



RULE-MAKING ORDER
(RCW 34.05.360)

CR-103 (7/10/97)

Agency: State Board for Community & Technical Colleges

- Permanent Rule
Emergency Rule
Expedited Adoption
Expedited Repeal

(1) Date of adoption: June 18, 1998

(2) Purpose: Definition of Resident Student and Procedures for Classification

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

Repealed:

Amended: 4 (WAC 131-12-020; 030;040; and 041)

Suspended:

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

Other authority:

PERMANENT RULE ONLY (Including EXPEDITED ADOPTION)

Adopted under notice filed as WSR 98-07-059 & 98-06-069 on 3/17/98 & 3/3/98 respectively (date). Describe any changes other than editing from proposed to adopted version:

None

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:

EXPEDITED REPEAL ONLY

Under Preproposal Statement of Inquiry filed as WSR on (date).

(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 or Expedited Rule Making

- 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)

CODE REVISER USE ONLY

Stamp area containing: CODE REVISER'S OFFICE STATE OF WASHINGTON FILED JUL 2 1998 TIME 1:11 AM WSR 98-15-011

NAME (TYPE OR PRINT) Claire C. Krueger

SIGNATURE [Handwritten Signature]

TITLE Executive Assistant and Administrative Rules Coordinator DATE 7/2/98

**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:**

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	New _____	Amended _____	Repealed _____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	New _____	Amended _____	Repealed _____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	New _____	Amended _____	Repealed _____

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

New \_\_\_\_\_ Amended \_\_\_\_\_ Repealed \_\_\_\_\_

**The number of sections adopted on the agency's own initiative:**

New \_\_\_\_\_ Amended 4 Repealed \_\_\_\_\_

**The number of sections adopted in order to clarify, streamline, or reform agency procedures:**

New \_\_\_\_\_ Amended 4 Repealed \_\_\_\_\_

**The number of sections adopted using:**

<b>Negotiated rule making:</b>	New _____	Amended _____	Repealed _____
<b>Pilot rule making:</b>	New _____	Amended _____	Repealed _____
<b>Other alternative rule making:</b>	New _____	Amended <u>4</u>	Repealed _____

AMENDATORY SECTION (Amending Order 122, Resolution Nos. 90-42 and 90-43, filed 9/20/90, effective 10/21/90)

**WAC 131-12-020 Definition of resident student and procedures for classification.** ((For tuition purposes, an applicant or enrolled student shall be deemed to be a resident student if he or she has been domiciled in the state of Washington for a full year prior to commencement of the quarter for which enrolled, or is a military personnel, or a staff member of the community college, or the child or spouse of such military personnel residing within the state or of a staff member of the community college. The definition of "domicile" shall be the legal definition.)) Students enrolled in a technical college are subject to the residency procedures of that technical college. For students of community colleges, residency, for purpose of tuition, shall be determined under the provisions of RCW 28B.15.012 and 28B.15.013.

The following procedures shall be followed by community colleges in making residency classifications:

(1) Upon receipt of an application for admission to the community college the applicant shall be classified as either a resident or nonresident as the facts may indicate.

(2) The notice of acceptance shall be accompanied by a statement of the applicant's residency classification and, in the case of those classified as nonresidents, a statement of the criteria and procedures to be followed for establishing resident status.

(3) Changes in residency classifications of applicants or enrolled students shall be made by the authorized college official as follows:

(a) In the case of applicants or enrolled students who have been classified as nonresident, upon presentation by the applicant or student or an authorized representative of sufficient proof that the applicant or enrolled student ((has been legally domiciled in the state of Washington for one year, or is a military personnel, or a staff member of the community college, or the child or spouse of a military personnel residing within the state or of a staff member of the community college)) meets the provisions of RCW 28B.15.012 and 28B.15.013; and

(b) In the case of applicants or enrolled students who have been classified as residents, upon presentation or discovery of proof that such individual is legally domiciled outside the state of Washington.

(4) In the event of dispute or question regarding the residency status of any applicant or enrolled student, the matter shall be referred to the office of attorney general for advice.

AMENDATORY SECTION (Amending Order 3, filed 6/19/69)

**WAC 131-12-030 Districts authorized to restrict enrollment in classes, courses or programs.** A community and technical college district may establish:

(1) Enrollment limits for any class, course or program when such restrictions are necessary because of limitations of physical facilities or operating funds or when such restrictions are consistent with generally accepted educational practices regarding efficient maximum class sizes.

(2) Reasonable prerequisites for enrollment in any class, course or program to insure that a student will profit or benefit from the particular class, course or program.

AMENDATORY SECTION (Amending Order 3, filed 6/19/69)

**WAC 131-12-040 Districts shall establish rules allowing intercampus and intercollege enrollment.** ((Community)) College districts that offer instruction in more than one location shall establish reasonable rules and procedures that will allow intercampus and intercollege enrollment of students without penalty or additional cost above the normal tuition, special fees, and incidental fees charged by the district for attendance at any single campus or college therein.

AMENDATORY SECTION (Amending Order 23, filed 12/18/73)

**WAC 131-12-041 Interdistrict registration of students.** Pursuant to authority granted in chapter 28B.50 RCW, the following regulations shall be observed by the community college districts in the interdistrict enrollment of students without the payment of additional tuition and fees as required by RCW 28B.15.500.

(1) Interdistrict registration shall mean the concurrent enrollment of a student in community colleges operated by two or more community college districts.

(2) Interdistrict registration shall occur only on the basis of a specific agreement between the two or more colleges.

(3) If the student registers and pays (including loans, grants, waivers, and other forms of financial aid) the maximum tuition and fees in one college, a second college may allow such student to register for additional courses without payment of additional fees provided that the courses will not be offered by the first college in a manner that will enable the student to complete his or her program in a timely manner.

(4) If the student so enrolled under this interdistrict registration provision has paid less than the maximum amount of tuition and fees required by RCW 28B.15.500, the second college shall assess tuition and fees at the standard rate for the course registrations in that college up to that maximum. Withdrawal from the college or reduction of course load in the college of initial registration shall invalidate any cost-free registration at a second college unless the appropriate additional tuition and fees are paid.

(5) Students enrolled in a second college under the provisions of this regulation shall be required to comply with the regular registration procedure of such second college and shall be required to pay any additional special fees--such as laboratory, supply, use or records fees normally charged to students enrolled at that college.