

WSR 21-06-061
EXPEDITED RULES
COMMUNITY COLLEGES
OF SPOKANE

[Filed February 26, 2021, 2:32 p.m.]

Title of Rule and Other Identifying Information: WAC 132Q-01-006 Organization and operation, 132Q-01-020 Regular meetings of the board of trustees, 132Q-10-305 Process to file complaints, 132Q-276-030 Central and field organization, and 132Q-276-040 Operations and procedures.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: Update Spokane Falls Community College's official address.

Reasons Supporting Proposal: The official address of Spokane Falls Community College has changed from "3410 West Fort George Wright Drive, Spokane, Washington 99224-5288" to "3410 West Whistalks Way, Spokane, Washington 99224-5288."

Statutory Authority for Adoption: RCW 34.05.353.

Statute Being Implemented: RCW 34.05.353.

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

Name of Proponent: Community Colleges of Spokane, governmental.

Name of Agency Personnel Responsible for Drafting, Implementation, and Enforcement: John O'Rourke, Spokane, Washington, 509-434-5185.

This notice meets the following criteria to use the expedited adoption process for these rules:

Corrects typographical errors, make address or name changes, or clarify language of a rule without changing its effect.

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 John O'Rourke, Community Colleges of Spokane, 501 North Riverpoint Boulevard, Mailstop 1006, Spokane, WA 99217-6000, phone 509-434-5185, fax 509-434-5279, email john.orourke@ccs.spokane.edu, cell 509-220-4200, AND RECEIVED BY May 3, 2021.

February 26, 2021
 John O'Rourke
 WAC Coordinator

OTS-2922.1

AMENDATORY SECTION (Amending WSR 13-15-149, filed 7/23/13, effective 8/23/13)

WAC 132Q-01-006 Organization and operation. (1) Organization: Washington State Community College District 17, Community Colleges of

Spokane including Spokane Community College and Spokane Falls Community College, is established in Title 28B RCW as a public institution of higher education. District 17 is governed by a five-member board of trustees, appointed by the governor. The board employs a chancellor who establishes the structure of the administration.

(2) Operation: The administrative office is located at 501 North Riverpoint Boulevard, P.O. Box 6000, Spokane, Washington 99217-6000. Spokane Community College is located at 2000 North Greene Street, Spokane, Washington 99217-5499; Spokane Falls Community College is located at 3410 West (~~Fort George Wright Drive~~) Whistalks Way, Spokane, Washington 99224-5288. The office hours are 8:00 a.m. to 5:00 p.m. Monday through Friday, except for legal holidays. During summer months, sections of the district may operate on an alternate schedule and throughout the year, evening services are provided. Specific information is available through each campus.

(3) Additional and detailed information concerning the educational offerings may be obtained from the college catalog, available on the Community Colleges of Spokane website and at various locations including college libraries, admissions, and counseling offices.

[Statutory Authority: RCW 28B.50.140. WSR 13-15-149, § 132Q-01-006, filed 7/23/13, effective 8/23/13; WSR 11-20-021, § 132Q-01-006, filed 9/23/11, effective 10/24/11; WSR 04-10-065, § 132Q-01-006, filed 4/30/04, effective 5/31/04; WSR 90-21-014, § 132Q-01-006, filed 10/8/90, effective 11/8/90.]

AMENDATORY SECTION (Amending WSR 11-20-021, filed 9/23/11, effective 10/24/11)

WAC 132Q-01-020 Regular meetings of the board of trustees. The board of trustees of Washington State Community College District 17 (Community Colleges of Spokane) shall hold regular monthly meetings according to a schedule including place, time and date filed with the Washington state code reviser on or before January 1 of each year for publication in the Washington State Register. Notice of any change from such meeting schedule shall be published in the Washington State Register at least twenty days prior to the rescheduled meeting date.

All regular meetings of the board of trustees shall be held at 3305 (~~W. Fort George Wright Drive~~) West Whistalks Way, Spokane, Washington(~~r~~) 99217-5228, unless otherwise announced. Information about specific meeting places and times may be obtained from the office of the board.

