

**WSR 16-05-052**  
**EXPEDITED RULES**  
**PROFESSIONAL EDUCATOR**  
**STANDARDS BOARD**

[Filed February 11, 2016, 4:32 p.m.]

Title of Rule and Other Identifying Information: WAC 181-77-041 contains assessments that show American sign language (ASL) proficiency. The ASL proficiency interview (PI) was inadvertently left off of the assessments listing in the WAC.

**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 April 19, 2016.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: Expands the assessments available for career and technical education teachers of ASL.

Reasons Supporting Proposal: The ASLPI should have been included when this requirement was added to WAC 181-77-041.

Statutory Authority for Adoption: Chapter 28A.410 RCW.

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

Name of Proponent: Professional educator standards board, governmental.

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

February 11, 2016  
David Brenna  
Senior Policy Analyst

AMENDATORY SECTION (Amending WSR 15-12-023, filed 5/26/15, effective 6/26/15)

**WAC 181-77-041 Requirements for candidates seeking career and technical education certification on the basis of business and industry work experience.** Candidates for certification who have not completed approved programs set forth in WAC 181-82-322 shall complete the following requirements in addition to those set forth in WAC 181-79A-150 (1) and (2) and 181-79A-155 (1) and (2).

(1) Initial.

(a) Candidates for the initial certificate shall provide documentation of paid occupational experience in the specific career and technical education subcategory for which

certification is sought: Provided, That individuals seeking the initial certification for the sole purpose of instruction of American sign language who are deaf, hard of hearing per RCW 43.20A.720, or who's primary method of communication is American sign language, may have the requirements for interpreter experience waived by the certification office of the superintendent of public instruction.

(i) Three years (six thousand hours) is required.

(ii) One year (two thousand hours) must be within the past six years.

(iii) If all or part of the two thousand hours is more than six years old, an additional three hundred hours of recent (occurring in the last two years) occupational experience is required.

(iv) Individuals seeking this certification solely for teaching American sign language must also hold or earn the national interpreter certification, certified deaf interpreter certificate, the American sign language teachers association certificate, the American sign language performance interview or meet the standard required of interpreters for the deaf per RCW 28A.410.271.

(b) Candidates for the initial certificate shall complete a professional educator standards board approved program under WAC 181-77A-029 in which they demonstrate competence in the general standards for all career and technical education teacher certificate candidates pursuant to WAC 181-77A-165((-)) which include, but are not limited to, knowledge and skills in the following areas:

(i) General and specific safety;

(ii) Career and technical education teaching methods;

(iii) Occupational analysis;

(iv) Course organization and curriculum design;

(v) Philosophy of vocational education;

(vi) Personal student development and leadership techniques.

(c) Candidates for the initial certificate shall also demonstrate knowledge and skills in the following areas:

(i) School law;

(ii) Issues related to abuse as specified in WAC 181-77A-165(7).

(d) In addition, candidates for initial certification in career choices or coordinator of worksite learning shall demonstrate competency in knowledge and skills described in WAC 181-77A-180.

(2) Initial renewal. Candidates for renewal of the initial certificate must complete three quarter hours of credit or thirty clock hours of career and technical education educator training in the subject matter certified to teach since the initial certificate was issued or renewed.

(3) Continuing.

(a) Candidates for the continuing certificate shall have in addition to the requirements for the initial certificate at least nine quarter hours or ninety clock hours of career and technical education educator training in the career and technical education subject matter to be certified completed subsequent to the issuance of the initial certificate.

(b) Candidates for the continuing certificate shall provide as a condition for the issuance of a continuing certificate documentation of two years of teaching/coordination in the career and technical education subject matter certified to

teach with an authorized employer-i.e., school district(s) or skills center(s).

(4) Continuing certificate renewal.

(a) Candidates for renewal of the continuing certificate shall complete since the previous continuing certificate was issued one of the following:

(i) Six quarter hours or sixty clock hours of career and technical education educator training;

(ii) Three quarter hours or thirty clock hours of career and technical education educator training and three quarter hours or thirty clock hours of technical education/upgrading;

(iii) Three quarter hours or thirty clock hours of career and technical education educator training and three hundred hours of occupational experience.

