



## Chapter 70 - Other Administrative Regulations

---

### **70.10 Coffee and Light Refreshments**

---

70.10.10	The agency must first adopt written policies	May 1, 1999
70.10.20	When may coffee and light refreshments be served?	July 1, 2005
70.10.30	Expenditures for coffee and light refreshments are prohibited in some cases	May 1, 1999
70.10.40	Documentation of approval is required	May 1, 1999

### **70.15 Meals with Meetings**

---

70.15.10	Reimbursement for meals with meetings	July 1, 2008
70.15.20	Expenditures for meals with meetings are prohibited in some cases	Apr. 15, 2004
70.15.30	Documentation of advance approval for meals with meetings is required	Apr. 15, 2004

### **70.20 Prospective Employee Interview Expenses**

---

70.20.10	Agencies may pay certain expenses for qualified prospective employees	May 1, 1999
70.20.20	Who is a qualified prospective employee?	May 1, 1999
70.20.30	Allowable travel expenses and reimbursement limits	May 1, 1999
70.20.40	How expenses should be documented and paid	July 1, 2000
70.20.50	Prior authorization is required for classified positions	May 1, 1999

### **70.40 Higher Education Enrollment Reporting**

---

70.40.05	Purpose of these policies	Aug. 1, 2006
70.40.10	Authority for these policies	Aug. 1, 2006
70.40.20	Who must comply with these policies	Aug. 1, 2006

**70**  
**Other Administrative Regulations**

70.40.30	Special definitions	Aug. 1, 2006
70.40.40	Higher Education Enrollment Reporting Requirements	Aug. 1, 2006

---

**70.50 Aircraft**

---

70.50.10	Authority for these policies	May 1, 1999
70.50.20	Acquiring aircraft services	May 1, 1999
70.50.30	Purchasing aircraft	May 1, 1999
70.50.40	State pilot standards, qualifications and training	May 1, 1999
70.50.50	Using privately-owned aircraft or “dry charter” flights	May 1, 1999
70.50.60	Maintaining aircraft	May 1, 1999
70.50.70	Submit aircraft use estimates each year	May 1, 1999
70.50.80	Commercial lodging may be authorized during prolonged standby periods	May 1, 1999

---

**70.60 Unified Business Identifier (UBI)**

---

70.60.10	The purpose of the UBI	May 1, 1999
70.60.20	The UBI and how it is used	May 1, 1999
70.60.30	Certain agency systems must include the UBI	May 1, 1999
70.60.40	Assigning the UBI	May 1, 1999
70.60.50	Applicability	May 1, 1999

---

**70.70 Child Care Services for Children of State Employees**

---

70.70.10	These policies establish minimum requirements	May 1, 1999
70.70.20	Identifying suitable space for a child care facility	May 1, 1999
70.70.30	Determining the rental rate for the space	May 1, 1999
70.70.40	Child care facility contracting requirements	May 1, 1999
70.70.50	Child care program contracting requirements	May 1, 1999



## 70.10 Coffee and Light Refreshments

### 70.10.10

May 1, 1999

### The agency must first adopt written policies

An agency may not provide coffee and light refreshments at meetings and formal training sessions unless the agency has formally adopted written internal policies and procedures that describe the approval process for these items.

### 70.10.20

July 1, 2005

### When may coffee and light refreshments be served?

70.10.20.a

Per RCW 43.03.050(4), with approval of an agency head or authorized designee, an agency may serve coffee or light refreshments at a meeting where:

- The purpose of the meeting is to conduct state business or to provide formal training that benefits the state; **and**
- The coffee or light refreshment is an integral part of the meeting or training session; **and**
- The agency obtains a receipt for the actual costs of the coffee and/or light refreshments.

70.10.20.b

This authority is not intended for use with the normal daily business of elective or appointive officials or state employees, but rather for special situations or occasions, as determined by the agency head or authorized designee, for example, recognizing agency or employee accomplishments. Per RCW 43.03.050(3), in addition to the requirements noted in Subsection 70.10.20.a, coffee and light refreshments may be served to elective or appointive officials or state employees regardless of travel status where:

- The meeting or training session takes place away from the employee's or official's regular workplace; **and**
- The agency person responsible for the meeting receives agency approval for the serving of coffee and/or light refreshments **prior** to the event.