[Statutory Authority: RCW 28B.50.140. WSR 11-20-021, § 132Q-01-020, filed 9/23/11, effective 10/24/11; WSR 04-10-065, § 132Q-01-020, filed 4/30/04, effective 5/31/04; WSR 86-04-010 (Resolution No. 25), § 132Q-01-020, filed 1/24/86.]

OTS-2923.1

AMENDATORY SECTION (Amending WSR 15-15-161, filed 7/21/15, effective 8/21/15)

WAC 132Q-10-305 Process to file complaints. (1) General complaints - Individuals may file with the student conduct officer a written complaint, a student conduct incident report (SCIR), against a student or student organization for alleged violation(s) of the standards of conduct for students specified in WAC 132Q-10-130 through 132Q-10-240, 132Q-10-246 and 132Q-10-250 through 132Q-10-255. Complaints are to be submitted as soon as possible after the event takes place, preferably within thirty calendar days after the event. A copy of an SCIR can be obtained from the office of student conduct, the office of the Title IX coordinator, or the office of campus safety, on both the SCC and SFCC campuses. The SCIR is also available online at <http://www.ccs.spokane.edu/Forms/SCC-Forms/Student-Svcs/ccs-5761.aspx>. SCIRs must be submitted to:

Student Conduct Officer SCC

Spokane Community College
1810 N. Greene St., MS 2061
Room 125
Bldg. 6, Lair Student Center
Phone: 509-533-8657

Student Conduct Officer SFCC

Spokane Falls Community College
3410 W. (~~Fort George Wright Dr.~~) Whistalks Way, MS 3010
Room 140
Bldg. 17, Student Union Building
Phone: 509-533-3570

Title IX Coordinator SCC

Spokane Community College
1810 N. Greene St., MS 2061
Room 218
Lair, Building 6
Fax: 509-533-8444
Phone: 509-533-7015

Title IX Coordinator SFCC

Spokane Falls Community College
3410 W. (~~Fort George Wright Dr.~~) Whistalks Way, MS 3010
Administration Offices Room 225
Falls Gateway Building, Building 30
Fax: 509-533-3225
Phone: 509-533-3514

Office of Campus Safety SCC

1810 N. Greene St., MS 2010
Room 149A
Main Building, Building 1
Phone: 509-533-7287

Office of Campus Safety SFCC

3410 W. (~~Fort George Wright Dr.~~) Whistalks Way, MS 3174
Room 127
Student Union Building, Building 17
Phone: 509-533-3407

(2) Sexually violent conduct, discrimination, and sexual harassment complaints. Individuals may file complaints of sexually violent conduct as defined in WAC 132Q-10-105(18) and further detailed in WAC 132Q-10-244; complaints of discrimination as set forth in WAC 132Q-10-242; and sexual harassment as set forth in WAC 132Q-10-243 to the Title IX coordinator at the appropriate address listed below. Complaints are to be submitted as soon as possible after the event takes place, preferably within thirty calendar days after the event. Complaints may be submitted by using a Student Conduct Incident Report (SCIR) form. If the complaint is against the Title IX coordinator, the complainant should report the matter to the Spokane Community College president's office or Spokane Falls Community College president's office for referral to an alternate designee. A copy of the SCIR can be obtained from the office of student conduct, the office of the Title IX coordinator, or the office of campus safety, on both the SCC and SFCC campuses. A copy of the SCIR form is also available online at <http://www.ccs.spokane.edu/Forms/SCC-Forms/Student-Svcs/ccs-5761.aspx>.

