other rules of the agency ... govern the same activity as the rule, making the rule redundant."

Note: Some sections contain more than one type of housekeeping change.

Reasons Supporting Proposal: Periodic corrections and/or clarifications to the University of Washington's Title 478 WAC rules help the university's rules remain accurate and up-to-date.

Statutory Authority for Adoption: RCW 28B.20.130 and the *UW Board of Regents Governance*, Standing Orders, Chapter 8, Section 2.

Statute Being Implemented: RCW 28B.20.130.

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

Name of Proponent: University of Washington, governmental.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Rebecca Goodwin Dearth, Room 448, Gerberding Hall, UW, Seattle, Washington 98195, (206) 543-9219.

June 2, 2014

Rebecca Goodwin Dearth  
Director of Rules Coordination



AMENDATORY SECTION (Amending WSR 03-24-046, filed 11/26/03, effective 12/27/03)

**WAC 478-04-040 Board of regents exercise of powers.** The board and its committees shall act only at meetings called as provided by applicable law and the bylaws of the board of regents, and all matters coming before the board or its committees for action shall be determined by the majority vote of its members present, the members present being not less than a quorum, except as otherwise specified in (~~Article III of~~) the bylaws of the board of regents. The member of the board who is presiding at a meeting shall be entitled to make motions, second motions, vote, and otherwise participate in the meeting to the same extent as the other members of the board. The student regent shall excuse himself or herself from participation or voting on matters relating to the hiring, discipline, or tenure of faculty members and personnel.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 478-04-030 Meetings of the board of regents.

AMENDATORY SECTION (Amending WSR 10-23-039, filed 11/10/10, effective 12/11/10)

**WAC 478-108-010 Matters subject to brief adjudication.** This rule is adopted in accordance with RCW (~~(34.05.479)~~) 34.05.482 through 34.05.494, the provisions of which are hereby adopted. Brief adjudicative procedures shall be used in all matters related to:

- (1) Appeals from residency classifications under RCW 28B.15.013 as established in chapter 478-160 WAC;
- (2) Appeals from traffic and parking violations, and skateboard impoundment, as provided for in chapters 478-116, 478-117 and 478-118 WAC;
- (3) Challenges to contents of educational records as provided for in chapter 478-140 WAC;
- (4) Proceedings under the animal control policy as detailed in chapter 478-128 WAC;
- (5) Requests for reconsideration of admission decisions as provided for in (~~chapter 478-160~~) WAC 478-160-060;
- (6) Appeals of library charges as provided in chapter 478-168 WAC;
- (7) Reviews of denials of public records requests as provided in chapter 478-276 WAC;
- (8) Federal financial aid appeals as provided for by federal law; and
- (9) Collection of outstanding debts owed by students or employees.

AMENDATORY SECTION (Amending WSR 10-23-039, filed 11/10/10, effective 12/11/10)

**WAC 478-120-025 Off-campus conduct.** The university shall have the authority to hold students accountable under the student conduct code for certain off-campus behavior (i.e., behavior that does not occur on university premises or in the context of a university-sponsored event or activity)

that directly affects a university interest, in accordance with the provisions of the section.

(1) A student may be subject to disciplinary proceedings under the student conduct code if:

(a) The university is made aware that a court of competent jurisdiction has determined that such student has engaged in intentional unlawful conduct off-campus that involves the physical harm or abuse, or a direct threat of the physical harm or abuse, of any person, including but not limited to homicide, assault, kidnapping, armed robbery, arson, rape or sexual assault, criminal harassment, criminal stalking or the unlawful possession, use, storage or manufacture of weapons or destructive devices; and

(b) The university determines that a significant university interest is affected.

(2) A student may also be subject to disciplinary proceedings under the student conduct code if the university is made aware that the student has engaged in off-campus conduct that involves the physical harm or abuse, or the direct threat of physical harm or abuse, of another university student, or a university faculty or staff member. Disciplinary proceedings may be initiated under this section regardless of whether or not the incident is subject to criminal or civil proceedings.

(3) In furtherance of the university's interest in maintaining a positive relationship with its surrounding community, the university shall also have the authority to hold students accountable under the student conduct code for conduct within the "North of 45th" residential community immediately adjacent to the Seattle campus (bounded by NE 45th Street on the south, 15th Ave NE on the west, 22nd Ave NE and north of 54th Street, Ravenna Ave NE on the east and Ravenna Park on the north and including all residences located on either side of each of the aforementioned streets) as follows:

(a) A student may be subject to disciplinary proceedings under the code if the university is made aware that the student has been cited by the Seattle police or the university police for, and is determined to have committed, a violation of any state statute or city of Seattle municipal ordinance prohibiting misconduct that has a direct and significant quality-of-life impact on community residents, including but not limited to, creating a public nuisance due to noise, theft, intentional destruction of property, urinating in public, or criminal trespass.

(b) A first violation under (a) of this subsection will not subject the student to disciplinary sanctions under WAC 478-120-040 if the student voluntarily meets with a representative of the office of the vice-president (~~(and vice provost)~~) for student life to receive information and counseling regarding his or her responsibilities as a university community member and as a resident in the area. A second violation will not be subject to disciplinary sanctions if the student involved agrees to participate, in good faith, in a mediation with the person or persons affected by the misconduct under a mediation protocol established by the office of the vice-president (~~(and vice provost)~~) for student life.

(4) Nothing herein shall be construed as being intended to protect any person or class of persons from injury or harm,

or construed to deny students their legally and/or constitutionally protected rights.

AMENDATORY SECTION (Amending WSR 10-23-039, filed 11/10/10, effective 12/11/10)

**WAC 478-120-030 General procedures for disciplinary sanctions.** (1) This section describes the general process under the student conduct code for enforcing the university's rules, regulations, procedures, policies, standards of conduct, and orders. The specific procedures to be used at each step of the process are described in the following sections of this chapter. In all situations, whether handled formally or informally, basic standards of fairness will be observed in the determination of:

- (a) The truth or falsity of the charges against the student;
- (b) Whether the alleged misconduct violates this code; and if so,
- (c) The sanctions to be imposed, if any.

The criteria for judging student misconduct shall include, but not be limited to, the standards of conduct as stated in WAC 478-120-020 and 478-120-025. Informal hearings shall use the procedures in chapter 34.05 RCW governing brief adjudicative proceedings. Formal hearings conducted by the faculty appeal board shall follow the procedures required by chapter 34.05 RCW for formal adjudicative proceedings. Informal settlements may be conducted under the authority of RCW 34.05.060.

(2) Persons who believe that a violation of the student conduct code has been committed should contact the vice-president (~~and vice provost~~) for student life at the University of Washington Seattle campus, or the chancellor of the University of Washington Bothell or Tacoma campuses, whichever is appropriate.

(3) Only the vice-president (~~and vice provost~~) for student life, the dean of the school or college at the University of Washington Seattle or, at the University of Washington Bothell and Tacoma campuses, the dean or director of the program in which a student is enrolled or the chancellors of the University of Washington Bothell and Tacoma campuses, may initiate disciplinary proceedings against a student under this code of conduct. (See WAC 478-120-050.) The deans, the vice-president (~~and vice provost~~) for student life, or the chancellors of the University of Washington Bothell and Tacoma campuses may delegate the authority to initiate disciplinary proceedings consistent with this chapter to members of their staffs and to students. They may also establish student or student-faculty hearing bodies to advise or to act for them in disciplinary matters. The person initiating a disciplinary proceeding shall be referred to as the initiating officer.

(4) The initiating officer will begin a disciplinary proceeding by holding, or directing a member of his or her staff to hold, an informal hearing with the student charged with misconduct. Based on this informal disciplinary hearing, the initiating officer may choose to exonerate the student, dismiss the action, impose an appropriate sanction, and/or refer the matter to the appropriate university disciplinary committee. (See WAC 478-120-065.) If the initiating officer identi-

fies a potential or existing exceptional circumstance, as defined in WAC 478-120-100 (3)(b)(i),

"Exceptional circumstances exist when:

- (A) The sanction of dismissal has been recommended; or
- (B) The student has been charged with hazing; or
- (C) The sanction of restitution (in excess of three hundred dollars) has been recommended; or
- (D) Suspension has been recommended," the matter shall be referred directly to the faculty appeal board. (See WAC 478-120-100.)

(5) Students have the right to appeal any sanction imposed at an informal hearing to the appropriate university disciplinary committee, except that when such sanction identifies an existing or potential exceptional circumstance as defined in WAC 478-120-100 (3)(b)(i), the matter shall be referred directly to the faculty appeal board.

(6) Any decisions of the university disciplinary committees may be appealed to the faculty appeal board. All decisions of the university disciplinary committees identifying existing or potential exceptional circumstances as defined in WAC 478-120-100 (3)(b)(i) shall be referred directly to the faculty appeal board. In addition, the university disciplinary committees may, at any time, at their discretion, refer a matter directly to the faculty appeal board. The faculty appeal board performs distinct functions. In most cases, the faculty appeal board conducts an administrative review. In certain cases (defined in WAC 478-120-100(3)), the faculty appeal board conducts a formal hearing.

(7) Any decision based on a formal hearing conducted by the faculty appeal board may be appealed to the president of the university or the president's delegate for a final review. All orders of dismissal shall be reviewed by the president or the president's delegate. Orders entered by the president or the president's delegate are final. (See WAC 478-120-125.)

