



RULE-MAKING ORDER

(RCW 34.05.360)

CR-103 (7/22/01)

Agency: State Board for Community and Technical Colleges

- Permanent Rule
 Emergency Rule
 Expedited Rule Making

(1) Date of adoption: May 6, 2004

(2) Purpose: Chapter 28B.50 RCW provides that the State Board for Community and Technical Colleges is responsible for establishing the fees charged for certain ungraded courses. The proposed changes clarify the definition of ungraded courses, modify the fee waiver and provide for college flexibility within certain parameters related to apprentice programs, and provide for the State Board to set annually the fee to be charged for certain basic skills enrollments.

(3) Citation of existing rules affected by this order:

- Repealed:
 Amended: WAC 131-28-026
 Suspended:

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

Other Authority:

PERMANENT RULE ONLY (Including Expedited Rule Making)

Adopted under notice filed as WSR 04-07-093 on 4-16-04.

Describe any changes other than editing from proposed to adopted version: Section (4) (c) the word "may" was struck and replaced with shall, the words "up to" were struck.

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

31 days after filing

Other (specify) _____ *

Emergency Rules

Immediately

Later (specify) _____

*(If less than 31 days after filing, specific finding in 5.3 under RCW 34.05.380(3) is required)

Name (Type or Print)

DelRae Oderman

Signature

DelRae Oderman

Title
Executive Assistant, Agency
Rules Coordinator

Date
May 10, 2004

CODE REVISER USE ONLY

CODE REVISER USE ONLY
STATE OF WASHINGTON
FILED

MAY 11 2004

TIME: 3:28 PM

WSR: 04-11-027

(COMPLETE REVERSE SIDE)

**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	_____	Repealed	_____
Federal rules or standards:	New	_____	Amended	_____	Repealed	_____
Recently enacted state statutes:	New	_____	Amended	_____	Repealed	_____

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

New	_____	Amended	_____	Repealed	_____
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The number of sections adopted in the agency's own initiative:

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	Repealed	_____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

New	_____	Amended	_____	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 03-19-050, filed 9/10/03, effective 10/11/03)

WAC 131-28-026 Tuition charges for certain ungraded courses.

(1) The state board shall designate ungraded courses. These courses may be offered at tuition rates that differ from the standard rates set by WAC 131-28-025. Ungraded shall mean courses not categorized by level of instruction and may be assigned degree credit or letter grades.

(2) Ungraded courses shall meet the following qualifications:

~~(a) ((The primary intent of offering the course is other than providing academic credit applicable to an associate or higher degree.~~

~~(b))~~ (b)) The course has a specialized purpose in that it is intended to meet the unique educational needs of a specific category or group of students.

~~((c))~~ (b) The course is offered for the purpose of providing the individual student with a discrete skill or basic body of knowledge ~~((other than))~~ that is intended to ~~((lead to initial employment))~~ enhance potential for initial or continued employment, parenting skills or retirement.

~~((d))~~ (c) The course cannot be administered as a contract course pursuant to WAC 131-28-027, 131-32-010, or 131-32-020.

~~((e) The course is not offered primarily as an integral part of any lower-division curriculum or program.~~

~~(f))~~ (d) The course is not one specifically or primarily intended to satisfy requirements for receiving a high school diploma.

(3) Colleges may establish the amount of waiver for the following ungraded courses:

(a) Farm management and small business management;

(b) Emergency medical technician and paramedic continuing education;

(c) Retirement;

(d) Industrial first aid offered to satisfy WISHA and approved by the department of labor and industries;

(e) Journeyperson training in cooperation with joint apprenticeship and training committees.

(4) The waiver amounts for the following ungraded courses shall conform with the following schedule:

(a) Adult basic education, English as a second language, GED preparation: ~~((No charge.))~~ An amount to be established by the state board.

(b) Parent education involving a cooperative preschool program: Eighty-five percent reduction from the standard per credit tuition and services activities fee charge.

(c) Courses offered for the purpose of satisfying related or

supplemental educational requirements for apprentices ((indentured)) registered with the Washington state apprenticeship council or federal Bureau of Apprenticeship and Training: (~~Two-thirds reduction from the standard per credit tuition and services and activities fee charge.~~) A college shall waive one-half of the standard per credit tuition and services and activities fee. The college may convert the credit hour charge to a rounded amount per clock hour. Colleges may not deduct the tuition owed from training contract with apprentice organizations.

(5) Students taking both regular and ungraded courses will be charged separately for the courses.

(6) Application of this section shall be subject to administrative procedures established by the state director with respect to maximum credit values of such ungraded courses, curriculum, or any unique circumstances related to enrollment in such courses.

(7) Ungraded course fees received pursuant to this section shall be accounted for and deposited in local community college operating fee accounts established in RCW 28B.15.031.

(8) Ungraded course fees may be paid by the sponsoring entity rather than an individual student.