



RULE-MAKING ORDER

(RCW 34.05.360)

CR-103 (7/22/01)

Agency: State Board for Community & Technical Colleges	<input checked="" type="checkbox"/> Permanent Rule <input type="checkbox"/> Emergency Rule <input type="checkbox"/> Expedited Rule Making
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(1) **Date of adoption:** September 20, 2001

(2) **Purpose:** Tuition and Fees for Community Colleges. Updates various definitions relevant to sections of WAC 131.28; proposes changes in the methods of assessing tuition and fee charges, etc.

(3) **Citation of existing rules affected by this order:**
 Repealed:
 Amended: WAC 131-28
 Suspended:

(4) **Statutory authority for adoption:** RCW 28B.50
 Other Authority:

PERMANENT RULE ONLY (Including Expedited Rule Making)
 Adopted under notice filed as WSR 01-16-119 on 7/31/01 (date).
 Describe any changes other than editing from proposed to adopted version:

EMERGENCY RULE ONLY
 Under 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 <input checked="" type="checkbox"/> 31 days after filing <input type="checkbox"/> Other (specify) _____* <small>*(If less than 31 days after filing, specific finding in 5.3 under RCW 34.05.380(3) is required)</small>	Emergency Rules <input type="checkbox"/> Immediately <input type="checkbox"/> Later (specify) _____
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Name (Type or Print) DelRae Oderman	Signature <i>DelRae Oderman</i>
Title Executive Assistant	
Date 10/25/01	

CODE REVISER USE ONLY

CODE REVISER'S OFFICE
STATE OF WASHINGTON
FILED

OCT 25 2001

TIME 1125

WSR 01-22-010

**Note: If any category is left blank, it will be calculated as zero.
No descriptive text.**

Count by whole WAC sections only, from the WAC number through the history note.
A section may be counted in more than one category.

The number of sections adopted in order to comply with:

Federal statute:	New	_____	Amended	<u>0</u>	Repealed	_____
Federal rules or standards:	New	_____	Amended	<u>0</u>	Repealed	_____
Recently enacted state statutes:	New	_____	Amended	<u>0</u>	Repealed	_____

The number of sections adopted at the request of a nongovernmental entity:

New	Amended	<u>0</u>	Repealed	_____
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The number of sections adopted in the agency's own initiative:

New	<u>1</u>	Amended	<u>6</u>	Repealed	_____
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The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New	<u>1</u>	Amended	<u>6</u>	Repealed	_____
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The number of sections adopted using:

Negotiated rule making:	New	_____	Amended	_____	Repealed	_____
Pilot rule making:	New	_____	Amended	_____	Repealed	_____
Other alternative rule making:	New	_____	Amended	_____	Repealed	_____

AMENDATORY SECTION (Amending WSR 98-22-062, filed 11/2/98, effective 12/3/98)

WAC 131-28-005 Tuition and fees for community colleges established. Tuition and fees for community college(~~s~~) state-funded courses are established in chapter 28B.15 RCW. Technical colleges are required to administer tuition and tuition waivers for state-funded courses under policies and procedures of their respective boards of trustees. This chapter applies only to community colleges unless technical colleges are specified.

AMENDATORY SECTION (Amending WSR 95-13-070, filed 6/20/95, effective 7/21/95)

WAC 131-28-010 Tuition and fee charges for summer quarter. Tuition, operating, services and activities, and special fees charged to students enrolled (~~as~~) in state-funded (~~students~~) courses for summer quarter shall be assessed on the same basis and in the same manner as such fees are assessed for other quarters of the academic year. (~~Fees charged to students enrolled as self-supporting shall comply with RCW 28B.15.515(1).~~)

AMENDATORY SECTION (Amending WSR 98-22-062, filed 11/2/98, effective 12/3/98)

WAC 131-28-015 Assessment of tuition and fee charges. It shall be the general policy of the state board that all tuition and services and activities fees shall be assessed on a uniform and equitable basis, except when the requirement to pay all or part of such fees has been specifically waived or altered by law or by (~~regulation~~) rule of the state board or the district board of trustees. Students must pay tuition and fees to be enrolled in state-funded courses unless a waiver is allowed.

WAC 131-28-021 Definitions. For the purpose of WAC 131-28-025, the following definitions shall apply:

(1) "Resident student" and "nonresident student" shall be defined in the same manner as in chapter 28B.15 RCW.