**Other Administrative Regulations**

- 70.10.20c All legally authorized boards and commissions may provide coffee and/or light refreshments at their official public meetings, including executive sessions.
- 70.10.20.d Agencies are not required to provide coffee and/or light refreshments at meetings.

---

**70.10.30**

May 1, 1999

**Expenditures for coffee and light refreshments are prohibited in some cases**

Agencies **may not** make expenditures for coffee and/or light refreshments in the following situations:

- For anniversaries of agencies, receptions for new, existing, and/or retiring employees or officials, election celebrations, etc.
- Any "hosting" activities. "Hosting" includes, but is not limited to, those activities that are intended either to lobby a legislator or a governmental official, or are to be a social rather than governmental business event, and include expenditures for coffee and/or light refreshments for those whom agencies are not legally authorized to reimburse.

---

**70.10.40**

May 1, 1999

**Documentation of approval is required**

Agencies must document the request and approval for expenditures for coffee and/or light refreshments. Agencies may use a Travel Authorization (form A40-A) or agency equivalent form, an Invoice Voucher (form A19-1A), or a formally written agency memorandum for this purpose. The documentation should provide support for the authorization, including:

- The names of the state organizations or persons attending the meeting (includes conferences, conventions, and formal training sessions), and
- The purpose of the meeting or expenditure.



## 70.15 Meals with Meetings

### 70.15.10

July 1, 2008

### Reimbursement for meals with meetings

70.15.10.a

RCW 43.03.050(3) provides for reimbursement for meals, for certain business meetings (includes conferences, conventions, and formal training sessions) involving elective and appointive officials and state employees. Additionally, other statutes may authorize agencies to provide reimbursement for meals for other individuals regardless of travel status.

70.15.10.b

The agency head or authorized designee may authorize reimbursement for the allowable cost of meals (refer to Subsections 10.40.40 and 10.90.20) for elective and appointive officials and state employees regardless of travel status, and without regard to the Three Hour Rule of Subsection 10.40.50.(1). This authority is intended for use when the agency requires a person to attend a meeting where business meals are served, and where:

- The purpose of the meeting is to conduct official state business or to provide training to state employees or state officials; and
- The meals are an integral part of the business meeting or training session, and
- The meeting or training session takes place away from the employee's or official's regular workplace, and
- The agency obtains a receipt for the actual costs of the meals with meetings, and
- The agency head or authorized designee approves payment for the meals **in advance** of the meeting by defining in the agency internal policies and procedures (Subsection 10.10.10) those meetings where attendance by **agency** employee(s), official(s) or others as authorized by statute, and reimbursement for the meals regardless of travel status, is advantageous to the state.

Approvals must be in writing (Subsection 70.15.30). One-time approvals for recurring meetings can be made at the time of the initial request.

---

**70.15.20**

April 15, 2004

**Expenditures for meals with meetings are prohibited in some cases**

Agencies **may not** make expenditures for meals in the following situations:

- For anniversaries of agencies, receptions for new, existing, and/or retiring employees or officials, election celebrations, etc.
- Any "hosting" activities. "Hosting" includes, but is not limited to, those activities that are intended either to lobby a legislator or a governmental official, or are to be a social rather than governmental business event, and include expenditures for meals for those whom agencies are not legally authorized to reimburse.

---

**70.15.30**

April 15, 2004

**Documentation of advance approval for meals with meetings is required**

Agencies must document the request and approval in advance for expenditures for meals with meetings. Agencies may use a Travel Authorization (form A40-A) or agency equivalent form, an Invoice Voucher (form A19-1A), or a formally written agency memorandum for this purpose. The documentation should provide support for the authorization, including:

- The names of the state organizations or persons attending the meeting (includes conferences, conventions, and formal training sessions), **and**
- The purpose or accomplishments of the meeting.



## 70.20 Prospective Employee Interview Expenses

---

### 70.20.10

May 1, 1999

#### Agencies may pay certain expenses for qualified prospective employees

A state agency may pay a qualified prospective employee, as defined below, the necessary travel expense related to their employment interview or examination (RCW 43.03.130). The agency head has the responsibility to exercise prudent judgment in the payment of interview expenses and to follow the travel reimbursement policies stated in this section and in Chapter 10 of this policy manual.

### 70.20.20

May 1, 1999

#### Who is a qualified prospective employee?

Qualified prospective employees are limited to applicants for the position of director, deputy director, assistant director, state supervisor or equivalent or higher position, engineers or other personnel having both executive and professional status.

