

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. 85-26

Administrative Order No. 104

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

that it does adopt the annexed rules relating to: capital projects funded on the basis of voluntary student fees.

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

This action is taken pursuant to Notice No. 85-16-102 filed with the code reviser on August 6, 1985. 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.50.090(8) 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 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 chapter 34.04 RCW and chapter 1-12 WAC.

APPROVED AND ADOPTED September 12 19 85

STATE OF WASHINGTON FILED

SEP 25 1985

By Gilbert J. Carbone Assistant Director Title

CODE REVISER'S OFFICE WSR 85-20-045

NEW SECTION

WAC 131-24-040 CAPITAL PROJECTS FUNDED ON THE BASIS OF VOLUNTARY STUDENT FEES. (1) A request for approval of a capital project proposed to be funded from revenue derived from fees that students voluntarily maintain upon themselves pursuant to RCW 28B.15.610 must be supported by evidence that:

(a) The student fee was approved by a majority vote, as defined by the constitution or governing policies of the student government, at a general election of the student body.

(b) The college district has identified an alternative source of funding in the event the fee is discontinued or revenues fall below the required level. The alternative funding source is sufficient to cover the full costs of the project, including debt service in the case of borrowed funds.

(2) When a capital project is to be financed by borrowed funds repayable from revenue derived from fees that students voluntarily maintain upon themselves, the following criteria shall be met:

(a) For at least two quarters prior to consideration of the project proposal by the state board, the revenue from the student fee must have been placed in reserve for use in the project.

(b) The duration of the terms of the loan shall not exceed ten years.

(c) Preliminary notification to the state board of the approval of the voluntary fee and the general nature and scope of the proposed project shall be made prior to collection of the fee.

(d) Final approval shall be based on presentation of details of the terms of the anticipated loan.