

**WAC 132H-133-050 Commercial activity policy.** The mission of Community College District VIII, Bellevue Community College, is to provide comprehensive educational programs of the highest quality as provided for in the Community College Act of 1967. These programs will be responsive to the changing needs of the communities and the students served by our district and will be accessible to all those seeking to continue their education.

To promote the mission of Bellevue Community College it is often necessary to engage in commercial activities that provide goods and services that meet special needs of students, faculty, staff and members of the public participating in college activities and events.

Chapter 28B.63 RCW establishes standards for institutions of higher education to follow in conducting commercial activities. The purpose of these laws is to require institutions of higher education to define the legitimate purposes under which commercial activities may be approved by a college or university and to establish mechanisms for review of such activities. The purpose of the policy statement and standards that follow is to assure that Bellevue Community College pursues commercial activities in compliance with chapter 28B.63 RCW and that all commercial activities of the college serve the mission of the college.

(1) **Policy statement.** Bellevue Community College may engage in the providing of goods, services, or facilities for a fee only when such are directly and substantially related to the educational mission of the college. Fees charged for goods, services[,] and facilities shall reflect their full direct and indirect costs, including overhead. They shall also take into account the price of such items in the private marketplace.

(2) **Approval and review of commercial activities.** The vice president of administrative services shall be responsible for the approval of new commercial activities and the periodic review of existing ones. It shall be the responsibility of this officer to assure that each commercial activity meets the criteria established for commercial activities of the college. Proposals for new or altered services shall be approved by the vice president of administrative services prior to implementation.

(3) **Criteria for commercial activities serving members of the campus community.** Each of the following criteria shall be used in assessing the validity of providing goods or services to members of the campus community:

(a) The goods or services are substantially and directly related to the mission of the college.

(b) Provision of the goods, services or facilities on campus represents a special convenience to the campus community or facilitates extracurricular activities.

(c) Fees charged for the goods, services or facilities shall take into account the full direct and indirect costs, including overhead. They shall also reflect the costs of such items in the private marketplace.

(d) Procedures adequate to the circumstances shall be observed to ensure that the goods and services are provided only to persons who are students, faculty, staff, or invited guests.

(4) **Criteria for providing commercial activities to the external community.**

(a) The goods, services or facilities provided relate substantially and directly to the mission of the college and are not commonly

available or otherwise easily accessible in the private marketplace and are [in] demand from external community.

(b) Fees charged for the goods, services, or facilities shall take into account the full direct and indirect costs, including overhead. They shall also reflect the price of such items in the private marketplace.

(5) **Definitions and limitations.** "Commercial activity" means an activity which provides a product or service for a fee which could be obtained from a commercial source. This definition shall be used to determine which activities shall be governed by this policy, except that this policy shall not apply to:

(a) The initiation of or changes in academic or vocational programs of instruction in the college's regular, extension, evening or continuing education programs;

(b) Fees for services provided in the practicum aspects of instruction;

(c) Extracurricular programs, including food services, athletic and recreational programs, and performing arts programs.

[Statutory Authority: RCW 28B.50.140. WSR 03-01-009, § 132H-133-050, filed 12/5/02, effective 1/5/03. Statutory Authority: Chapter 34.05 RCW and RCW 28B.50.140. WSR 92-19-049, § 132H-133-050, filed 9/10/92, effective 10/11/92.]

**Reviser's note:** RCW 34.05.395 requires the use of underlining and deletion marks to indicate amendments to existing rules, and deems ineffectual changes not filed by the agency in this manner. The bracketed material in the above section does not appear to conform to the statutory requirement.