In the case of institutions of higher education, prospective employees are limited to applicants being considered for academic positions above the rank of instructor, or professional, or administrative employees in supervisory positions.

Community and technical colleges may pay travel expenses for prospective employees being considered for full-time faculty positions or administrative employees in supervisory positions.

### 70.20.30

May 1, 1999

#### Allowable travel expenses and reimbursement limits

Allowable travel expenses are defined as necessary expenses, reimbursable by law, incurred by a prospective employee in traveling to and from an interview or merit system examination. Travel expenses may include:

- Transportation expenses,

**Other Administrative Regulations**

- Per diem expenses, and
- Other miscellaneous travel costs.

Travel expenses may be reimbursed at rates not to exceed those established for state employees in Chapter 10 of this policy manual. For example, the agency may reimburse the prospective employee for transportation costs not to exceed the lowest class fare for the transportation mode used.

---

**70.20.40**

July 1, 2000

**How expenses should be documented and paid**

The agency needs documentation of the travel expenses before reimbursing the prospective employee. The prospective employee should document and submit travel expenses on an Invoice Voucher (form A19-1A) or a Travel Expense Voucher (form A20-A) in the same detail as required for travel reimbursement to state employees. Original invoices should be attached to the voucher or the agency file location referenced.

When an applicant is interviewed by or on behalf of more than one agency, the Department of Personnel, or other corresponding personnel agency, may pay the travel expenses directly and be reimbursed by the interviewing agencies on a pro rata basis.

---

**70.20.50**

May 1, 1999

**Prior authorization is required for classified positions**

If the prospective employee is applying for a classified position, the interviewing agency must secure prior authorization of the Department of Personnel or other corresponding personnel agency before offering to pay the prospective employee's travel expenses.



## 70.40 Higher Education Enrollment Reporting

---

**70.40.05**  
August 1, 2006

### **Purpose of these policies**

The Higher Education Enrollment Reporting (HEER) policies and procedures serve as the basis for collecting data on higher education enrollment. This data is used by the Office of Financial Management and the Legislature for budget calculations as well as to track budgeted FTEs versus actual FTEs (full time equivalents), to monitor legislative mandates, to project short and long term enrollment and to conduct other related studies.

**70.40.10**  
August 1, 2006

### **Authority for these policies**

RCW 43.62.050 and RCW 28B.10.784 require the Office of Financial Management to collect and report higher education enrollment data.

**70.40.20**  
August 1, 2006

### **Who must comply with these policies?**

These policies apply to all public four-year institutions of higher education.

**70.40.30**  
August 1, 2006

### **Special definitions**

**State-funded enrollment** - Enrollment meeting **all** of the following conditions is considered state funded enrollment:

- 1) The course is a credit course.
- 2) The course is degree-applicable or is required for a student to make progress toward a degree, as certified by the institution.
- 3) The enrolled student does not receive a state sponsored tuition waiver per RCW 28B.15.0131 (certain American Indian students), RCW 28B.15.540 (residents age 60 or older), RCW 28B.15.558 (state employees), or RCW 28B.15.621 (3) (certain veterans).

**Other Administrative Regulations**

- 4) Regular resident or non-resident tuition fees as per RCW 28B.15.067 and RCW 28B.15.100 are charged.
- 5) The course is not self-sustaining as defined in item 3 under definitions of self-sustaining immediately below.

**Self-sustaining enrollment** – Enrollment meeting **all** of the following conditions is considered self-sustaining enrollment:

- 1) The course is a credit course.
- 2) The enrolled student does not receive a state sponsored tuition waiver per RCW 28B.15.0131 (certain American Indian students), RCW 28B.15.540 (residents age 60 or older), RCW 28B.15.558 (state employees), or RCW 28B.15.621 (3) (certain veterans).
- 3) The direct costs of the course are entirely funded by Account 148, Institutions of Higher Education – Dedicated Local Account, or by external funds, or by a combination of the two.

**Summer enrollment** – All summer enrollments are self-sustaining except certain state-funded courses that have prior approval from OFM.

**Fee-waiver enrollment** – Enrollment meeting all of the following conditions is considered fee-waiver enrollment:

- 1) The course is a credit course.
- 2) The enrolled student receives a state sponsored tuition waiver per RCW 28B.15.0131 (certain American Indian students), RCW 28B.15.540 (residents age 60 or older), RCW 28B.15.558 (state employees), or RCW 28B.15.621 (3) (certain veterans).

