

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. 84-58

Administrative Order No. 101

(1) Be it resolved by the State Board for Community College Education,
acting at Wenatchee, Washington (place)

that it does promulgate and adopt the annexed rules relating to:

Costs and special fees for contractual educational services offered by community colleges.

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

This action is taken pursuant to Notice No. 84-18-045 filed with the code reviser on 9/4/84. Such rules shall take effect:
 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 34.04.026¹ 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):

(a) This rule is promulgated pursuant to RCW 28B.50.140(16) 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)

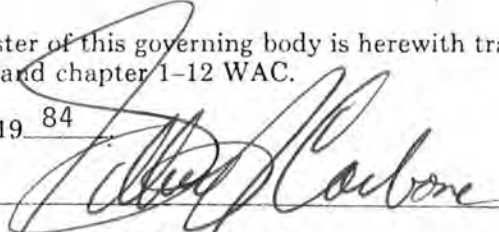
(c) This rule is promulgated under the general rule-making authority of the

_____ (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).

(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 chapter 34.04 RCW and chapter 1-12 WAC.

APPROVED AND ADOPTED October 18, 19 84

By 
Assistant Director

Title

WSR 84-21-111

AMENDATORY SECTION (Amending Order 71, Resolution 78-29, filed 6/30/78)

WAC 131-28-027 COSTS AND SPECIAL FEES FOR CONTRACTED EDUCATIONAL SERVICES. (1) College districts that choose to offer contractual educational courses or services, as authorized by RCW 28B.50.140(16), to private or governmental entities (~~and--their--members;--employees--or agents~~) shall establish a special fee (~~to-be-paid-by-either-each student-enrolled-or-a-total-fee~~) for the service or course to be paid by the entity involved. Such special fee shall be set forth in the contractual agreement establishing such courses or services.

(2) Contractual educational courses or services may be offered when a district makes a determination that it is not reasonably feasible for financial or other reasons, to offer such courses or services as a part of the regular curriculum. Upon making such determination, the district may offer such courses or services and shall limit participation therein to employees, agents, or members of the particular entity.

(3) Contractual educational courses or services are those instructional courses which may be provided to meet special instructional needs of military, corporate, or other governmental or private entities where enrollments will be limited to the membership of the entity and includes administrative, organizational, research, public service or program development services of the college district.

(4) Any enrollments generated through contracts for educational courses or services developed pursuant to this regulation shall be (~~appropriately--designated-so-that-they-shall-not-be-counted-toward~~) excluded from the official enrollment level of the college so that there will not be any state funding for such courses or services.

(5) The special fee charged for any such contractual educational course or service shall be retained by the college district to defray the cost of such course or service and may be used for the general operations and maintenance of the college district.

(6) The special fees charged pursuant to this regulation shall be sufficient to offset the full instructional costs of offering the course or service. Calculation of the full instructional cost level shall include all direct and indirect costs such as those for salaries and related benefits; supplies, public information; business services for budgeting, auditing, financial reporting, purchasing, payroll, and cashing; mail service, postage, telephone; admissions; registration; data processing; and maintenance of any public facilities used.

(7) If the instructor for any course performs such services as a paid employee or personal services contractor of another state agency, the course shall be considered a contract course subject to the provisions of this section, except when reimbursement for such services is made to the other agency by the college district.