(8) The president or delegate, or chancellors or their delegates, may take emergency disciplinary action when a student's conduct threatens the health, welfare, or safety of the university community or members thereof. (See WAC 478-120-140.)

(9) When questions of mental or physical health are raised in conduct cases, the dean, the vice-president (~~and vice provost~~) for student life, the chancellors of the University of Washington Bothell and Tacoma campuses or their delegates, the university disciplinary committees, or the faculty appeal board may request the student to appear for examination before two physician-consultants designated by the dean of the school of medicine. The physician-consultants may call upon the student health center for any other professional assistance they deem necessary. After examining the student and/or consulting with the student's personal physician, the physician-consultants shall make a recommendation to the dean, the vice-president (~~and vice provost~~) for student life, the chancellor of the University of Washington Bothell or Tacoma campuses, whichever is appropriate, or their delegates, the appropriate university disciplinary committee, or the faculty appeal board as to whether the case should be handled as a disciplinary matter or as a case for medical or other treatment. Any decision made based upon the recommendation of the physician-consultants may be appealed in accordance with the provisions of this chapter.

(10) The following persons conducting proceedings under this chapter shall have the authority to issue protective orders and subpoenas: Deans, or at the University of Washington Bothell and Tacoma campuses, the dean or director of the program in which the student is enrolled, the vice-president (~~and vice provost~~) for student life, the chancellors of the University of Washington Bothell and Tacoma campuses, or the chairs of their respective university disciplinary committees, the chair of the faculty appeal board, and the president or his or her delegate.

(11) In a case involving an alleged sexual offense, the accuser and the accused are entitled to the same opportunities to have others present during a disciplinary hearing and they shall both be informed of the outcome of such disciplinary proceeding.

(12) Any final order resulting from a disciplinary proceeding shall become a part of the student's disciplinary record, unless the student is exonerated. (See WAC 478-120-145.)

(13) In accord with the Family Educational Rights and Privacy Act and pursuant to RCW 34.05.250, all hearings conducted under this chapter generally will be held in closed session out of respect for the privacy of all the students involved. However, the students involved may waive in writing this requirement and request a hearing in open session, and the initiating or presiding officer shall conduct the hearing in a room that will accommodate a reasonable number of observers. The initiating or presiding officer may exclude from the hearing room any persons who are disruptive of the proceedings and may limit the number who may attend the hearing in order to afford safety and comfort to the participants and orderliness to the proceedings.

**AMENDATORY SECTION** (Amending WSR 12-03-038, filed 1/9/12, effective 2/9/12)

**WAC 478-120-050 Jurisdiction.** (1) The vice-president (~~and vice provost~~) for student life, the chancellors of the University of Washington Bothell and Tacoma campuses, or their delegates, may initiate any disciplinary action related to violations of any of the university's rules, regulations, procedures, policies, standards of conduct, or orders. Jurisdiction in such cases may be transferred to the dean of the school or college, or at the University of Washington Bothell and Tacoma campuses, to the dean or director of the program in which the student is enrolled if the alleged misconduct bears upon the student's fitness to continue in the school or college.

(2) Additionally, the dean of each college or school, including the graduate school, or the dean's delegate, or the dean or director of programs in which the student is enrolled on the University of Washington Bothell or Tacoma campuses may initiate any disciplinary action:

(a) Related to violations of university rules, regulations, procedures, policies, standards of conduct, and orders which pertain to that particular campus, college or school, or at the University of Washington Bothell and Tacoma campuses, the program in which the student is enrolled; and

(b) Related to violations of rules, procedures, policies, and standards of conduct of that particular campus, college or school, or at the University of Washington Bothell and

Tacoma campuses, the program in which the student is enrolled. The student academic grievance procedure is a separate procedure and is set forth in the Executive Order No. 58 (graduate school students should also refer to Graduate School Memorandum No. 33). Violations involving academic misconduct should be reported to the dean of the appropriate school or college, or dean or program director at the University of Washington Bothell or Tacoma campuses.

(3) Other departments of the university have proceedings separate and distinct from the student conduct code. For example:

(a) Campus parking and traffic regulations are under the general jurisdiction of the transportation services department and the police department at the University of Washington Seattle campus and under the jurisdiction of public safety officers at the University of Washington Bothell and Tacoma campuses. (See chapters 478-116, 478-117 and 478-118 WAC.)

(b) The library fines appeals committee has the authority to consider appeals of library charges. (See chapter 478-168 WAC.)

**AMENDATORY SECTION** (Amending WSR 10-23-039, filed 11/10/10, effective 12/11/10)

**WAC 478-120-065 Informal disciplinary hearings.**

(1) A dean, the vice-president (~~and vice provost~~) for student life, or, at the University of Washington Bothell and Tacoma campuses, the chancellors or the dean or director of the program in which the student is enrolled, or their delegates, may initiate a disciplinary proceeding by conducting, or directing a member of his or her staff to conduct, an informal hearing with the student accused of misconduct. This informal disciplinary hearing may be nothing more than a face-to-face meeting between the initiating officer or staff person and the student, and no special notice of the meeting is required. The purpose of this informal disciplinary hearing is to provide an opportunity for the student to respond to allegations of misconduct before disciplinary action is taken, and the student waives any rights to an informal hearing by his or her failure to attend.

(2) During an informal disciplinary hearing, the student must be provided with the following information:

(a) The alleged misconduct and the reasons for the university's belief that the student engaged in the misconduct;

(b) The specific section(s) of the student conduct code allegedly violated; and

(c) The possible sanctions that may be imposed.

(3) Based on the findings of an informal hearing, the initiating officer shall enter in writing one of the following orders:

(a) An order exonerating the student or dismissing the disciplinary proceeding if it appears that there has been no misconduct;

(b) An initial order imposing a disciplinary sanction;

(c) An order referring the matter to the appropriate university disciplinary committee; or

(d) An order referring the matter directly to the faculty appeal board because exceptional circumstances as defined in WAC 478-120-100 (3)(b)(i) may exist.

(4)(a) If the order imposes a sanction and exceptional circumstances as defined in WAC 478-120-100 (3)(b)(i) exist, the matter shall be referred directly to the faculty appeal board and the student shall be informed that he or she has the right to request a formal hearing according to the procedures set forth in WAC 478-120-075(3).

(b) If the order imposes a sanction but exceptional circumstances do not exist, then the student must be informed that he or she has twenty-one calendar days from the date of the order (or twenty-five calendar days from the date of the mailing of the initial order) to request a hearing before the appropriate university disciplinary committee. If the student chooses not to appeal, the order becomes the final order.

(5) Within ten days of the conclusion of the hearing and any associated investigations, the student shall be provided with a written order which shall include a statement of the decision, the reasons for the decision, and information about appealing the decision. No unfavorable action may be taken against the student until the student has been given such notice and information. In a case involving an alleged sexual offense, both the accuser and the accused shall be informed of the outcome of that hearing. In a case where the student is a minor, the disciplinary sanctions imposed may be reported to the student's parents or legal guardian at the discretion of the initiating officer.

(6) A student may request a hearing by the appropriate university disciplinary committee at any time during these informal proceedings. If such a request is made, the matter shall be referred to the appropriate university disciplinary committee.

(7) The official record of this informal hearing shall consist of all documents prepared or considered by the dean, the vice-president (~~and vice provost~~) for student life, or, at the University of Washington Bothell and Tacoma campuses, the chancellors, or the dean or director of the program in which the student is enrolled, or their delegates, with regard to the dispute at hand.

**AMENDATORY SECTION** (Amending WSR 10-23-039, filed 11/10/10, effective 12/11/10)

**WAC 478-120-075 Appeals.** Any initial order may be appealed by timely submission of a written petition to the appropriate body. An order only referring a matter from one hearing body to another, not determining the matter on its merits, is not an initial order.

(1) If a student does not appeal to the appropriate body within twenty-one days of the initial order (or within twenty-five calendar days of the date when the university mailed the initial order to the student), the right to appeal is waived and the order becomes final.

(a) All initial orders shall be hand delivered or delivered by mail.

(b) Any student involved in a disciplinary hearing is required to provide his or her current and accurate address to the office of the vice-president (~~and vice provost~~) for student life or the office of the chancellor for the University of Washington Bothell or Tacoma campuses, whichever is appropriate, or their delegates.

(2) All petitions for appeal must be made in writing to the appropriate authority (the appropriate chair of one of the university disciplinary committees (Seattle, Bothell or Tacoma), the chair of the faculty appeal board, or the president). The petition must state the reasons for the appeal and indicate points of disagreement with the initial order.

(3) If a student wishes to request a formal hearing before the faculty appeal board, the student's written petition for appeal must also state that a formal hearing is being requested and must identify the specific exceptional circumstances (as defined in WAC 478-120-100 (3)(b)(i)) warranting such a hearing. When conducting administrative reviews of informal hearings, the faculty appeal board shall make any inquiries necessary to ascertain whether the proceeding must be converted to a formal disciplinary hearing.

(4) After conducting the appropriate review, the appeal body or the president may sustain, reduce, or vacate the sanction imposed by the initial order, except if that review is in the form of a formal hearing before the faculty appeal board, that board may increase any sanction.