Data element definitions used for higher education enrollment reporting in the Public Centralized Higher Education Enrollment System (PCHEES) and reporting formats for standard reports (HEER Tables 1–18A) and for the distance learning reports (HEER Tables 19–22) are available at <http://www.ofm.wa.gov/hied/pchees/>.

---

**70.40.40**  
August 1, 2006

## Higher Education Enrollment Reporting Requirements

Data for the HEER report must be submitted electronically in student unit record files through the PCHEES. All unit record files and reports submitted are considered official.

The following reporting requirements must be met:

- 1) Each data unit record submitted must include all required academic course enrollment and student characteristic information elements. Current requirements are available at <http://www.ofm.wa.gov/hied/pchees/>.
- 2) All credited course enrollments regardless of their type of funding, i.e., state funded, self-sustaining, or fee-waiver, must be reported.
- 3) Changes from the last reported regular term in the funding type of courses (i.e., from self-sustaining to state funded or vice versa) must be reported to the OFM Forecasting Division. A “Changes of Course Funding Types” form is available at <http://www.ofm.wa.gov/hied/pchees/>. The submitted form must be signed by the person authorized to complete the report. Summer term is not considered a regular term.
- 4) Remedial courses offered for credit must be flagged as remedial courses. A remedial course is a course that is designed to remedy a deficiency and qualify a student to take a regular credited academic course. A remedial course may be state-funded, self-sustaining, or fee-waiver. If a state-funded course is flagged as remedial, it must meet the requirements set forth in section 70.40.30.
- 5) To ensure that courses reported can be traced to the term in which they originate and end, all course data submitted must include start and end dates.
- 6) Reports for regular terms (fall, winter, and spring) must reflect net enrollment at the conclusion of the second Friday of instruction (the “10<sup>th</sup> day”).
- 7) The net enrollment is enrollment after adjustments for drop, add, withdrawal, cancellation, and other relevant course enrollment transactions.

**Other Administrative Regulations**

- 8) The 10<sup>th</sup> day report for a regular term can include enrollment of courses beginning after the 10<sup>th</sup> day of the prior regular term. The Fall 10<sup>th</sup> day data submittal can include enrollment of courses beginning after the end of summer and before the start of fall term.
- 9) Data for the summer term must be submitted at the end of the summer term.



## 70.50 Aircraft

### 70.50.10

May 1, 1999

### Authority for these policies

The following provisions relating to the use of aircraft and aircraft services are based on the Omnibus Appropriations Act (Chapter 340, Section 134, Laws of 1981 Regular Session) which reads as follows:

"To obtain maximum interagency use of aircraft, the Aviation Division in the Department of Transportation, in accordance with Chapter 39.34 RCW is hereby authorized to lease, purchase or otherwise acquire suitable aircraft which shall be utilized for the purposes of the Department of Transportation and also by other state agencies which have a need for an aircraft to carry out agency assigned responsibilities: PROVIDED, that the Department of Transportation is further authorized to enter into contractual agreements with other state agencies in order to acquire aircraft, establish rental rates for aircraft under their control, provide pilot services, aircraft maintenance, and make such other provisions as necessary to provide aircraft and related services for multi-agency use: PROVIDED FURTHER, that in order to achieve economy in the use of the appropriations contained within this act no state agency may purchase or otherwise acquire an aircraft or enter into a flying service or aircraft rental contract without first seeking such service from the Department of Transportation."

### 70.50.20

May 1, 1999

### Acquiring aircraft services

70.50.20.a

No state agency is to purchase an aircraft or enter into a flying service or aircraft rental contract without first seeking such service from the Department of Transportation, Division of Aviation.

The Department of Transportation, Division of Aviation, in coordination with the Department of General Administration, Office of State Procurement, will establish fee schedules for various types of flying services. Fee schedules will be periodically updated to reflect current-operating costs for both state-owned aircraft and state contracted flying services.

**Other Administrative Regulations**

70.50.20.b

In the event that the Department of Transportation, Division of Aviation, cannot provide the air service requested, the Department of General Administration's Office of State Procurement, with approval of the Division of Aviation, will issue a contract for air services from approved contractors to provide the necessary services.

In this case the agency must maintain a system of control over use of the air services. This system must:

- Provide for authorization or approval by the agency head or authorized designee, and is to also
- Ensure that records on use, authorization, and expenses are maintained.