Student Conduct Officer SCC

Spokane Community College
1810 N. Greene St., MS 2061
Room 125
Bldg. 6, Lair Student Center
Phone: 509-533-8657

Student Conduct Officer SFCC

Spokane Falls Community College
3410 W. (~~Fort George Wright Dr.~~) Whistalks Way, MS 3010
Room 140
Bldg. 17, Student Union Building
Phone: 509-533-3570

Title IX Coordinator SCC

Spokane Community College
1810 N. Greene St., MS 2061
Room 218
Lair, Building 6
Fax: 509-533-8444
Phone: 509-533-7015

Title IX Coordinator SFCC

Spokane Falls Community College
3410 W. (~~Fort George Wright Dr.~~) Whistalks Way, MS 3010
Administration Offices Room 225
Falls Gateway Building, Building 30
Fax: 509-533-3225
Phone: 509-533-3514

Office of Campus Safety SCC

1810 N. Greene St., MS 2010
Room 149A
Main Building, Building 1
Phone: 509-533-7287

Office of Campus Safety SFCC

3410 W. (~~Fort George Wright Dr.~~) Whistalks Way, MS 3174
Room 127
Student Union Building, Building 17
Phone: 509-533-3407

President

Spokane Community College
 1810 N. Greene St., MS 2150
 Spokane, WA 99217-5399
 Fax: 509-533-7321

President

Spokane Falls Community College
 3410 W. ((~~Fort George Wright Dr.~~)) Whistalks Way, MS 3010
 Spokane, WA 99224-5288
 Fax: 509-533-3225

[Statutory Authority: RCW 28B.50.140. WSR 15-15-161, § 132Q-10-305, filed 7/21/15, effective 8/21/15.]

OTS-2924.1

AMENDATORY SECTION (Amending WSR 18-09-007, filed 4/6/18, effective 5/7/18)

WAC 132Q-276-030 Central and field organization. Washington State Community College District 17 is a community college district organized under RCW 28B.50.040. The administrative office of the district and its staff is located at 501 North Riverpoint Boulevard, P.O. Box 6000, Spokane, Washington((~~r~~)) 99217-6000. The district operates two colleges, Spokane Community College, located at 1810 North Greene Street, Spokane, Washington((~~r~~)) 99217-5399; and Spokane Falls Community College, located at 3410 West ((~~Fort George Wright Drive~~)) Whistalks Way, Spokane, Washington((~~r~~)) 99224-5288. The district also delivers instructional programming in the counties of Ferry, Lincoln (except Consolidated School District 105-157-166J and the Lincoln County portion of Common School District 167-202), Pend Oreille, Spokane, Stevens, and Whitman.

[Statutory Authority: RCW 25B.50.140 [28B.50.140]. WSR 18-09-007, § 132Q-276-030, filed 4/6/18, effective 5/7/18; WSR 13-15-154, § 132Q-276-030, filed 7/23/13, effective 8/23/13; WSR 04-10-065, § 132Q-276-030, filed 4/30/04, effective 5/31/04. Statutory Authority: RCW 42.17.250. WSR 83-10-004 (Order 83-29, Resolution No. 21), § 132Q-276-030, filed 4/22/83.]

AMENDATORY SECTION (Amending WSR 18-09-007, filed 4/6/18, effective 5/7/18)

WAC 132Q-276-040 Operations and procedures. Washington State Community College District 17 is established under RCW 28B.50.040 to implement the educational purposes established by RCW 28B.50.020. District 17 is operated under the supervision and control of a board of trustees appointed by the governor as provided in RCW 28B.50.100. The chief administrative officer of the district is the chancellor/chief executive officer, who also serves as secretary to the board of trust-

ees. The day-to-day operation of the district, pursuant to policy established and approved by the board of trustees, is implemented through the office of the chancellor/chief executive officer or designee.

The board of trustees meets the third Tuesday of each month at 8:30 a.m. at the Lodge Building, 3305 West ((~~Fort George Wright Drive~~)) Whistalks Way, Spokane, Washington((~~7~~)) 99224, unless public notice is given of a special meeting. At such time, the trustees exercise the powers and duties granted to the board by RCW 28B.50.140.

[Statutory Authority: RCW 25B.50.140 [28B.50.140]. WSR 18-09-007, § 132Q-276-040, filed 4/6/18, effective 5/7/18; WSR 04-10-065, § 132Q-276-040, filed 4/30/04, effective 5/31/04. Statutory Authority: RCW 42.17.250. WSR 83-10-004 (Order 83-29, Resolution No. 21), § 132Q-276-040, filed 4/22/83.]