(5) Only the president or the president's delegate may issue a final order of dismissal.

(6) Sanctions, if any, will be imposed only after an order becomes final, except for actions taken under WAC 478-120-140.

**AMENDATORY SECTION** (Amending WSR 10-23-039, filed 11/10/10, effective 12/11/10)

**WAC 478-120-085 The university disciplinary committees.** Each University of Washington campus shall have its own university disciplinary committee. The university disciplinary committees shall consist of a nonvoting chair, three voting faculty members, and three voting student members. The committees shall be maintained for the purpose of providing hearings for disciplinary actions that have been initiated by the deans or, at the University of Washington Bothell and Tacoma campuses, the dean or director of the program in which a student is enrolled, the vice-president (~~and vice provost~~) for student life at the University of Washington Seattle campus, the chancellors of the University of Washington Bothell and Tacoma campuses, or their delegates.

(1) The president of the University of Washington Seattle campus and the chancellors of the University of Washington Bothell and Tacoma campuses shall designate a member of the faculty or administration to serve as chair of each respective university disciplinary committee for a term of one year. All chairs may be reappointed for consecutive terms.

(a) The chairs shall ensure that all procedural safeguards and guidelines are followed. Accordingly, the chairs shall decide all procedural questions that arise in relation to hearings, including rulings on evidence (as defined in WAC 478-120-095(3)) and challenges to the impartiality of committee members. The chairs shall have the discretion to regulate all aspects of the proceedings.

(b) The chairs shall take whatever steps are necessary to ensure that hearings are conducted in a safe and orderly manner.

(2) The three voting faculty members of each university disciplinary committee shall be selected at random from the

faculty senate at the University of Washington Seattle, or at the University of Washington Bothell and Tacoma campuses, their respective faculty assembly or organization to serve one-year terms. Voting faculty members may not be reappointed to consecutive terms.

(a) Panels of eligible faculty members shall be randomly selected to serve on the committees in the order in which they were selected, except that at the University of Washington Seattle each faculty member of the committees must represent a different faculty senate group.

(b) Faculty members must have been members of the faculty for at least one year and hold the position of assistant professor or higher in order to be eligible to serve as voting members of the university disciplinary committees.

(3) The three voting student members of the university disciplinary committees shall be selected at random from each student body to serve one-year terms. Student members of the committees may not be reappointed.

(a) Panels of eligible students shall be selected randomly from the entire full-time student body to serve as committee members or alternates in the order in which they were selected, except that at the University of Washington Seattle one member must be a professional or graduate student and the other two members must represent different undergraduate classes.

(b) To be eligible to serve on the university disciplinary committees, students must be full-time and in good standing with the university.

(4) In addition to the chairs, a quorum shall be two faculty members and two student members. The chairs shall select alternates from the panels of eligible faculty or students as needed to produce a quorum.

(5) Committee members may be disqualified from a particular hearing for bias, prejudice, conflict of interest, or any other reason which may prevent him or her from serving as an impartial judge of the matter before the committees.

(a) Committee members may excuse themselves for any of the causes set forth in this section by submitting a written statement to the appropriate committee chair stating facts and reasons for the disqualification.

(b) A student before any of the university disciplinary committees may challenge the impartiality of a committee member by written petition. The appropriate chair shall determine whether to grant the petition and excuse the committee member from the case, and shall state the facts and reasons for that determination in writing.

(c) Any person who has been delegated the authority to initiate disciplinary proceedings is disqualified from serving as a member of the university disciplinary committees.

(6) The appropriate chair may relieve a member of his or her university disciplinary committee from serving on that committee for a particular case, for a specific period of time, or for the rest of the year after the member submits a written request to the chair.

(7) Members of the university disciplinary committees shall begin their terms on the first day of classes of winter quarter. Those terms shall expire on the first day of classes of the next winter quarter, except that cases in process shall be continued until a decision is reached. The new panels of committee members shall be identified by the outgoing chairs, or

by the person designated by the appropriate chair, through random procedures established by the chair.

AMENDATORY SECTION (Amending WSR 10-23-039, filed 11/10/10, effective 12/11/10)

**WAC 478-120-095 Hearings before the university disciplinary committees.** The purpose of a hearing before a university disciplinary committee is to provide all parties with an opportunity to present evidence and argument before disciplinary sanctions are imposed on a student. Based on the evidence presented at this hearing, the committee shall determine whether the student has engaged in the alleged misconduct. If there is a finding of misconduct, the committee shall then determine the appropriate sanction to be imposed.

(1) When a hearing is scheduled before a university disciplinary committee, the chair of the appropriate committee shall provide the student with written notice of the following information:

- (a) The time and place of the hearing;
- (b) The allegations of misconduct against the student;
- (c) A list of all witnesses who may be called to testify;
- (d) A description of all documentary and real evidence to be presented at the hearing, including a copy of his or her disciplinary file; and

(e) The sanctions that may be imposed at the hearing if the allegations of misconduct are found to be true.

(2) The chair of each committee shall adhere to the following procedures at all disciplinary hearings:

(a) The student shall be provided with a reasonable opportunity (at least seven days) to gather evidence, contact witnesses, and prepare a defense for the hearing.

(b) The student may be accompanied by an advisor of the student's choice.

(c) The student is entitled to hear all testimony and examine all evidence that is presented at the hearing. In response, the student may present evidence and witnesses on his or her own behalf and may ask questions of any other witnesses.

(d) No student shall be compelled to give self-incriminating evidence.

(3) Evidence shall be admissible at the hearing if it is the type of evidence that reasonably prudent members of the university community would rely upon in the conduct of their affairs.

(4) The initiating officer (the appropriate dean, or at the University of Washington Bothell and Tacoma campuses, dean or director of the program in which the student is enrolled, the vice-president ~~(and vice provost)~~ for student life, the chancellors of the University of Washington Bothell and Tacoma campuses, or their delegates) must prove by a preponderance of the evidence presented at the hearing that the student has engaged in the alleged misconduct. The committee shall base its factual determination solely on the evidence presented at the hearing.

(a) Decisions of the university disciplinary committee will be made based on a simple majority vote of the committees.

(b) If a university disciplinary committee cannot reach a decision by simple majority vote, an order shall be entered

referring the matter to the faculty appeal board. Where exceptional circumstances exist, the student shall be notified of the right to request a formal hearing. Otherwise, the faculty appeal board shall conduct an administrative review as provided under WAC 478-120-100 (1) and (2).

(5) If at any time after a matter has been referred to a university disciplinary committee the appropriate chair determines that the matter should properly be before the faculty appeal board, the chair may refer the matter to the faculty appeal board and shall provide the student with written notice of the referral and of the opportunity to request a formal hearing if exceptional circumstances exist. (See WAC 478-120-100 (3)(b)(i).)

(6) If the committee determines that the student has violated the university's rules, regulations, procedures, policies, standards of conduct, or orders, it shall then determine the appropriate sanction to be imposed. When determining the appropriate sanction, the committee shall review the evidence presented at the hearing and the student's past record of conduct at the university.

(7) The chair of the appropriate university disciplinary committee shall provide the student with a written statement of the committee's decision within ten days of the conclusion of the hearing. This written statement shall include the committee's factual findings, the conclusions that have been drawn from those findings, the reasons for those conclusions, and the sanctions, if any, to be imposed. If sanctions are imposed, the student must also be informed of the appropriate procedures for appealing the committee's decision to the faculty appeal board. In a case involving an alleged sexual offense, both the accuser and the accused shall be informed of the outcome of the hearing. In a case where the student is a minor, the written statement of the committee's decision may be reported to the student's parents or legal guardian at the discretion of the chair of the appropriate university disciplinary committee.

(8) This written statement of the committee's decision shall be the committee's initial order. If the student chooses not to appeal, the initial order of the appropriate university disciplinary committee becomes the final order at the end of the appeal period set forth in WAC 478-120-075(1), except that orders of dismissal shall be referred to the president.

(9) The student may choose to present evidence to the chair of the appropriate university disciplinary committee rather than at a hearing before the full committee. The student's waiver of the right to a hearing before a university disciplinary committee must be submitted in writing to the chair of the appropriate committee. The chair will submit the student's evidence and arguments to the full committee and the committee will make its decision based on the chair's report.

(10) All proceedings of the committees will be conducted with reasonable dispatch and be terminated as soon as possible, consistent with fairness to all parties involved. The chair shall have the discretion to continue the hearing.

(11) An adequate summary of the proceedings will be kept. Such a summary shall include all documents that were considered by the appropriate committee and may include a tape recording of the testimony and any other documents related to the hearing.

(12) A report of a university disciplinary committee shall, upon written request and release by the student or students involved, and subject to the requirements of the Family Educational Rights and Privacy Act, be made available to members of the university community through the vice-president (~~(and vice provost)~~) for student life, or the office of the chancellor at the University of Washington Bothell or Tacoma campuses, whichever is appropriate, or their delegates.

AMENDATORY SECTION (Amending WSR 13-14-002, filed 6/19/13, effective 7/20/13)

**WAC 478-120-140 Emergency authority of the president and chancellors of the university.** If a student's conduct represents a threat to the health, safety, or welfare of the university or any member of the university community, the president, the president's delegate, the vice-president (~~(and vice provost)~~) for student life, the chancellors of the University of Washington Bothell and Tacoma campuses, or the chancellors' delegates, may suspend that student from participation in any or all university functions or privileges.