---

**70.50.30**

May 1, 1999

**Purchasing aircraft**

Any purchase of aircraft must be approved by the Director of the Office of Financial Management. Agencies must submit a justification for the purchase which includes:

- A statement from the Department of Transportation, Division of Aviation, that it concurs with the request;
- Anticipated utilization by mission;
- Number of flying hours required;
- Type of aircraft desired;
- Anticipated cost per flying hour including pilot time, insurance, and depreciation of aircraft, gasoline, oil, and maintenance; and
- An economic evaluation of alternative means of accomplishing the mission, without the use of aircraft, as well as a plan for financing of the aircraft.

---

**70.50.40 State pilot standards, qualifications and training**

May 1, 1999

- 70.50.40.a For purposes of this section, a state employee is to be considered a state pilot only if 50 percent or more of their working time is flying an aircraft and performing flight connected services, and if flying an aircraft is a clearly defined requirement of the job assignment.
- 70.50.40.b All persons who perform piloting services for the state of Washington either as a state employee or under contract with the state must:
1. Be qualified and certified in accordance with standards established by the Department of Transportation, Division of Aviation.
  2. Possess a valid Washington State pilot registration certificate.
  3. Fly only those aircraft for which they possess a valid rating.
- 70.50.40.c The agency may pay for required medical examinations given to state pilots, for the cost of state pilots taking pilot certification examinations and for the pilot registration fee for state employee pilots meeting the provisions of paragraph "a." above. The Department of Transportation, Division of Aviation, will review all agency requests for pilot training and will make recommendations when appropriate as to the requirements, quality, and cost of the required instruction.

---

**70.50.50 Using privately-owned aircraft or "dry charter" flights**

May 1, 1999

- 70.50.50.a "Dry Charter" is defined as when an agency contracts for rental of an aircraft and provides a "state pilot" or a state employee as the pilot.
- 70.50.50.b Only state officers/employees meeting the following conditions may fly as a dry charter pilot or fly a privately-owned aircraft on state authorized travel:
- Must possess at least a Federal Aviation Administration (FAA) Private Pilot Certificate.
  - Must have Washington State Pilot Registration.
  - Must have a minimum of 200 hours flying time, with a minimum of 30 hours within the preceding 12 months.
  - All state flights are to be confined to Visual Flight Rules, unless FAA instrument rated.

**Other Administrative Regulations**

70.50.50.c The Department of Transportation, Division of Aviation approves state officers/employees to fly as a dry charter pilot or to fly a privately owned aircraft on state authorized travel. Prior to the first such flight in each biennium, the state officer/employee must submit a written request to the Department of Transportation, Division of Aviation, stating their pilot qualifications as indicated in paragraph "b." above, and if requesting to use a privately-owned aircraft, provide data pertaining to the aircraft (i.e., make and model of plane, year of manufacture, air frame hours, air engine hours, number of engines and horsepower, seating places, and anticipated reasons for state authorized flights). The Department of Transportation, Division of Aviation, will provide the requester with documentation of approval. The Department of Transportation, Division of Aviation, will maintain a central record of qualified pilots and/or privately owned aircraft for each biennium.

70.50.50.d State officers/employees using privately owned or rented aircraft for travel on official state business may be reimbursed at the rate per air mile contained in Schedule A (Section 10.90). Determine and report air mileage using the following rules:

1. Use statute miles shown on airway charts issued by the National Oceanic and Atmospheric Administration, Department of Commerce to determine mileage for travel by privately owned or operated airplane.
2. If a detour was necessary because of adverse weather, mechanical difficulty, or other unusual conditions, the additional air mileage may be included in the mileage reported on the reimbursement voucher and, if included, it must be explained.
3. When an official requirement for deviation from direct route travel is such that airway mileage charts are not adequate to determine mileage, the formula of flight time multiplied by cruising speed of the airplane may be the basis for mileage determination.

---

**70.50.60**

May 1, 1999

**Maintaining aircraft**

The Department of Transportation, Division of Aviation, will perform or contract with another agency or provide contractors to perform centralized aircraft maintenance, whichever will provide the most advantageous service to the state. Any exception to the rule is to be approved by the Director of the Office of Financial Management. The Division of Aviation will establish standards for maintenance checks and each state aircraft will be inspected by a qualified person after maintenance has been performed.