(b) Beginning January 2018, renewal of continuing certificates under this section specifically for teaching American sign language will require the national interpreter certification, certified deaf interpreter certificate, the American sign language teachers association certificate, or meet the standard required of interpreters of the deaf per RCW 28A.410-271.

### WSR 16-05-076

#### EXPEDITED RULES

#### WESTERN WASHINGTON UNIVERSITY

[Filed February 16, 2016, 8:53 a.m.]

Title of Rule and Other Identifying Information: WAC 516-09-020(2) Agency description—Contact information—Public records officer.

#### 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 Jennifer Sloan, Rules Coordinator, Western Washington University, 516 High Street, Mailstop 9015, Bellingham, WA 98225, AND RECEIVED BY April 18, 2016.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: The purpose is to update the public records officer's phone number, fax number, and web page address.

Reasons Supporting Proposal: Currently listed contact information is out-of-date.

Statutory Authority for Adoption: RCW 28B.35.120(12) and 42.56.100. WSR 08-01-106, § 516-09-020, filed 12/18/07.

Statute Being Implemented: RCW 28B.35.120(12) and 42.56.100. WSR 08-01-106, § 516-09-020, filed 12/18/07.

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

Name of Proponent: Western Washington University, public.

Name of Agency Personnel Responsible for Drafting: Jennifer Sloan, Rules Coordinator, 516 High Street, OM 331, Mailstop 9015, Bellingham, WA 98225, (360) 650-3117; Implementation and Enforcement: Dolapo Akinrinade, Public Records Officer, 516 High Street, OM 330G, Mailstop 9015, Bellingham, WA 98225, (360) 650-2728.

February 16, 2016

Jennifer L. Sloan

Rules Coordinator

AMENDATORY SECTION (Amending WSR 08-01-106, filed 12/18/07, effective 1/18/08)

**WAC 516-09-020 Agency description—Contact information—Public records officer.** (1) Western Washington University is an institution of higher education, authority for which is located in chapter 28B.35 RCW. The administrative offices of the university are located at the university's main campus at Bellingham, Washington. The university also has education centers in Seattle, Everett, Mountlake Terrace, Shoreline, Bremerton, Oak Harbor, Anacortes, and Port Angeles.

(2) Any person wishing to request access to public records of the university, or seeking assistance in making such a request, should contact the university's public records officer located at the main campus listed below:

Public Records Officer  
Western Washington University  
516 High Street  
Bellingham, WA 98225  
Phone: ((~~360-650-3051~~) 360-650-2728)  
Fax: ((~~360-650-3044~~) 360-650-4228)

Current contact information and additional information regarding release of public records can be found on the university web site at ((~~[http://www.library.wvu.edu/info/pubrecords\\_procedures.html](http://www.library.wvu.edu/info/pubrecords_procedures.html)~~) <http://www.wvu.edu/publicrecords/index.shtml>).

(3) The public records officer will oversee compliance with the act but another university staff member may process the request. Therefore, these rules will refer to the public records officer or "designee." The public records officer or designee and the university will provide the "fullest assistance" to requestors; ensure that public records are protected from damage or disorganization; and prevent fulfilling public records requests from causing excessive interference with essential functions of the university.

### WSR 16-05-077

#### EXPEDITED RULES

#### DEPARTMENT OF REVENUE

[Filed February 16, 2016, 9:12 a.m.]

Title of Rule and Other Identifying Information: WAC 458-20-103 (Rule 103) Time and place of sale, provides the definition of "sale" when sales of tangible personal property

occur in Washington, as well as performance of services, and use of gift certificates.

#### NOTICE

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Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: The department is proposing to update the definition of "sale" in Rule 103 to match the language in RCW 82.04.040, and make other revisions to comply with the streamlined sales and use tax agreement. A list of other rules that may be relevant to the reader has also been added.