(1) In such an emergency situation, the president, the president's delegate, the vice-president (~~(and vice provost)~~) for student life, the chancellors, or the chancellors' delegates, shall issue a written order to be served upon the student describing the terms of the emergency suspension and the reasons for imposing the suspension. The order shall be effective immediately.

(2) The matter shall then be referred to the appropriate disciplinary campus official who shall proceed as quickly as feasible to complete any proceedings that would be required if the matter did not involve an immediate danger.

AMENDATORY SECTION (Amending WSR 10-23-039, filed 11/10/10, effective 12/11/10)

**WAC 478-120-145 Recording and maintenance of records.** (1) The vice-president (~~(and vice provost)~~) for student life at the University of Washington Seattle campus or the chancellors of the University of Washington Bothell and Tacoma campuses, or their delegates, shall keep records of all disciplinary actions reported to their respective offices. Disciplinary records shall be kept separate from academic records, and transcripts of a student's academic record shall contain no notation of any disciplinary action.

(2) The dean of a college or school at the University of Washington Seattle, or the dean or director of the program in which the student is enrolled at the University of Washington Bothell and Tacoma campuses initiating disciplinary action shall report in writing to the office of the vice-president (~~(and vice provost)~~) for student life, or the office of the chancellor for the University of Washington Bothell or Tacoma campuses, whichever is appropriate, or their delegates, all cases in which disciplinary action is taken. The dean at the University of Washington Seattle shall also inform the registrar of any action affecting a student's official standing in the university. The office of the vice-president (~~(and vice provost)~~) for student life, or the office of the chancellor for the University of Washington Bothell or Tacoma campuses, shall notify the dean of the college or school or director of the program in

which the student is enrolled of any disciplinary action it takes and also shall notify the registrar or campus officer of student affairs of any action affecting a student's official standing in the university.

(3) Disciplinary records of students not exonerated shall be maintained by the vice-president (~~(and vice provost)~~) for student life, or the chancellor at the University of Washington Bothell or Tacoma campuses, whichever is appropriate, or their delegates, and the registrar for seven years after disciplinary action has been taken and/or after the administrative purpose has been served.

(4) Disciplinary records of exonerated students shall not be maintained.

(5) Notwithstanding any other provision of this section, the vice-president (~~(and vice provost)~~) for student life, or the chancellor at the University of Washington Bothell or Tacoma campuses, whichever is appropriate, or their delegates, at their discretion, upon written request by the student, may expunge the student's disciplinary record.

(6) Records and information regarding student disciplinary proceedings are subject to the provisions of the Family Educational Rights and Privacy Act and supporting regulations (20 U.S.C. 1232g), and to chapter 478-140 WAC.

AMENDATORY SECTION (Amending WSR 12-03-038, filed 1/9/12, effective 2/9/12)

**WAC 478-124-030 Conduct on campus code—Sanctions.** (1) Any person while on the university campus who willfully refuses the request of a uniformed campus police officer to desist from conduct prohibited by these rules may be required by such officer to leave such premises.

(2) Disciplinary action which may result in dismissal from the university will be initiated against faculty, staff, or students who violate these rules, in accordance with the applicable disciplinary codes or other appropriate due process procedures.

(3) Sanctions which may be imposed against faculty are set forth in the *Faculty Code*, Chapter 25, Sections 25-51 and 25-71.

(4) Sanctions which may be imposed against students are set forth in WAC 478-120-040.

(5) Sanctions which may be imposed against the classified staff are set forth in the relevant University of Washington labor contract for contract-classified staff, and in Title 357 WAC and applicable university policy for classified non-union staff.

(6) Sanctions which may be imposed against the professional staff are set forth in the University of Washington Professional Staff Program.

(7) Violation of any of the above regulations may also constitute violation of the criminal laws or ordinances of the city (~~(of Seattle)~~), the county, the state of Washington, or the United States and may subject a violator to criminal sanctions in addition to any sanctions imposed by the university.

AMENDATORY SECTION (Amending WSR 90-24-001, filed 11/26/90, effective 12/27/90)

**WAC 478-124-035 Conduct on campus code—Anabolic steroids.** Any student found by the university to have

violated chapter 69.41 RCW, which, among other things, prohibits the possession, delivery, use or sale of legend drugs, including anabolic steroids, except upon valid prescription or order of a practitioner, as defined by RCW 69.41.010(~~((4+))~~) (12), is subject to additional sanctions, including disqualification from participation in university-sponsored athletic events.

AMENDATORY SECTION (Amending Order 72-7, filed 11/30/72)

**WAC 478-124-040 Conduct on campus code—Interim suspension.** (1) The president or, in his or her absence, any officer of the university designated by (~~(him)~~) the president for this purpose, may impose on any student, faculty member, or staff member an interim suspension whenever there is reasonable cause to believe that such person has committed, and may reasonably be expected thereafter to commit, any of the acts prohibited herein. The notice of such suspension shall state the nature, terms and conditions of such suspension and shall include such restrictions on use of campus facilities as the president or his designee deems in the best interest of the university.

(2) Any person so placed on interim suspension shall be given prompt notice of charges and shall be given the opportunity to show cause at a preliminary hearing why such interim suspension should not continue until a formal hearing is held. To obtain such preliminary hearing, the person shall submit a written request therefor within seven days from the date interim suspension was imposed. Such written request shall state the address to which notice of hearing is to be sent. The president or, in his or her absence, any officer of the university designated by (~~(him)~~) the president, shall grant such a preliminary hearing before a person or persons designated by (~~(him)~~) the president not later than four days from the date of receipt of such request and shall immediately mail a written notice of the time, place, and date of such hearing to such person. The preliminary hearing shall consider only whether there is reasonable cause to believe that such person committed, and may reasonably be expected thereafter to commit, any of the acts prohibited herein.

(3) Interim suspension may be removed by the president or, in his or her absence, by any officer of the university designated by (~~(him)~~) the president, whenever (~~(he)~~) the president has reason to believe that the person on whom interim suspension was imposed will not constitute a substantial and material threat to the orderly operation of the university campus or endanger the health and safety of any person thereon.

AMENDATORY SECTION (Amending WSR 10-13-098, filed 6/17/10, effective 7/18/10)

**WAC 478-136-035 No smoking policy for university facilities.** (1) The University of Washington is committed to maintaining a safe and healthful work and educational environment for all faculty, staff, students, and visitors. Accordingly, the University of Washington establishes the following no smoking policy, consistent with chapter 70.160 RCW (I-901), to protect individuals from exposure to second-hand smoke in their university-associated environments and to protect life and property against fire hazards. "Smoke" or

"smoking" refers to the carrying or smoking of any kind of lighted pipe, cigar, cigarette, electronic cigarette, or any other lighted smoking equipment.

(a) Except as provided in subsection (1)(b) and (c) of this section, smoking of all kinds is prohibited in all university facilities, including, but not limited to, vehicles, inside all buildings owned, occupied, or managed by the university and/or used by the university's faculty, staff, students, or visitors, and at any outside areas or locations, including, but not limited to, bus shelters, benches, and walkways.

(b) Smoking, while not permitted in on-campus residence halls, may be permitted in a limited portion of designated university student housing in accordance with smoking regulations established for those facilities by the vice-president (~~and vice-provost~~) for student life, the appropriate chancellor, or their designees.

(c) Smoking may be permitted in specific designated outdoor locations approved by the director of environmental health and safety as smoking areas in accordance with chapter 70.160 RCW and published on the environmental health and safety web site. Signage also identifies the designated locations.

(2) Violations of the university no smoking policy are subject to enforcement by the University of Washington police department or other jurisdictional law enforcement agencies with regulatory responsibility. In addition, any student, staff, or faculty member who violates the university no smoking policy may be subject to disciplinary action.

AMENDATORY SECTION (Amending WSR 06-13-022, filed 6/13/06, effective 8/1/06)

**WAC 478-137-050 Limitations on use.** (1) Freedom of expression is a highly valued and indispensable quality of university and college life. However, joint facilities may not be used in ways that obstruct or disrupt the institutions' operations, the freedom of movement, or any other lawful activities. Additionally, use of joint facilities may be subject to reasonable time, place and manner restrictions.

(2) Joint facilities may be used for events and forums regarding ballot propositions and/or candidates who have filed for public office providing the event has received preliminary approval by an administrative or academic unit of one of the institutions and final approval by the appropriate facility designee. There are, however, certain limitations on the use of joint facilities for these political activities.

(a) First priority for the use of joint facilities shall be given to regularly scheduled university and college activities.

(b) Joint facilities may be used for political purposes such as events and forums regarding ballot propositions and/or candidates who have filed for public office only when the full rental cost of the facility is paid. Use of state funds for payment of facility rental costs is prohibited.

(c) Forums or debates may be scheduled at full facility rental rates if all parties to a ballot proposition election or all candidates who have filed for office for a given position, regardless of party affiliation, are given equal access to the use of facilities within a reasonable time.

(d) No person shall solicit contributions on joint property for political uses, except in instances where this limitation

conflicts with applicable federal law regarding interference with the mails.