---

**70.50.70**

May 1, 1999

**Submit aircraft use estimates each year**

All agencies are to estimate and submit their annual requirements for aircraft use to the Department of Transportation, Division of Aviation, by June 30 of each year. Include information about the prior year's aircraft use and expenditures for leased or purchased aircraft as part of this submittal.

---

**70.50.80**

May 1, 1999

**Commercial lodging may be authorized during prolonged standby periods**

Recognizing that the safety of passengers and flight crews is of paramount importance to the state, agencies are authorized to obtain commercial lodging for flight crews during prolonged standby periods in locations away from their official duty station. Agencies are to develop internal policies and procedures consistent with this regulation



## 70.60 Unified Business Identifier (UBI)

---

### 70.60.10

May 1, 1999

#### The purpose of the UBI

The purpose of the UBI is to provide a uniform means of identifying and servicing business entities and employers which are required to be registered with, licensed by, or regulated by any agency of the state of Washington. The UBI serves three purposes:

1. Simplifies business registration and record-keeping. Each business needs only one number to identify itself to any state agency.
2. Enables consolidation of periodic business reporting. In situations where a business is required to file reports with several agencies, these reports may be consolidated.
3. Enables consolidation and information sharing of state services. Agency records of a non-confidential nature relating to any individual business entity may be easily accessed.

### 70.60.20

May 1, 1999

#### The UBI and how it is used

The Unified Business Identifier (UBI) is standard nine digit sequential number used by all state agencies to uniquely identify a business entity. The UBI is intended to identify public and private business entities and employers.

**Business Entity** - Except for the exclusions noted below, a "business entity" or "business" is defined as any sole proprietor, partnership, corporation, or political subdivision of the state of Washington. It includes any individual, receiver, administrator, executor, assignee, trustee in bankruptcy, trust, estate, firm, joint venture, club, company, joint stock company, business trust, state or local agency, association, society, or any group of individuals acting as a unit, whether mutual, cooperative, fraternal, nonprofit, or otherwise which is required to be registered with, or licensed by, any agency of the state of Washington and for which agency registration records are established or maintained.

**Exclusions** - Agencies need not establish UBIs for certain individuals as follows:

- Students;
- Private individuals receiving grants or subsidies;
- Employees, or past employees; and,
- Professional licensees, who are not employers or subject to state business taxes.

---

**70.60.30**

May 1, 1999

**Certain agency systems must include the UBI**

Any agency information system designed to process data relating to business entities, as defined in Subsection 70.60.20, shall carry the UBI as part of the agency's record for each business entity.

---

**70.60.40**

May 1, 1999

**Assigning the UBI**

A UBI is assigned to a business when it first registers with the Secretary of State's office, or Departments of Revenue, Labor and Industries, or Employment Security, or when it obtains a business registration or license issued through the Department of Licensing Business License Center. If an agency finds that a business does not have an assigned UBI, the agency should refer the business to offices of one of these agencies. For established businesses currently registered with the Department of Revenue, the tax registration number assigned by the Department of Revenue is the UBI.

---

**70.60.50**

May 1, 1999

**Applicability**

The provisions of this section are applicable to and binding to all agencies **that regulate, register, or license business entities** in the state of Washington.



## 70.70 Child Care Services for Children of State Employees

---

### 70.70.10

May 1, 1999

### These policies establish minimum requirements

The purpose of this policy is to establish minimum requirements for the contracting of child care services for state government employees consistent with Chapter 41.04 RCW and RCW 43.88.160(4)(c) as amended by Laws of 1993, ch. 194.

### 70.70.20

May 1, 1999

### Identifying suitable space for a child care facility

70.70.20.a

At the request of an organization of state employees interested in establishing a child care facility, an agency may work with the owner of the state-owned or state-leased building it occupies in whole or in part to identify space that is, or can be made, suitable for use as a child care facility.

70.70.20.b

**Suitable space** is defined as space that is, or, with an identified financial resource, can be made, sufficient to meet licensing requirements as a child care facility. The space must be able to be set aside exclusively for use as a child care facility, including provision for a food preparation area, storage areas sufficient for the program, and restroom and changing facilities. It must be able to be made secure and must be convenient to the place of employment of the state employee parents or guardians of children enrolled in the program.

