

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. 82-37

Administrative Order No. 94

(1) Be it resolved by the State Board for Community College Education

acting at Big Bend Community College, 24th & Andres, Moses Lake, Wa. 98837 (place)

that it does adopt the annexed rules relating to:

tuition and fee charges made to community college students and waivers of tuition and fees granted to resident students.

(2) ALTERNATIVE A. Use only for Adoption of Permanent Rules.

This action is taken pursuant to Notice No. 82-19-068 filed with the code reviser on 9/20/82. These rules shall take effect:

- [x] thirty days after they are filed with the code reviser 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 this 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 the emergency is:

These rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

(3) Pursuant to the requirements of RCW 34.04.026 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.15.502 and 28B.15.740 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)

[x] (c) This rule is promulgated under the general rule-making authority of the

The State Board for Community College Education (agency)

as authorized in RCW RCW 28B.05.502 and 28B.15.740

(4) The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW), and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

(5) 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 RCW 34.04 RCW and chapter 1-12 WAC.

APPROVED AND ADOPTED October 21, 1982

OCT 26 1982

By Gilbert J. Carbone Assistant Director

CODE REVISER'S OFFICE WSR 82-02-023

Title

AMENDATORY SECTION (Amending Order 12, filed 7/22/71)

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," "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, 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) "Community service 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 community service courses.

(6) "Short course" shall be defined as any academic, occupational, or community service 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 academic, occupational, or community service 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.

AMENDATORY SECTION (Amending Order 89, Resolution 81-65, filed 9/14/81)

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) 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) Shall be assessed on a per-credit basis at uniform rates for resident and for nonresident students, provided:

~~((i))~~ That the respective maximums charged to any resident or nonresident student shall not exceed the amount specified in chapter 28B.15 RCW ~~((7~~

~~((ii))--that--the--required--nonresident--differential--is--charged--to--students--registered--for--seven--or--more--credits))~~.

(c) Shall be assessed for part-time students, ~~((exclusive--of--services--and--activities--fees))~~ for each credit of registration or its equivalent, at the rate of one-tenth of the total combined tuition and

operating fees and services and activities fees charged to full-time students consistent with chapter 28B.15 RCW.

(d) Shall include an additional operating fee for each credit in excess of eighteen at the rate of one-tenth of the combined general tuition and operating fee charged to full-time students consistent with chapter 28B.15 RCW, except that no such additional charges shall be assessed to a student enrolled in both a vocational preparatory program and a required course in that program as defined in WAC 131-28-021. This exemption shall require written approval by an appropriate college official.

(e) Shall be no less than two times the amount of general tuition, operating fee, and services and activities fee charged for one credit.

(2) The provisions of this section shall not apply to the ungraded courses set forth in WAC 131-28-026.

(3) For community service 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 community service courses.

(4) 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.

AMENDATORY SECTION (Amending Order 93, Resolution No. 82-16, filed 5/11/82)

WAC 131-28-026 TUITION AND FEE CHARGES FOR CERTAIN UNGRADED COURSES. (1) When in the judgment of a district board of trustees certain courses should be designated as ungraded courses and offered by tuition and fee rates that differ from the standard rates set by WAC 131-28-025, the board of trustees may propose such designations and tuition and fee levels. Implementation of such proposals shall be contingent upon approval of the state director, who shall review such proposals with respect to the provisions of subsection (2) of this section and with respect to a general standard of system-wide consistency of tuition and fee charges when essentially similar services are provided.

(2) Ungraded courses designated pursuant to subsection (1) of this section shall meet the following qualifications:

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

(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) The course is offered for the purpose of providing the individual student with a discrete skill or basic body of knowledge other than that intended to lead to initial employment.

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

(3) For the purposes of this section, ungraded courses shall be defined as those courses classified according to the official course classification taxonomy established by the state board as occupational supplementary, occupational homemaking, academic basic education, or academic general education courses, provided they shall also meet the qualifications set forth in subsection (2) of this section.