(e) Public areas outside joint facility buildings may be used for political purposes such as events and forums regarding ballot propositions and/or candidates who have filed for public office, excluding solicitation of funds, provided the other normal business of the institutions is not disrupted and entrances to and exits from buildings are not blocked.

(f) Joint facilities or services may not be used to establish or maintain offices or headquarters for political candidates or partisan political causes.

(3) Joint facilities may not be used for private or commercial purposes such as sales, advertising, or promotional activities unless such activities are consistent with the institution's mission, as determined by the appropriate designee.

(4) Nothing in these rules is intended to alter or affect the regular advertising, promotional, or underwriting activities carried on, by, or in the regular media or publications of the institutions. Policies concerning advertising, promotional or underwriting activities included in these media or publications are under the jurisdiction of and must be approved by their respective management or, where applicable, advisory committees, in accordance with applicable state and federal laws.

(5) In accordance with WAC 478-137-010 the institutions will make their joint facilities available only for purposes related to their educational missions, including but not limited to instruction, research, public assembly, community programs, and student activities. When permission is granted to use joint facilities for approved instructional or related purposes, as a condition of approval, the user of joint facilities agrees to include in all materials nonendorsement statements in the form approved by the appropriate designee. "Materials" includes all communications, advertisement, and any other printed, electronic, or broadcast/telecast information related to the user's activities offered in joint facilities. The designee will determine the content, size of print and placement of the nonendorsement language. The institutions will not make their joint facilities available for instructional or related purposes that compete with courses or programs offered by the university or college.

(6) Solicitation, or distribution of handbills, pamphlets and similar materials by anyone, whether a member of the university and college community or of the general public, is not permitted in those areas of campus to which access by the public is restricted or where such solicitation or distribution would significantly impinge upon the primary business being conducted.

(7) Electronic amplification on the grounds of the campus shall not be permitted unless approved by the joint committee on facility use.

(8) No person may use joint facilities to camp. "Camp" means to remain overnight, to erect a tent or other shelter, or to use sleeping equipment, a vehicle, or a trailer camper, for the purpose of or in such ways as will permit remaining overnight. Violators are subject to arrest and criminal prosecution under applicable state, county and city laws. This provision does not prohibit use of joint facilities where a university or college employee remains overnight to fulfill the responsibilities of his or her position.



(9) The institutions are committed to maintaining a safe and healthful work and educational environment for all faculty, staff, students, and visitors. In accordance with the Washington Clean Indoor Air Act (chapter 70.160 RCW), the Use of University of Washington facilities (chapter 478-136 WAC) and Cascadia Community College facility use (chapter 132Z-140 WAC), the following smoking policy is intended to protect nonsmokers from exposure to smoke in their campus-associated environments and to protect life and property against fire hazards((:)). "Smoke" or "smoking" refers to the carrying or smoking of any kind of lighted pipe, cigar, cigarette, electronic cigarette, or any other lighted smoking equipment.

(a) Smoking is prohibited inside all university or college vehicles, inside buildings and parking structures owned or occupied by the university or college and/or used by university or college faculty, staff or students and at any outside areas or locations that may directly or indirectly affect the air supply of buildings or carry smoke into buildings.

(b) The institutions may designate specific outdoor locations as smoking areas. Signage will be placed to indicate the designated locations.

(c) Any student, staff, or faculty member who violates the smoking policy may be subject to disciplinary action. In addition, violations of the smoking policy may be subject to appropriate enforcement.

(10) Alcoholic beverages may be possessed, sold, served, and consumed at joint facilities only if the procedures set forth in this section are followed.

(a) The appropriate permits/licenses for possession, sale, service, and consumption of alcohol must be obtained from the Washington state liquor control board.

(b) Permits/licenses must be displayed during the event and all other guidelines and restrictions established by the Washington state liquor control board must be followed.

(c) Alcoholic beverages may be possessed, sold, served, and consumed at joint facilities leased to a commercial tenant under a lease that includes authorization for the tenant to apply and hold a license issued by the Washington state liquor control board.

(d) Except as provided in (c) of this subsection, alcoholic beverages may be possessed, sold, served, and consumed at joint facilities only under permits/licenses issued by the Washington state liquor control board and only as follows:

(i) Events at which alcohol is to be sold must be approved by the joint committee on facility use and an application to the committee must be accompanied by a request for written authorization under (e) or (f) of this subsection or proof that the seller holds an appropriate license; and

(ii) A university or college unit or an individual or organization applying for a permit/license must have obtained approval under (e) or (f) of this subsection; and

(iii) Sale, service, and consumption of alcohol is to be confined to specified room(s) or area(s) specified on the license or permit. Unopened containers may not be sold or served. No alcohol is permitted to be taken off-premises.

(e) Written authorization to apply for a special occasion license to sell alcoholic beverages at joint facilities must be obtained from the joint committee on facility use prior to applying for a special occasion license from the Washington

state liquor control board. Authorization should be requested through the facilities use coordinator for the joint committee on facility use sufficiently in advance of the program to allow timely consideration. (Note: Some license applications must be filed with the Washington state liquor control board at least thirty days or more before the event.) Written authorization to apply for such license shall accompany the license application filed with the Washington state liquor control board.

(f) Written authorization to apply for a banquet permit to serve and consume alcoholic beverages at joint facilities must be obtained from the university chancellor or college president prior to applying for the permit from the Washington state liquor control board. Authorization should be requested sufficiently in advance of the program to allow timely consideration. Written authorization to apply for such permit shall accompany the permit application filed with the Washington state liquor control board.

(g) Consumption, possession, dispensation, or sale of alcohol is prohibited except for persons of legal age.

AMENDATORY SECTION (Amending WSR 13-03-085, filed 1/15/13, effective 2/15/13)

**WAC 478-156-016 Family housing apartments—Assignment and unit size eligibility.** Residents must be enrolled as full-time students at the University of Washington three of the four quarters of an academic year, and be married couples; registered, same-sex domestic partners (that is, the partnerships are registered with ~~((the state of Washington or other))~~ jurisdictions where domestic partner registrations are offered); or single parents with dependent children. In addition, financial eligibility must be verified prior to move-in for those students in priority groups (1) through (3), which are described in WAC 478-156-017. The office of student financial aid will update financial need figures for family housing eligibility and will evaluate the resources of each new applicant to determine if their requirements for financial assistance exceed the established need figures. Separate financial need figures are established for each unit size. Any expenses related to the processing of the financial aid form will be borne by the applicant or the current resident. Assignment eligibility criteria for each unit size of university-owned housing is specific to the property and outlined on the University of Washington, Seattle housing and food services web site.

Changes to these eligibility criteria shall be approved through the office of the vice-president ~~((and vice provost))~~ for student life after consultation with student leadership from the Associated Students of the University of Washington (ASUW) and the Graduate and Professional Student Senate (GPSS).

AMENDATORY SECTION (Amending WSR 92-12-011, filed 5/22/92, effective 6/22/92)

**WAC 478-160-055 Admission to specific major degree programs.** Undergraduate and postbaccalaureate applicants who are qualified for admission to the university are required to enter one of the university's colleges or schools. Applicants may indicate, at the time they make

application, the major degree program of their choice. However, all applicants who are qualified for admission to the university cannot always be accommodated in the college, school or degree program of their choice because of space limitations or because some prerequisites for the program have not yet been fulfilled. In such cases, applicants may be offered admission to the university in the college of arts and sciences as premajors.

In order to be considered for admission in the degree program of their choice, at a later date, such students may be required to submit a supplemental application and present additional information to the appropriate academic department or unit.

Examples of the information which might be considered may include but are not necessarily limited to the following: Achievement of at least sophomore or junior standing, grade point average, successful completion of elementary courses in the field, an audition, samples of previous accomplishments, recommendations, and test scores.

Although criteria for acceptance may vary from department to department, they are binding if all of the following conditions have been met:

(1) They are the result of action by the faculty of the department concerned and have been approved by the dean of that school or college, the faculty council on academic standards, and the president of the university.

(2) They apply to all students seeking admission to the degree program at a particular time.

(3) They have been announced (~~through printed statements available in~~) by the office of admissions and in the advising office of the department sponsoring the program no later than the first day of the quarter (excluding summer quarter) preceding the quarter in which they are to become effective.

AMENDATORY SECTION (Amending WSR 97-14-004, filed 6/19/97, effective 7/20/97)

**WAC 478-160-060 (~~Requests for~~) Reconsideration of (~~admission~~) decisions for admission to the University of Washington.** Applicants who are denied admission to the University of Washington may request further consideration by presenting a written petition and additional information in support of their application. Such requests should be addressed to the following address:

University of Washington  
Committee on Admissions and Academic Standards  
Office of Admissions  
320 Schmitz Hall  
Box 355840  
Seattle, WA 98195-5840

AMENDATORY SECTION (Amending Order 72-5, filed 11/6/72)

**WAC 478-160-100 Admission to the school of dentistry.** The University of Washington school of dentistry gives primary preference in admission to qualified residents of the state of Washington. Second preference is given to qualified residents of Alaska, Arizona, (~~Colorado, Idaho,~~)

Hawaii, Montana, New Mexico, North Dakota, and Wyoming, (~~and Utah,~~) which states have contractual arrangements for this purpose with the state of Washington and the University of Washington.

