

FORM OF ORDER AND TRANSMITTAL BY BOARD, COMMISSION, OR COUNCIL

State of Washington

STATE BOARD FOR COMMUNITY COLLEGE EDUCATION

(name of governing body)

(agency name, if applicable)

Resolution No. 80-29

Administrative Order No. 83

(1) Be it resolved by the State Board for Community College Education acting at Green River Community College, 12401 SE 320th, Auburn, Wa. 98002 that it does promulgate and adopted the annexed rules relating to:

granting tuition and fee waivers to needy and disadvantaged students; specifically amending WAC 131-28-030 and 131-28-045 and repealing WAC 131-28-041.

(2) ALTERNATIVE A. Use only for Adoption of Permanent Rules. This action is taken pursuant to Notice No. 80-05-085 filed with the code reviser on May 1, 1980. Such rules shall take effect: [X] pursuant to RCW 34.04.040(2). [] at a later date, such date being _____.

(2) ALTERNATIVE B. Use only for Adoption of Emergency Rules. We, _____, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is: _____ Such rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

(3) Pursuant to the requirements of RCW 34.04. (1977 c 19 § 2) that "every agency shall incorporate the most specific, but in no case omit all, of the following language alternatives when adopting or amending rules" (fill in statement (a), (b), or (c) as appropriate):

[X] (a) This rule is promulgated pursuant to RCW 28B.15.530 and is intended to administratively implement that statute. [] (b) This rule is promulgated pursuant to RCW _____ which directs that the

_____ (agency) has authority to implement the provisions of _____ (name of act or RCW citation)

[] (c) This rule is promulgated under the general rule-making authority of the _____ (agency) as authorized in RCW _____

(4) The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

This order after being first recorded in the order register of this governing body is herewith transmitted to the Code Reviser for filing pursuant to chapter 34.04 RCW and chapter 1-12 WAC.

APPROVED AND ADOPTED June 26, 1980

JUN 30 1980

By [Signature] Assistant Director State Board for Community College Education Title

CODE REVISER'S OFFICE WSR 80-08-045

AMENDATORY SECTION (Amending Order 47, filed 9/12/75)

WAC 131-28-030 WAIVER OF TUITION AND FEES FOR ~~((CERTAIN))~~ NEEDY OR DISADVANTAGED STUDENTS. Pursuant to authority granted by RCW ~~((28B-45-520 and))~~ 28B.15.530, the boards of trustees of community college districts are authorized to waive all or part of general tuition, operating, and services and activities fees for needy or disadvantaged students: ~~((1) students enrolled in a course of study or program specifically for the purpose of completing a high school education and obtaining a high school diploma or certificate; (2) students enrolled in collegiate level courses or programs; and (3) children after the age of nineteen years of any law enforcement officer or fire fighter who lost his life or became totally disabled in the line of duty while employed by a public law enforcement agency or full-time or volunteer fire department in this state;))~~ PROVIDED, That the students ~~((except those designated in subsection (3) above;))~~ shall qualify for such waiver as determined by the criteria set forth in WAC 131-28-040 through 131-28-050.

AMENDATORY SECTION (Amending Order 70, Resolution 78-24, filed 5/24/78)

WAC 131-28-045 PROCEDURE FOR IMPLEMENTING TUITION AND FEE WAIVERS AUTHORIZED PURSUANT TO RCW 28B.15.530. (1) Tuition and fee waivers for needy or disadvantaged students in any fiscal year ~~((excluding waivers granted for Summer-Quarter enrollments;))~~ as authorized by RCW 28B.15.530 may not exceed three percent of any college district's estimated total collections of tuition, operating, and services and activities fees had no such waivers been made, after deducting the portion of that total amount which is attributable to the difference between resident and nonresident tuition and fees.

(2) The estimated total collection of tuition and fees shall be based on ~~((the))~~ budgeted, state supported, four-quarter annual average enrollment ~~((minus the actual tuition and fees collected for the summer quarter of the year being estimated))~~.

(3) Each district may waive an amount not to exceed three percent of the estimated collections in the event that actual enrollments or collections exceed estimated collections. Conversely, the three percent waiver capacity based upon estimated collections is allowable even though actual collections may not be as high as the estimate.

(4) Districts desiring to exceed their individual three percent waiver capacity may do so only upon written approval from the State Director of Community Colleges or his designee. ~~((Additional))~~ This waiver capacity can only be granted to a district after it has been determined that the total waiver capacity for the community college system is not being utilized as a result of other districts waiving at levels less than the three percent capacity.

~~((5) There is no percentage limitation on the amount of tuition and fee waivers granted for Summer-Quarter enrollments provided that recipients of such waivers qualify as needy, resident students as required by WAC 131-28-040.))~~

REPEALER

The following section of the Washington Administrative Code is hereby repealed:

WAC 131-28-041 CRITERIA FOR DETERMINING ELIGIBILITY FOR WAIVER OF TUITION AND FEES UNDER RCW 28B.15.520.

STATE OF WASHINGTON
STATE BOARD FOR COMMUNITY COLLEGE EDUCATION
OLYMPIA

RULE PURPOSE STATEMENT

Title

Rules relating to the granting of tuition and fee waivers to needy and disadvantaged community college students.

Purpose of Rule

These rules regulate the manner in which community colleges determine the maximum dollar value of the tuition and fees they may waive.

Statutory Authority

RCW 28B.15.530

Summary of Rules

Waiver to tuition and fees for needy and disadvantaged students by a community college is contingent upon an authorization by the State Board. These rules provide that authorization and further specify the method for computing the maximum amount of waivers that may be made by a college during a fiscal year.

Reasons Supporting Proposed Action

These amendments were necessitated by statutory enactments that removed tuition and fee waivers for high school completion students from the coverage of RCW 28B.15.740, which establishes a maximum waiver amount that may be utilized by a college.

Responsible Agency Personnel

Drafting - Gilbert J. Carbone, Assistant Director, SCAN 234-3650
Implementing and enforcing - John N. Terrey, Director, SCAN 234-7412

Persons or Organizations Proposing this Rule

State Board for Community College Education staff.

Agency Comments

None.

Federal Law or Federal or State Court Actions Requiring Adoption

None.