



RULE-MAKING ORDER
(RCW 34.05.360)

CR-103 (7/1/89)

Agency: Washington State School for the Blind

- Permanent Rule
 Emergency Rule

(1) Date of adoption: June 14, 1990

(2) Purpose: To implement RCW 72.40.050 by establishing a reasonable and uniform tuition charge for nonresident students whose admission is deemed appropriate by the school superintendent.

(3) Citation of existing rules affected by this order: none

Repealed:

Amended:

Suspended:

(4) Authority for adoption:

Statute: RCW 72.40.022

Other Authority:

(5.1) PERMANENT RULE ONLY

Pursuant to notice filed as WSR 90-10-104 on May 2, 1990 (date).

Describe any changes other than editing from proposed to adopted version: none

(5.2) EMERGENCY RULE ONLY

Pursuant to RCW 34.05.350 the agency for good cause finds:

- (a) That immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.
- (b) That state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.

Reasons for this finding:

(5.3) Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?

Yes No If yes, explain:

(6) Effective date of rule:

Permanent Rules

Emergency Rules

30 days after filing

Immediately

Other (specify) _____ *

Later (specify) _____

*(If less than 30 days after filing, specific finding in 5.3 under RCW 34.05.380(3) is required)

CODE REVISER USE ONLY

CODE REVISER'S OFFICE
STATE OF WASHINGTON
FILED

JUL 19 1990

TIME 4:09

WSR 90-16-006

NAME (TYPE OR PRINT)

Dr. Roy J. Brothers

SIGNATURE

Roy J. Brothers

TITLE

Superintendent

DATE

6/19/90

Chapter 72-130 WAC

NONRESIDENT TUITION

NEW SECTION

WAC 72-130-010 PURPOSE. The purpose of this chapter is to implement RCW 72.40.050 by establishing a reasonable and uniform tuition charge for nonresident students whose attendance at the Washington state school for the blind is deemed appropriate by the school superintendent.

NEW SECTION

WAC 72-130-020 DEFINITIONS. As used in this chapter, the term:

(1) "Residence" shall mean the physical location of a student's principal abode--i.e., the home, house, apartment, facility, structure, etc., within which the student lives the majority of the time. The mailing address of the student--e.g., the parents' address or post office box--may be different than the student's principal abode. The lack of a mailing address does not preclude residency under this section.

(2) "Nonresident student" shall mean a student, otherwise eligible for enrollment, who is between the ages of three and twenty-one, and whose residence is located outside the state of Washington.

NEW SECTION

WAC 72-130-030 ADMISSION OF NONRESIDENT STUDENTS. (1) The school shall consider requests for the admission of nonresident students on the basis of the order in which such requests are made and without preference; provided however, that a conclusive preference in favor of admitting resident students shall be maintained.

(2) A nonresident student may be admitted only pursuant to a written agreement between the school superintendent and the student's parent(s) or guardian(s) (or, the nonresident student if such student is eighteen years or older).

NEW SECTION

WAC 72-130-035 CONTENTS OF ADMISSION AGREEMENTS. Agreements required by WAC 72-130-030 shall set forth:

(1) The name, age, and grade level of attendance of the nonresident student;

(2) The duration of the agreement;

(3) A finding that the nonresident student satisfies the admissions criteria set forth in WAC 72-171-150; and

(4) Such other terms and conditions as the parties deem advisable and as are consistent with this chapter.

NEW SECTION

WAC 72-130-040 CHALLENGES TO RESIDENCY DETERMINATIONS. (1) A parent, guardian, or adult student who wishes to challenge a residency determination shall utilize the brief adjudicative procedures set forth in RCW 34.05.482 through 34.05.494, as adopted in WAC 72-108-100.

(2) Requests for brief adjudicative procedures shall be written, signed, and directed to the superintendent within twenty days from the date that the original determination was rendered.

NEW SECTION

WAC 72-130-050 NONRESIDENT TUITION. (1) Uniform rate. The tuition for nonresident students who are enrolled pursuant to the provisions of this chapter shall be assessed at a uniform rate, consistent with the annual per capita cost of maintaining and educating a student.

(2) Tuition reduction. Any such tuition charge, however, may be ratably reduced in the event the nonresident student is enrolled part time and/or for less than a full school year.

(3) Annual adjustments. Nonresident tuition and fees shall be adjusted annually to reflect the actual per capita cost of education.

(4) Billing. Tuition for nonresident students shall be assessed on a quarterly basis. Quarterly payments shall be due in full prior to the first day of the quarter in which the nonresident student seeks to enroll.