AMENDATORY SECTION (Amending WSR 97-14-004, filed 6/19/97, effective 7/20/97)

**WAC 478-160-105 Admission to the school of dentistry—Application (~~forms~~).** Information on the application (~~forms~~) process may be obtained (~~by writing to~~) on the school of dentistry web site ([www.dental.washington.edu](http://www.dental.washington.edu)) or questions may be directed to the school of dentistry at [askuwsod@uw.edu](mailto:askuwsod@uw.edu) or the following address:

University of Washington School of Dentistry  
Office of the Dean  
D-322 Health Sciences Building  
Box 356365  
Seattle, WA 98195-6365

The deadline for filing an application is determined by the University of Washington school of dentistry and can be obtained from the address above.

AMENDATORY SECTION (Amending WSR 10-23-039, filed 11/10/10, effective 12/11/10)

**WAC 478-160-231 Residence classification review committee.** The residence classification review committee shall be composed of four persons appointed by the vice-president (~~and vice provost~~) for student life, each for a term of one academic year.

AMENDATORY SECTION (Amending WSR 05-21-133, filed 10/19/05, effective 11/19/05)

**WAC 478-168-180 Identification card—Conditions of use.** (1) Each borrower is responsible for obtaining an official identification card from the appropriate university office or a library borrower's card from the library (~~cashier~~) account services.

(2) An identification card is authorized for use only by the individual whose name appears on the card.

(3) Official identification must be presented for the completion of each in-person circulation transaction.

(4) Each borrower is responsible for materials checked out on his/her University of Washington identification card or library borrower's card. Library materials are not to be loaned to others except as designated in WAC 478-168-180(6).

(5) Campus borrowers are responsible for keeping the registrar or payroll office informed of changes of address. Off-campus borrowers are responsible for keeping the library (~~cashier~~) account services informed of changes of address.

(6) Each University of Washington faculty, academic personnel, administrative personnel, professional staff, visiting scholar, and other individuals as authorized by the dean of university libraries, may designate up to two proxies or couriers for the purpose of picking up materials for his/her use.

**AMENDATORY SECTION** (Amending WSR 04-13-087, filed 6/17/04, effective 9/21/04)

**WAC 478-168-325 Payment of fines and charges.** Fines and charges should be remitted to the library ((~~cashier~~) account services) unless the charges have been referred to the collection agency. Departmental purchase orders are not acceptable on the basis that fines and charges may not be appropriately paid by departmental, grant or other funds controlled by the university.

**AMENDATORY SECTION** (Amending WSR 03-12-007, filed 5/22/03, effective 6/22/03)

**WAC 478-324-020 Adoption by reference.** The university hereby adopts by reference the following sections of the SEPA rules, chapter 197-11 of the Washington Administrative Code.

**General Requirements**

WAC

- 197-11-040 Definitions.
- 197-11-050 Lead agency.
- 197-11-055 Timing of the SEPA process.
- 197-11-060 Content of environmental review.
- 197-11-070 Limitations on actions during SEPA process.
- 197-11-080 Incomplete or unavailable information.
- 197-11-090 Supporting documents.
- 197-11-100 Information required of applicants.
- 197-11-250 SEPA/Model Toxics Control Act integration.
- 197-11-253 SEPA lead agency for MTCA actions.
- 197-11-256 Preliminary evaluation.
- 197-11-259 Determination of nonsignificance for MTCA remedial actions.
- 197-11-262 Determination of significance and EIS for MTCA remedial actions.
- 197-11-265 Early scoping for MTCA remedial actions.
- 197-11-268 MTCA interim actions.

**Categorical Exemptions and Threshold Determination**

WAC

- 197-11-300 Purpose of this part.
- 197-11-305 Categorical exemptions.
- 197-11-310 Threshold determination required.
- 197-11-315 Environmental checklist.
- 197-11-330 Threshold determination process.
- 197-11-335 Additional information.
- 197-11-340 Determination of nonsignificance (DNS).
- 197-11-350 Mitigated DNS.
- 197-11-360 Determination of significance (DS)/initiation of scoping.
- 197-11-390 Effect of threshold determination.

**Environmental Impact Statement (EIS)**

WAC

- 197-11-400 Purpose of EIS.
- 197-11-402 General requirements.
- 197-11-405 EIS types.
- 197-11-406 EIS timing.
- 197-11-408 Scoping.
- 197-11-410 Expanded scoping. (Optional)
- 197-11-420 EIS preparation.
- 197-11-425 Style and size.
- 197-11-430 Format.
- 197-11-435 Cover letter or memo.
- 197-11-440 EIS contents.
- 197-11-442 Contents of EIS on nonproject proposals.
- 197-11-443 EIS contents when prior nonproject EIS.
- 197-11-444 Elements of the environment.
- 197-11-448 Relationship of EIS to other considerations.
- 197-11-450 Cost-benefit analysis.
- 197-11-455 Issuance of DEIS.
- 197-11-460 Issuance of FEIS.

**Commenting**

WAC

- 197-11-500 Purpose of this part.
- 197-11-502 Inviting comment.
- 197-11-504 Availability and cost of environmental documents.
- 197-11-508 SEPA register.
- 197-11-510 Public notice.
- 197-11-535 Public hearings and meetings.
- 197-11-545 Effect of no comment.
- 197-11-550 Specificity of comments.
- 197-11-560 FEIS response to comments.
- 197-11-570 Consulted agency costs to assist lead agency.

**Using Existing Environmental Documents**

WAC

- 197-11-600 When to use existing environmental documents.
- 197-11-610 Use of NEPA documents.
- 197-11-620 Supplemental environmental impact statement—Procedures.
- 197-11-625 Addenda—Procedures.
- 197-11-630 Adoption—Procedures.
- 197-11-635 Incorporation by reference—Procedures.
- 197-11-640 Combining documents.

**SEPA and Agency Decisions**

## WAC

- 197-11-650 Purpose of this part.  
 197-11-655 Implementation.  
 197-11-660 Substantive authority and mitigation.  
 197-11-680 Appeals.

**Definitions**

## WAC

- 197-11-700 Definitions.  
 197-11-702 Act.  
 197-11-704 Action.  
 197-11-706 Addendum.  
 197-11-708 Adoption.  
 197-11-710 Affected tribe.  
 197-11-712 Affecting.  
 197-11-714 Agency.  
 197-11-716 Applicant.  
 197-11-718 Built environment.  
 197-11-720 Categorical exemption.  
 197-11-721 Closed record appeal.  
 197-11-722 Consolidated appeal.  
 197-11-724 Consulted agency.  
 197-11-726 Cost-benefit analysis.  
 197-11-728 County/city.  
 197-11-730 Decision maker.  
 197-11-732 Department.  
 197-11-734 Determination of nonsignificance (DNS).  
 197-11-736 Determination of significance (DS).  
 197-11-738 EIS.  
 197-11-740 Environment.  
 197-11-742 Environmental checklist.  
 197-11-744 Environmental document.  
 197-11-746 Environmental review.  
 197-11-750 Expanded scoping.  
 197-11-752 Impacts.  
 197-11-754 Incorporation by reference.  
 197-11-756 Lands covered by water.  
 197-11-758 Lead agency.  
 197-11-760 License.  
 197-11-762 Local agency.  
 197-11-764 Major action.  
 197-11-766 Mitigated DNS.  
 197-11-768 Mitigation.  
 197-11-770 Natural environment.

- 197-11-772 NEPA.  
 197-11-774 Nonproject.  
 197-11-775 Open record hearing.  
 197-11-776 Phased review.  
 197-11-778 Preparation.  
 197-11-780 Private project.  
 197-11-782 Probable.  
 197-11-784 Proposal.  
 197-11-786 Reasonable alternative.  
 197-11-788 Responsible official.  
 197-11-790 SEPA.  
 197-11-792 Scope.  
 197-11-793 Scoping.  
 197-11-794 Significant.  
 197-11-796 State agency.  
 197-11-797 Threshold determination.  
 197-11-799 Underlying governmental action.

**Categorical Exemptions**

## WAC

- 197-11-800 Categorical exemptions.  
 197-11-810 Exemptions and nonexemptions applicable to specific state agencies.  
 197-11-820 Department of licensing.  
 197-11-825 Department of labor and industries.  
 197-11-830 Department of natural resources.  
 197-11-835 Department of ~~((fisheries))~~ fish and wildlife.  
~~((197-11-840 Department of game-))~~  
 197-11-845 Department of social and health services and department of health.  
 197-11-850 Department of agriculture.  
 197-11-855 Department of ecology.  
 197-11-860 Department of transportation.  
 197-11-865 Utilities and transportation commission.  
 197-11-870 Department of commerce ~~((and economic development))~~.  
 197-11-875 Other agencies.  
 197-11-880 Emergencies.  
 197-11-890 Petitioning DOE to change exemptions.

**Agency Compliance**

## WAC

- 197-11-900 Purpose of this part.  
 197-11-902 Agency SEPA policies.  
 197-11-904 Agency SEPA procedures.  
 197-11-906 Content and consistency of agency procedures.