WSR 21-06-093
EXPEDITED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Economic Services Administration)
[Filed March 2, 2021, 10:49 a.m.]

Title of Rule and Other Identifying Information: WAC 388-14A-5015 What is a pass-through payment?, and 388-14A-5100 How does the division of child support notify the custodial parent about support collections?

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: **Background:** Between October 1, 2008, and April 30, 2011, state law directed the division of child support (DCS) to pass through a portion of child support collections to a family receiving temporary assistance for needy families (TANF). A pass-through payment is the portion of a support collection applied to assigned support that the state elects to pay a family receiving TANF at the time the collection was received. Due to budget constraints during the great recession, the legislature repealed the statutory authority to issue these pass-through payments. At that time, DCS amended its pass-through payment rules to sunset the policy (see WAC 388-14A-5015).

During the 2020 session, the legislature reenacted pass-through payments in 2SSB 5144 (chapter 349, Laws of 2020). DCS is now directed to issue pass-through payments under RCW 26.23.035 effective February 1, 2021.

Issue: The language in WAC 388-14A-5015 and 388-14A-5100 must be updated to align with current state law in RCW 26.23.035.

Proposed solution: DCS proposes to amend WAC 388-14A-5015 and 388-14A-5100 to clarify that pass-through payments are authorized again beginning February 1, 2021. These changes relate to internal governmental operations, are noncontroversial, and align with statutory provisions in RCW 26.23.035. If objections are made during the expedited rule-making process, DCS will withdraw the CR-105 and start the permanent rule-making process under chapter 34.05 RCW.

Reasons Supporting Proposal: DCS has a strong interest in ensuring that its rules align with relevant statutory provisions. Pass-through payments provide significant relief and assistance to families and DCS rules should reflect the existing policy found in RCW 26.23.035.

Statutory Authority for Adoption: RCW 26.09.105(20), 26.18.170(21), 26.23.050, 26.23.110(14), 43.20A.550, 74.04.055, 74.04.057, 74.08.090, 74.20A.310.

Statute Being Implemented: RCW 26.23.035.

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

Name of Proponent: Department of social and health services (DSHS), governmental.

Name of Agency Personnel Responsible for Drafting, Implementation, and Enforcement: Brady Horenstein, P.O. Box 9162, Olympia, WA 98507-9162, 360-664-5291.

This notice meets the following criteria to use the expedited adoption process for these rules:

Relates only to internal governmental operations that are not subject to violation by a person.

Adopts or incorporates by reference without material change federal statutes or regulations, Washington state statutes, rules of other Washington state agencies, shoreline master programs other than those programs governing shorelines of statewide significance, or, as referenced by Washington state law, national consensus codes that generally establish industry standards, if the material adopted or incorporated regulates the same subject matter and conduct as the adopting or incorporating rule.

Explanation of the Reason the Agency Believes the Expedited Rule-Making Process is Appropriate: The proposed amendments relate only to DCS operations and are authorized by statute (RCW 26.23.035).

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 DSHS, Rules Coordinator, P.O. Box 45850, Olympia, WA 98504-5850, phone 360-664-6097, fax 360-664-6185, email DSHSRPAURulesCoordinator@dshs.wa.gov, AND RECEIVED BY 5:00 p.m., May 4, 2021.

February 25, 2021
Katherine I. Vasquez
Rules Coordinator

SHS-4853.1

AMENDATORY SECTION (Amending WSR 11-14-063, filed 6/30/11, effective 7/31/11)

WAC 388-14A-5015 What is a pass-through payment? (1) Between October 1, 2008 and April 30, 2011 and beginning again on February 1, 2021, the division of child support (DCS) (~~((passed))~~) passes through a portion of child support collections to a family receiving TANF.

(2) A pass-through payment (~~((was))~~) is the portion of a support collection applied to assigned support that the state (~~((elected))~~) elects to pay to a family receiving TANF at the time the collection (~~((was))~~) is received.

