



RULE-MAKING ORDER

(RCW 34.05.360)

CR-103 (7/22/01)

Agency: Community College District VIII

- Permanent Rule
- Emergency Rule
- Expedited Rule Making

(1) Date of adoption: June 18, 2002

(2) Purpose: This rule amends the sections WAC 132H-122-020 and WAC 132H-160-190 to clarify for students with outstanding debts owed to Bellevue Community College that services and refunds will be withheld until their obligations have been satisfied.

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

Repealed:
 Amended: WAC 132H-122-020 and WAC 132H-160-190
 Suspended:

(4) Statutory authority for adoption: 28B.50.140 RCW

Other Authority:

PERMANENT RULE ONLY (Including Expedited Rule Making)

Adopted under notice filed as WSR 02-09-038 on 4/10/2002 (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:

(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)

Elise J. Erickson

Signature

Title

Rules Coordinator

Date

6/19/02

CODE REVISER USE ONLY

CODE REVISER USE ONLY
 STATE OF WASHINGTON
 JUN 20 2002
 TIME 8:33
 WSR 02-14-008

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	Repealed	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	Repealed	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	Repealed	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

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

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	Repealed	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

	New	<u>0</u>	Amended	<u>2</u>	Repealed	<u>0</u>
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The number of sections adopted in order to clarify, streamline, or reform agency procedures:

	New	<u>0</u>	Amended	<u>2</u>	Repealed	<u>0</u>
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The number of sections adopted using:

Negotiated rule making:	New	<u>0</u>	Amended	<u>2</u>	Repealed	<u>0</u>
Pilot rule making:	New	<u>0</u>	Amended	<u>0</u>	Repealed	<u>0</u>
Other alternative rule making:	New	<u>0</u>	Amended	<u>0</u>	Repealed	<u>0</u>

AMENDATORY SECTION (Amending order 92-19-054, filed 9/10/92)

WAC 132H-122-020 Withholding services for outstanding debts. (1) Where there is an outstanding debt owed to the college and upon ((Upon)) receipt of a written request inquiring as to the reason(s) for services or refund being withheld ((where there is an outstanding debt owed to the college from the requesting person,)) the college shall reply in writing to ((notify)) the person((, in writing by certified mail to the last known address,)) that the services and/or refund will not be provided. The college will include the amount of the ((since there is an)) outstanding debt, and further explain that until that debt is satisfied((;)) (or stayed by bankruptcy proceedings or discharged in bankruptcy), no such services and/or refund will be provided to the individual.

(a) The notice shall include a statement to inform the ((college)) individual that he or she has a right to a hearing before a person designated by the president of the college if he or she believes that no debt is owed. The notice shall state that the request for the hearing must be made within twenty-one days from the date of notification.

(2) Upon receipt of a timely request for a hearing, the person designated by the president shall have the records and files of the college available for review and, at that time, shall hold a brief adjudicative proceeding concerning whether the individual owes or owed any outstanding debts to the institution. After the brief adjudicative proceeding, a decision shall be rendered by the president's designee indicating whether the college is correct in withholding services and/or applying off-set for the outstanding debt.

(a) If the outstanding debt is found to be owed by the individual involved, no further services shall be provided.

(b) Notice of the decision shall be sent to the individual within five days after the hearing.

AMENDATORY SECTION (Amending order 14, filed 4/18/73)

WAC 132H-160-190 Financial obligation. Community College District VIII board of trustees has authorized the registrar to place a hold on the records of any student who has a financial obligation due the college. Until this financial obligation is cleared (or stayed by bankruptcy proceedings or discharged in bankruptcy), the college ~~((:))~~ 1) will not release the student's record or any information based upon the record ~~((; -Ø))~~; 2) will not prepare transcript(s) ~~((; -Ø))~~; and 3) will deny registration for a subsequent quarter as well as graduation from the college.