- 197-11-910 Designation of responsible official.
- 197-11-912 Procedures of consulted agencies.
- 197-11-914 SEPA fees and costs.
- 197-11-916 Application to ongoing actions.
- 197-11-917 Relationship to chapter 197-10 WAC.
- 197-11-918 Lack of agency procedures.
- 197-11-920 Agencies with environmental expertise.
- 197-11-922 Lead agency rules.
- 197-11-924 Determining the lead agency.
- 197-11-926 Lead agency for governmental proposals.
- 197-11-928 Lead agency for public and private proposals.
- 197-11-930 Lead agency for private projects with one agency with jurisdiction.
- 197-11-932 Lead agency for private projects requiring licenses from more than one agency, when one of the agencies is a county/city.
- 197-11-934 Lead agency for private projects requiring licenses from a local agency, not a county/city, and one or more state agencies.
- 197-11-936 Lead agency for private projects requiring licenses from more than one state agency.
- 197-11-938 Lead agencies for specific proposals.
- 197-11-940 Transfer of lead agency status to a state agency.
- 197-11-942 Agreements on lead agency status.
- 197-11-944 Agreements on division of lead agency duties.
- 197-11-946 DOE resolution of lead agency disputes.
- 197-11-948 Assumption of lead agency status.
- 197-11-950 Severability.
- 197-11-955 Effective date.

**Forms**

**WAC**

- 197-11-960 Environmental checklist.
- 197-11-965 Adoption notice.
- 197-11-970 Determination of nonsignificance (DNS).
- 197-11-980 Determination of significance and scoping notice (DS).
- 197-11-985 Notice of assumption of lead agency status.
- 197-11-990 Notice of action.

AMENDATORY SECTION (Amending WSR 10-23-039, filed 11/10/10, effective 12/11/10)

**WAC 478-324-130 Establishment of the SEPA information ((center)) web site.** (1) The University of Washington capital projects office ((of public records and open public

meetings)) shall serve as the location for the university's SEPA information ((center)) web site.

(2) The following documents shall be maintained at the SEPA information ((center)) web site:

(a) ((Copies of)) All SEPA public information registers for a period of one year from the date of publication.

(b) ((Copies of)) All environmental checklists, determinations of nonsignificance and determinations of significance for a period of one year from the date of issue.

(c) ((Copies of)) All current scoping and public hearing notices.

(d) ((Copies of)) All draft and final EISs for a period of three years after the date of publication(~~except that technical appendices need not be maintained at the SEPA information center if adequate notice is provided regarding where on campus such appendices are located~~)).

(e) ((Copies of)) All draft and final EISs which have been incorporated by reference shall be maintained at the SEPA information ((center)) web site for the same time period as the underlying document is maintained.

(f) A current list of individuals designated as responsible officials for university compliance with SEPA.

(g) A current membership list of the SEPA advisory committee.

(h) ((Copies of)) Agendas and minutes of the SEPA advisory committee for a period of one year after the date of issue.

(3) The documents at the SEPA information ((center)) web site shall be available for public inspection ((and copies thereof shall be provided upon request. A fee to cover the actual cost of printing/copying may be charged for copies)) online.

**WSR 14-12-088**  
**EXPEDITED RULES**  
**PROFESSIONAL EDUCATOR**  
**STANDARDS BOARD**

[Filed June 3, 2014, 2:06 p.m.]

Title of Rule and Other Identifying Information:  
 Amends WAC 181-79A-251, a drafting error in a previous rule WSR 13-11-072 inadvertently amended a section regarding licensure renewal in two sections that were in conflict. The implementation date (September 2014) drew attention to the error. The incorrect section is removed.

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 August 5, 2014.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: Clarifies conflicting section of renewal requirements.

Reasons Supporting Proposal: Language currently provides for changes in licensure requirements that conflict, due to go into effect September 2014.

Statutory Authority for Adoption: RCW 28A.410.210.

Statute Being Implemented: RCW 28A.410.226.

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, Implementation and Enforcement: David Brenna, 600 Washington Street South, Olympia, WA 98504, (360) 725-6238.

June 3, 2014

David Brenna

Senior Policy Analyst

**AMENDATORY SECTION** (Amending WSR 14-09-121, filed 4/23/14, effective 5/24/14)

**WAC 181-79A-251 Residency and professional certification. Renewal and reinstatement.**

(1) Residency certificate. Residency certificates shall be renewed under one of the following options:

(a) Teachers.

(i) Individuals who hold, or have held, residency certificates have the following options for renewal past the first three-year certificate:

(A) Candidates who have attempted and failed the professional certificate assessment are eligible for a two-year renewal;

(B) Candidates who have not been employed or employed less than full-time as a teacher during the dated, three-year residency certificate may receive a two-year renewal by submitting an affidavit to the certification office confirming that they will register and submit a uniform assessment portfolio or may permit their certificate to lapse until such time they register for the professional certificate assessment;

(C) Candidates whose three-year residency certificate has lapsed may receive a two-year renewal by submitting an affidavit to the certification office confirming that they will register and submit a uniform assessment portfolio for the professional certificate assessment;

(D) Individuals who complete a National Board Certification assessment but do not earn National Board Certification, may use that completed assessment to renew the residency certificate for two years.

(ii) A residency certificate expires after the first renewal if the candidate has not registered for and submitted a portfolio assessment prior to June 30th of the expiration year, to achieve the professional certificate, provided: When the first two-year renewal on residency certificates expires, teachers have two renewal options:

(A) Teachers who were employed but failed the professional certification assessment, may receive a second two-year renewal;

(B) Teachers who were unemployed or employed less than full-time during the first two-year renewal may permit their certificate to lapse and receive a second two-year renewal by submitting an affidavit to the certification office confirming that they will register and submit a uniform assessment portfolio for the professional certification assessment.

(C) An individual who completes a National Board Certification assessment but does not earn National Board Certification, may use that completed assessment to renew the residency certificate for two years in lieu of submitting an affidavit to the certification office confirming that they will register and submit the Washington uniform assessment portfolio as per this section, WAC 181-79A-251.

(ii) Teachers who hold expired residency certificates may be reinstated by having a district request, under WAC 181-79A-231, a transitional certification not less than five years following the final residency expiration: Provided, That the teacher registers and passes the professional certification assessment within two years.

(iv) Teachers that hold a dated residency certificate prior to September 2011 that have expiration dates past September 2011 are subject to the same renewal options as described in (a)(ii) and (iii) of this subsection.

(b) Principals/program administrators may renew their residency certificate in one of the following ways:

(i) Individuals who hold, or have held, a residency certificate and who qualify for enrollment in a professional certificate program pursuant to WAC 181-78A-535 (2)(a) may have the certificate renewed for one additional two-year period upon verification by the professional certificate program administrator that the candidate is enrolled in a state approved professional certificate program.

(ii) Individuals who hold, or have held, residency certificates who are not in the role of principal or program administrator may have their residency certificates renewed for an additional five-year period by the completion of fifteen quarter credits (ten semester credits) of college credit course work from a regionally accredited institution of higher education or completion of one hundred fifty continuing education credit hours, directly related to the current performance-based leadership standards as defined in WAC 181-78A-270 (2)(b) from a regionally accredited institution of higher education taken since the issuance of the residency certificate.

(c) School counselors and school psychologists may renew their residency certificate in one of the following ways:

(i) Individuals who hold a residency certificate and who qualify for enrollment in a professional certificate program pursuant to WAC 181-78A-535(3) may have the certificate renewed for one additional two-year period upon verification by the professional certificate program administrator that the candidate is enrolled in a state approved professional certificate program.

(ii) Individuals who hold, or have held, a residency certificate who are not in the role of school counselor or school psychologist may have their residency certificates renewed

for an additional five-year period by the completion of fifteen quarter credits (ten semester credits) of college credit course work from a regionally accredited institution of higher education or completion of one hundred fifty continuing education hours, directly related to the current performance-based standards as defined in WAC 181-78A-270 (5), (7), or (9) from a regionally accredited institution of higher education taken since the issuance of the residency certificate.

(iii) An individual school psychologist who is applying for the National Certificate for School Psychologist (NCSP) may apply for a one-time two-year renewal with verification of NCSP submission.

(iv) An individual school counselor who completes a national board certification from the National Board of Professional Teaching Standards (NBPTS) assessment but does not earn national board certification may use that completed assessment to renew the residency certificate one-time for two years.

(v) School psychologists with residency certificates dated to expire June 30, 2013, 2014, or 2015 may apply until June 30, 2016, for a one-time two-year extension.

(2) Professional certificate.

(a) Teachers.

(i) A valid professional certificate may be renewed for additional five-year periods by the completion of one hundred fifty continuing education credit hours as defined in chapter 181-85 WAC or by completing the professional growth plan as defined in WAC 181-79A-030. Individuals who complete the requirements of the annual professional growth plan to renew their professional certificate shall receive the equivalent of thirty hours of continuing education credit hours: Provided, That professional certificates issued under rules prior to September 1, 2014, retain the option of clock hours or professional growth plans for renewal. Beginning September 1, 2014, four professional growth plans developed annually during the period in which the certificate is valid in collaboration with the professional growth team as defined in WAC 181-79A-030 are required for renewal. The professional growth plans must document formalized learning opportunities and professional development activities that relate to the standards and "career level" benchmarks defined in WAC 181-79A-207. Individuals may apply their focused evaluation professional growth activities of the evaluation system toward the professional growth plan for certificate renewal. Individuals who complete the requirements of the annual professional growth plan to renew their professional certificate shall receive the equivalent of thirty hours of continuing education credit hours. An expired professional certificate issued under rules in effect prior to September 1, 2014, may be renewed for an additional five-year period by presenting evidence to the superintendent of public instruction of completing the continuing education credit hour requirement within the five years prior to the date of the renewal application. All continuing education credit hours shall relate to either (a)(i)(A) or (B) of this subsection: Provided, That both categories (a)(i)(A) and (B) of this subsection must be represented in the one hundred fifty continuing education credit hours required for renewal:

(A) One or more of the following three standards:

(I) Effective instruction.