70.70.30.c

If suitable space cannot be identified in the building, the agency shall work with the Department of General Administration to identify other suitable space. Nothing in this policy precludes agreements between agencies to identify suitable space for a child care facility that would serve employees of two or more agencies

---

**70.70.30**  
May 1, 1999

**Determining the rental rate for the space**

The Department of General Administration shall establish or negotiate the rental rate at which the identified suitable space would be made available for operation of a child care facility, a portion of which may be used by non-state employees for care of their children.

---

**70.70.40**  
May 1, 1999

**Child care facility contracting requirements**

A contract is required between the owner of a building in which space for a child care facility is to be established and an agency whose employees will use services provided by the child care facility. This contract shall be negotiated by the Department of General Administration, under the provisions of RCW 43.82.010, and shall include, but not be limited to, the following provisions:

70.70.40.a

The Department of General Administration, in consultation with the agency and an organization of state employees, will identify and specify the renovations and/or modifications to the building needed to support operation of a child care facility and negotiate with the owner of the identified suitable space the lowest price for those renovations or modifications. No moneys shall be committed to renovation or modification of the building until all of the following are complete:

1. A viable business plan for self-supporting operation of the child care facility has been prepared and agreed to by the agency, the organization of state employees, and the child care provider. The business plan should include at a minimum, a definition of the scope of services to be provided, their estimated costs (including any agency subsidy), and a projection of revenues based upon specific assumptions related to total average annual enrollment, fee structure, and proportion of children in care who are not dependents of state employees, if any.
2. The child care provider commits to meeting all licensing requirements.
3. Funding for the child care facility has been allocated to the agency for renovation or modification of suitable space in a state-owned building, or the Director of the Office of Financial Management has approved agency payment of higher lease costs reflecting the cost of renovation or modification to suitable space financed by the owner of a leased building.

**Other Administrative Regulations**

4. The Director of the Office of Financial Management has approved the amount of the subsidy related to operation of the child care facility. Subsidy is defined as the difference between an annual rental rate established as a result of Subsection 70.70.30 and a lower annual rental rate for suitable space made available to the child care provider that is approved by the director of the Office of Financial Management. The monthly value of this subsidy for state employees with children in the facility's care equals the annual subsidy divided by twelve months divided by the projected monthly average enrollment of children of state employees.

70.70.40.b The owner is obligated to maintain the space in a condition that is safe for use as a child care facility.

**70.70.50**

May 1, 1999

**Child care program contracting requirements**

Either an agency or an organization of state employees may contract with a child care provider. A contract with a child care provider shall include, but not be limited to, the following provisions:

- 70.70.50.a The dates and hours that the facility will be open and operating will be stated.
- 70.70.50.b The child care provider will provide reimbursement for repairs of any damage to the facility beyond wear and tear related to normal use of space.
- 70.70.50.c The provider shall be responsible for providing and maintaining equipment, furniture, or appliances in the facility or, if originally provided by the agency, the provider shall replace equipment, furniture and appliances at the termination of the contract. Supplies, program materials, and other related items are the sole responsibility of the child care provider.
- 70.70.50.d The provider shall plan, and accept responsibility, for maintaining adequate security of the children in its care, including keeping the children within the space allocated to the facility.
- 70.70.50.e The agency shall not be responsible for day-to-day management, monitoring, quality control, dispute resolution or other like activities related to the child care provider. These responsibilities shall be assigned to the organization of state employees or to the child care provider, as appropriate.

**Other Administrative Regulations**

- 70.70.50.f Rates and the factors affecting them are to be explicitly stated. If the agency is subsidizing facility costs, the monthly rate for children of state employees and others requiring similar care will differ by the size of the average monthly subsidy divided by the projected average number of children of state employees in care each month as assumed in the business plan. No less than quarterly, the provider will reimburse the agency in the amount of the average subsidy times the number of child-months of non-state employee children in care in excess of the projection.
- 70.70.50.g The provider shall carry sufficient insurance and provide indemnification of the state and the agency from any liability associated with activities of the child care provider.
- 70.70.50.h The provider shall maintain books, records, documents and other evidence of accounting procedures and practices which sufficiently and properly reflect all costs of any nature expended in the performance of the contract. These records shall be subject at all reasonable times to inspection, review, or audit by personnel duly authorized by the agency and the Office of the State Auditor.
- 70.70.50.i The provider shall provide right of access to its facilities to the agency, the Department of General Administration, the organization of state employees, or to any other authorized agent or official of the state of Washington in order to monitor and evaluate performance, compliance, and quality assurance under the contract.