(3) Between October 1, 2008 and April 30, 2011, the pass-through payment was paid in the following amounts:

(a) Up to one hundred dollars per month to a family with one child in the assistance unit.

(b) Up to two hundred dollars per month to a family with two or more children in the assistance unit.

~~((3))~~ (4) Beginning February 1, 2021, the pass-through payment is paid in the following amounts:

(a) Up to fifty dollars per month to a family with one child in the assistance unit.

(b) Up to one hundred dollars per month to a family with two or more children in the assistance unit.

(5) The pass-through (~~was~~) is paid from collections distributed to either current support or assigned arrears.

(~~(4)~~) (6) The pass-through amount for any month (~~could not~~) cannot exceed the amount collected in that month.

[Statutory Authority: RCW 26.23.035 and 74.08.090. WSR 11-14-063, § 388-14A-5015, filed 6/30/11, effective 7/31/11. Statutory Authority: RCW 26.18.170, 26.23.035, 26.23.050, [26.23.]110, 74.20.040, 74.20A.030, [74.20A.]055, [74.20A.]056, and 74.20A.310. WSR 09-02-059, § 388-14A-5015, filed 1/5/09, effective 1/27/09.]

AMENDATORY SECTION (Amending WSR 11-14-063, filed 6/30/11, effective 7/31/11)

WAC 388-14A-5100 How does the division of child support notify the custodial parent about support collections? (1) The division of child support (DCS) mails a distribution and disbursement statement once each month to the last known address of a person for whom it received a support collection during the month, except as provided under subsection (6) of this section.

(2) DCS includes the following information in the distribution and disbursement statement:

(a) The amount of support collections DCS received and the date of collection;

(b) A description of how DCS distributed each support collection between current support and the support debt and any fees required by state or federal law;

(c) The amount DCS claims as reimbursement for public assistance paid, if applicable;

(d) The amount kept by the state to repay public assistance paid to the family;

(e) The amount disbursed to the family as a pass-through payment under WAC 388-14A-5015 (~~(for collections received between October 1, 2008 and April 30, 2011)~~);

(f) The amount disbursed to the family as a payment on support owed to the family;

(g) The amount kept by the state to pay the twenty-five dollar annual fee, if applicable; and

(h) The amount kept by the state to repay child support paid to the family in error.

(3) The person to whom a distribution and disbursement statement is sent may file a request for a hearing under subsection (4) of this section within ninety days of the date of the statement to contest how DCS distributed the support collections, and must make specific objections to the statement. The effective date of a hearing request is the date DCS receives the request.

(4) A hearing under this section is for the limited purpose of determining if DCS correctly distributed the support money described in the contested statement.

(a) There is no hearing right regarding fees that have been charged on a case.

(b) If a custodial parent (CP) wants to request a hardship waiver of the fee, the CP may request a conference board under WAC 388-14A-6400.

(5) A person who requests a late hearing must show good cause for being late.

(6) This section does not require DCS to send a distribution and disbursement statement to a recipient of payment services only.

[Statutory Authority: RCW 26.23.035 and 74.08.090. WSR 11-14-063, § 388-14A-5100, filed 6/30/11, effective 7/31/11. Statutory Authority: RCW 26.18.170, 26.23.035, 26.23.050, [26.23.]110, 74.20.040, 74.20A.030, [74.20A.]055, [74.20A.]056, and 74.20A.310. WSR 09-02-059, § 388-14A-5100, filed 1/5/09, effective 1/27/09. Statutory Authority: 2007 c 143, §§ 1, 2, 3, 4, 5, 7, 8, and 9. WSR 08-12-029, § 388-14A-5100, filed 5/29/08, effective 7/1/08. Statutory Authority: RCW 74.08.090, 26.23.035, 74.20A.057, 74.20A.310. WSR 01-03-089, § 388-14A-5100, filed 1/17/01, effective 2/17/01. Formerly WAC 388-14-270 and 388-14-274.]