(II) Professional contributions.

(III) Professional development.

(B) One of the salary criteria specified in WAC 392-121-262.

(ii) Beginning September 1, 2014, continuing education or professional growth plans for teachers at the elementary and secondary levels in STEM-related subjects must include a specific focus on the integration of science, mathematics, technology, and engineering instruction as per RCW 28A.410.2212. This requirement is for all professional teacher certificate holders regardless of date of issuance of the first professional certificate.

(iii) Individuals not in the role as a teacher in a public school or approved private school holding a professional teaching certificate may have their professional certificate renewed for a five-year period by the completion of:

(A) Fifteen quarter credits (ten semester credits) of college credit course work directly related to the current performance-based leadership standards as defined in WAC 181-78A-540; or

(B) One hundred fifty continuing education credit hours as defined in chapter 181-85 WAC since the certificate was issued and which relate to the current performance-based standards as defined in WAC 181-79A-207; or

(C) Beginning September 1, 2014, four professional growth plans developed annually during the period in which the certificate is valid in collaboration with the professional growth team as defined in WAC 181-79A-030 are required for renewal. The professional growth plans must document formalized learning opportunities and professional development activities that relate to the standards and "career level" benchmarks defined in WAC 181-79A-207. Individuals may apply their focused evaluation professional growth activities of the evaluation system toward the professional growth plan for certificate renewal. Individuals who complete the requirements of the annual professional growth plan to renew their professional certificate shall receive the equivalent of thirty hours of continuing education credit hours; or

(D) Teachers addressed in this section are also subject to (a)(ii) of this subsection.

(iv) Provided, That a professional certificate may be renewed based on the possession of a valid teaching certificate issued by the National Board for Professional Teaching Standards at the time of application for the renewal of the professional certificate. Such renewal shall be valid for five years or until the expiration of the National Board Certificate, whichever is greater.

(b) Principals/program administrators.

(i) A professional certificate may be renewed for additional five-year periods for individuals in the role as a principal, assistant principal or program administrator in a public school or approved private school by:

(A) Completion of four professional growth plans developed annually since the certificate was issued in collaboration with a minimum of three certificated colleagues that documents formalized learning opportunities and professional development activities that relate to the six standards and "career level" benchmarks defined in WAC 181-78A-540(1). Individuals may apply their focused evaluation professional growth activities of the evaluation system toward the profes-

sional growth plan for certificate renewal. Individuals who complete the requirements of the annual professional growth plan to renew their professional certificate shall receive the equivalent of thirty hours of continuing education credit hours.

(B) Documented evidence of results of the professional growth plan on student learning.

(C) As per RCW 28A.405.278 beginning September 1, 2016, all professional administrator certificates must complete continuing education on the revised teacher and principal evaluation systems under RCW 28A.405.100 as a requirement for renewal of professional administrator certificates including requiring knowledge and competencies in teacher and principal evaluation systems as an aspect of professional growth plans (PGPs) used for certificate renewal.

(ii) Individuals not in the role as a principal, assistant principal, or program administrator in a public school or approved private school may have their professional certificate renewed for a five-year period by the completion of:

(A) Fifteen quarter credits (ten semester credits) of college credit course work directly related to the current performance-based leadership standards as defined in WAC 181-78A-540(1) from a regionally accredited institution of higher education taken since the issuance of the professional certificate; or

(B) Completion of one hundred fifty continuing education credit hours as defined in chapter 181-85 WAC since the certificate was issued and which relate to the current performance-based standards as defined in WAC 181-78A-540(1); or

(C) Completion of four professional growth plans developed annually since the certificate was issued in collaboration with the professional growth team as defined in WAC 181-79A-030 that documents formalized learning opportunities and professional development activities that relate to the standards and "career level" benchmarks defined in WAC 181-78A-540(2). Individuals may apply their focused evaluation professional growth activities of the evaluation system toward the professional growth plan for certificate renewal. Individuals who complete the requirements of the annual professional growth plan to renew their professional certificate shall receive the equivalent of thirty hours of continuing education credit hours; or

(D) Principals, assistant principals, or program administrators addressed in this section are also subject to subsection (b)(i)(C) of this section.

(c) School counselors and school psychologists.

(i) For certificates issued under rules in effect prior to September 1, 2014, a valid professional certificate may be renewed for additional five-year periods by:

(A) Completion of one hundred fifty continuing education credit hours as defined in chapter 181-85 WAC since the certificate was issued and which relate to the current performance-based standards as defined in WAC 181-78A-270 (5), (7), or (9); or

(B) Completion of four professional growth plans that are developed annually since the certificate was issued in collaboration with a minimum of three certificated colleagues or supervisor, and that documents formalized learning opportunities and professional development activities that relate to

the standards and career level benchmarks defined in WAC 181-78A-540(2). Individuals who complete the requirements of the annual professional growth plan to renew their professional certificate shall receive the equivalent of thirty hours of continuing education credit hours; or

(C) An expired professional certificate issued under rules in effect prior to September 1, 2014, may be renewed for an additional five-year period by presenting evidence to the superintendent of public instruction of completing the continuing education credit hour requirement within the five years prior to the date of the renewal application.

(ii) Beginning September 1, 2014, a valid professional certificate may be renewed for additional five-year periods for individuals in the role as a school counselor or school psychologist in a public school, approved private school, or in a state agency which provides educational services to students by completion of four professional growth plans developed annually since the certificate was issued in collaboration with the professional growth team as defined in WAC 181-79A-030 that documents formalized learning opportunities and professional development activities that relate to the standards and "career level" benchmarks defined in WAC 181-78A-540(2). Individuals who complete the requirements of the annual professional growth plan to renew their professional certificate shall receive the equivalent of thirty hours of continuing education credit hours.

(iii) Individuals not in the role as a school counselor or school psychologist in a public school or approved private school may have their professional certificate renewed for an additional five-year period by:

(A) Completion of fifteen quarter credits (ten semester credits) of college credit course work directly related to the current performance-based standards as defined in WAC 181-78A-540(2) from a regionally accredited institution of higher education taken since the issuance of the professional certificate; or

(B) Completion of one hundred fifty continuing education credit hours as defined in chapter 181-85 WAC since the certificate was issued and which relate to the current performance-based standards as defined in WAC 181-78A-540(2); or

(C) Completion of four annual professional growth plans developed since the certificate was issued in collaboration with the professional growth team as defined in WAC 181-79A-030 that documents formalized learning opportunities and professional development activities that relate to the standards and "career level" benchmarks defined in WAC 181-78A-540(2). Individuals who complete the requirements of the annual professional growth plan to renew their professional certificate shall receive the equivalent of thirty hours of continuing education credit hours((;

~~(D) An expired professional certificate issued under rules in effect after September 1, 2014, may be renewed for an additional five-year period by presenting evidence to the superintendent of public instruction of completing the continuing education credit hour requirement within the five years prior to the date of the renewal application)).~~

(iv) Provided, That a school counselor professional certificate may be renewed based on the possession of a valid school counselor certificate issued by the National Board for



Professional Teaching Standards at the time of application for the renewal of the professional certificate. Such renewal shall be valid for five years or until the expiration of the National Board Certificate, whichever is greater; or

(v) Provided, That a school psychologist professional certificate may be renewed based on the possession of a valid national certified school psychology certificate issued by the national association of school psychologists at the time of application for the renewal of the professional certificate. Such renewal shall be valid for five years or until the expiration of the national certified school psychology certificate, whichever is greater.

(d) Provided, any educator holding a professional certificate in (a), (b), or (c) of this subsection, which requires completion of four PGPs in five years, may renew the professional certificate for one time only by completing one hundred fifty continuing education credit hours as defined in chapter 181-85 WAC, or with completion of fifteen quarter credit hours related to job responsibilities, in lieu of completion of four professional growth plans as required by (a)(ii)(C), (b)(ii)(A), and (c)(ii) of this subsection. Individuals with valid certificates must show completion of the hours as described in this section since the professional certificate was issued. Individuals with an expired professional certificate must complete the hours as described in this section within the five years prior to the date of the renewal application. Provided, That this section is no longer in effect after June 30, 2020.

(e) For educators holding multiple certificates in (a), (b), or (c) of this subsection, or in chapter 181-85 WAC, a professional growth plan for teacher, administrator, or education staff associate shall meet the requirement for all certificates held by an individual which is affected by this section.

(f) The one time renewal option of using clock hours or credits in lieu of professional growth plans as required applies to any/all professional certificates an educator may hold, and is only available to the individual one time. This section is no longer in effect after June 30, 2020.

(g) After July 1, 2015, professional certificates for school counselors or psychologists, in addition to the requirements in this chapter, must attend training in suicide prevention as per RCW 28A.410.226 for renewal of their certificate.