(4) For the purpose of implementing WAC 131-28-025(2), the tuition and fees, exclusive of special fees, charged by any Washington community college for the following ungraded courses shall be:

Course	Tuition	Operating Fee	Services and Activities Fee
(a) Courses offered for the purpose of satisfying related or supplemental educational requirements for apprentices while indentured with the Washington State Apprenticeship Council or Federal Bureau of Apprenticeship and Training	\$1.40 per credit	\$3.60 per credit	No Charge
(b) Department of Labor and Industries approved industrial first aid courses offered for the purpose of satisfying WISHA first aid certification requirements	Standard Rate	Standard Rate	No Charge
(c) Parent education involving cooperative pre-school program	The combined stand-ard district charge per credit hour for tuition and operating fees less the pre-school cooperative fee, with any remainder divid-ed equally be-tween tuition and operating fee		No Charge
(d) Farm management and small business management	Standard Rate	Standard Rate	No Charge

Course	Tuition	Operating Fee	Services and Activities Fee
(e) Adult Basic Education courses supported by federal funds and English as a Second Language courses funded from such sources	No Charge	No Charge	No Charge
(f) Emergency Medical Technician	per \$1.40 credit	per \$3.60 credit	No Charge
(g) Courses specifically designed to provide skills and understandings particularly related to the problems of retirement and advanced age	\$1.00 per credit hour	\$1.00 per credit hour	No Charge

~~((For the purpose of computing any refunds related to such tuition and fees charged for apprenticeship, small business management and farm management courses, the total tuition and fees charged on a yearly basis shall be prorated to a quarterly basis.))~~

(5) 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.

(6) Tuition, operating fees, and services and activities fees received pursuant to this section shall be accounted for and deposited in conformance with the provisions of RCW 28B.50.360, 28B.15.031, and 28B.15.041 respectively.

(7) The term "standard rate" as used in this section shall mean the tuition and/or operating fees charged for one quarter credit.

AMENDATORY SECTION (Amending Order 83, Resolution 80-29, filed 6/30/80)

WAC 131-28-030 WAIVER OF TUITION AND FEES FOR NEEDY OR DISADVANTAGED STUDENTS. Pursuant to authority granted by RCW ((28B,45-530) 28B.15.740, 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: PROVIDED, That the students shall qualify for such waiver as determined by the criteria set forth in WAC 131-28-040 through ((131-28-050)) 131-28-045.

AMENDATORY SECTION (Amending Order 74, Resolution 79-20, filed 6/28/79)

WAC 131-28-040 CRITERIA FOR DETERMINING ELIGIBILITY FOR WAIVER OF TUITION AND FEES UNDER RCW ((20B:45-530)) 28B.15.740. Waiver of general tuition, operating, and services and activities fees, or any portions thereof as authorized by RCW ((20B:45-530)) 28B.15.740, normally charged to students enrolled ((in--collegiate-level--courses--or programs)) shall be based upon the determination that the student is a needy ((or-disadvantaged)) student by application of a method of need analysis approved by the United States ((office)) Department of Education for determining awards under federal student financial aid programs or one adopted by the state board for community college education specifically for the purposes of this section, provided that no waivers under this section shall be granted to a person who is not a "resident student" as defined in RCW ((20B:45-040)) 28B.15.012.

AMENDATORY SECTION (Amending Order 83, Resolution 80-29, filed 6/30/80)

WAC 131-28-045 PROCEDURE FOR IMPLEMENTING TUITION AND FEE WAIVERS AUTHORIZED PURSUANT TO RCW ((20B:45-530)) 28B.15.740. (1) Tuition and fee waivers for needy ((or-disadvantaged)) students in any fiscal year as authorized by RCW ((20B:45-530)) 28B.15.740 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 budgeted, state supported, four-quarter annual average enrollment.

(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. 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) At least three-fourths of the total amount waived by any district shall be for needy resident students and the remainder may be for other resident students as determined by the board of trustees, except that no such waivers shall be based on participation in inter-collegiate athletic programs.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 131-28-050 PROCEDURE FOR DETERMINING LIMITATION OF THE AMOUNT OF TUITION AND FEE WAIVERS.