(2) "Tuition fees," "building fees," "operating fees" and "services and activities fees" shall be defined in the same manner as in chapter 28B.15 RCW.

(3) "Special fees" shall be defined as all fees established by the district board of trustees other than tuition, building fees, operating fees or services and activities fees and as such shall include fees charged to an individual student for specific services and privileges received by such student.

(4) "Student funded course" shall be defined as any organized instructional activity, typically ungraded, primarily offered for part-time students, not normally an integral part of any specific study program leading to either an academic or an occupational degree or certificate, and specifically identified as such by a community college consistent with the course classification procedures established by the state board.

~~(5) ("Academic or occupational course" shall be defined as all organized instructional activities other than student funded courses.~~

~~(6) "Short course" shall be defined as any academic, occupational, or student funded course not regularly scheduled in the quarterly announcement of courses, not routinely listed in the college catalog as a regular and normal part of the instructional program, and not normally of a full quarter in duration.~~

~~(7) "Regular course" shall be defined as any course not classified as a short course.~~

~~(8)) "Required course" shall be defined as any course specified in the college catalog or official curriculum description of any vocational preparatory program as necessary for completion of such program, except courses prerequisite to such program.~~

~~((9) "Vocational preparatory program" shall be defined as any planned series of learning experiences, the specific objective of which is to prepare persons to enter gainful employment in a recognized occupation not designated as professional or requiring a baccalaureate or higher degree, provided that such program has been approved by the state board.))~~ (6) "State-funded course" shall be defined as any course reported by the college for state funding that is eligible for state funding under chapters 28.15 and 28B.50 RCW, Title 131 WAC and state board policy.

AMENDATORY SECTION (Amending WSR 98-22-062, filed 11/2/98, effective 12/3/98)

WAC 131-28-025 Method of assessing tuition and fee charges.

~~((1) For academic and occupational regular or short courses,))~~
Tuition and fees charged to students:

~~((a))~~ (1) Shall be based upon the number of credits assigned to such courses as listed in the official and current catalog of the college, or for courses not given such credit designations, the number of credit equivalents as computed by the method for deriving such equivalents established by the state board.

~~((b))~~ (2) Shall be assessed on a per-credit basis at uniform rates for resident and for nonresident students, respectively. Partial credits shall be assessed on a proportionate basis. The respective maximums charged to any resident or nonresident student shall not exceed the amount ~~((specified in chapter 28B.15 RCW))~~ allowed by law.

~~((c))~~ (3) Shall be assessed for part-time students, for each credit of registration or its equivalent ~~((, at the rate of one-tenth of the total combined tuition and services and activities fees charged to full-time students consistent with chapter 28B.15 RCW))~~.

~~((d))~~ (4) Shall include an additional operating fee for each credit in excess of eighteen at the tuition fee rate ~~((of one-tenth of the tuition fee))~~ charged to ~~((full-time))~~ part-time students.

~~((e) Shall be no less than two times the amount of tuition and services and activities fees charged for one credit.~~

~~(2) For student funded courses, fees charged to students:~~

~~(a) Shall be designated as a special fee, all revenue from which shall be used for the general operations and maintenance of the college,~~

~~(b) Shall be assessed at a rate sufficient to defray the direct and indirect costs of offering such courses.~~

~~(3) Nothing herein shall be construed to be a restriction on the right of the district board of trustees to assess additional noninstructional fees and special fees to cover unique instructional costs or expendable instructional materials related to any course offered by a college district.))~~ (5) Shall conform with chapter 28B.15 RCW, the legislative budget and policies of the state board.

AMENDATORY SECTION (Amending WSR 98-22-062, filed 11/2/98, effective 12/3/98)

WAC 131-28-02501 Waivers. Community college boards may grant waivers from the standard tuition and fees rate for ungraded courses designated in WAC 131-28-026(3) and to students who qualify under a waiver created in Title 28B RCW.

Except for unadvised courses, colleges shall waive the building fee, services and activities fees, and operating fees in equal proportion.

Colleges may not impose conditions or eligibility criteria beyond that specified in this chapter, state board policy, or Title 28B RCW. Colleges may restrict the number of waivers granted.

Colleges may round the amount (~~waived~~) collected to the nearest dollar.

NEW SECTION

WAC 131-28-029 Student funded course fees. For student funded courses, fees charged to students:

(1) Shall be designated as a special fee, all revenue from which shall be used for the general operations and maintenance of the college;

(2) Shall be assessed at a rate sufficient to defray the direct and indirect costs of offering such courses.