Copies of draft rules are available for viewing and printing on our web site at Rules Agenda.

Reasons Supporting Proposal: RCW 82.04.040 and 82.32.730.

Statutory Authority for Adoption: RCW 82.32.300 and 82.01.060(2).

Statute Being Implemented: RCW 82.04.040.

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

Name of Proponent: Department of revenue, governmental.

Name of Agency Personnel Responsible for Drafting: Leslie Mullin, 1025 Union Avenue S.E., Suite #544, Olympia, WA, (360) 534-1589; Implementation and Enforcement: Marcus Glasper, 1025 Union Avenue S.E., Suite #500, Olympia, WA, (360) 534-1615.

February 16, 2016  
Kevin Dixon  
Rules Coordinator

AMENDATORY SECTION (Amending WSR 82-12-021, filed 5/25/82)

**WAC 458-20-103 Time and place of sale. (1) Introduction.** Under the Revenue Act of 1935, as amended, the word "sale" means any transfer of the ownership of, title to, or possession of ~~(the sale or charge made for performing certain services-)~~ property for a valuable consideration ~~(the sale or charge made for performing certain services-)~~ and includes ~~(the sale or charge made for performing certain services-)~~ any activity classified as a "sale at retail" or "retail sale" under RCW 82.04.050. It includes lease or rental, conditional sale contracts, and any contract under which possession of the property is given to the purchaser but title is retained by the seller as security for the payment of the purchase price. It also includes the furnishing of food, drink, or meals for compensation whether consumed on the premises or not. RCW 82.04.040.

(2) Other rules that may apply. Readers may want to refer to other rules for additional information, including those in the following list:

(a) WAC 458-20-108 Selling price—Credit card service fees, foreign currency, discounts, patronage dividends.

(b) WAC 458-20-145 Local sales and use tax.

(c) WAC 458-20-15503 Digital products.

(d) WAC 458-20-193 Interstate sales of tangible personal property.

(e) WAC 458-20-211 Leases or rentals of tangible personal property, bailments.

(f) WAC 458-20-235 Effect of rate changes on prior contracts and sales agreements.

(3) Place of sale. For the purpose of determining tax liability of persons selling tangible personal property, a sale generally takes place in this state when the goods sold are ~~((delivered to the buyer))~~ received by the purchaser or the purchaser's donee, designated as such by the purchaser, in this state, irrespective of whether title to the goods passes to the ~~((buyer))~~ purchaser at a point within or without this state. For more information on the sourcing of retail sales, see RCW 82.32.730(1) and WAC 458-20-193.

~~((With respect to the charge made for performing))~~ When services ((which constitute sales)), as defined in RCW 82.04.040 and 82.04.050, ((a sale takes place in this state when the services are performed herein)) are received by the purchaser at a business location of the seller the sale is sourced to that business location. If the service is not received by the purchaser at a business location of the seller, see RCW 82.32.730(1) for additional discussion on sourcing retail sales of services.

With respect to the charge made for renting or leasing tangible personal property, ~~((a sale takes place in this state when the property is used in this state by the lessee-))~~ see RCW 82.32.730(2) for a discussion on sourcing.

(4) Use of gift certificates. Where gift certificates are sold ~~((which))~~ that will be redeemed in merchandise, or in services ~~((which))~~ that are defined ~~((by the Revenue Act))~~ as retail sales, the sale is deemed to occur and the retail sales tax ~~((shall))~~ must be collected at the time the certificate is actually redeemed for the merchandise or services. The measure of the tax is the total selling price of the merchandise or services at the time of the redemption, including the redemption value of the certificate, or any part thereof, which is applied toward the selling price. ~~((See WAC 458-20-235 for effect of rate changes on prior contracts and sales agreements. See also WAC 458-20-131 which deals with merchandising games, and which covers the situation where certificates or trade checks are issued which may be redeemed for services which are not retail sales, such as barber services, admissions, etc-))~~

Revised March 2, 1982-)) For additional information on the use of coupons, certificates, and discounts, see WAC 458-20-108.