

WSR 21-12-021
EXPEDITED RULES
STATE BOARD FOR COMMUNITY
AND TECHNICAL COLLEGES
[Filed May 24, 2021, 11:29 a.m.]

Title of Rule and Other Identifying Information: WAC 131-28-026
Tuition charges for certain ungraded courses.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: Amends this section to align with WAC revisions submitted and adopted in 2013 as a result of SHB 1686 removing the term GED and federal Workforce Innovation and Opportunity Act (WIOA) modifies the English as a second language term to English language acquisition. No impact nor changes to other existing rules.

Reasons Supporting Proposal: Align outdated terminology to state and federal language changes.

Statutory Authority for Adoption: Chapter 28.50 [28B.50] RCW.

Statute Being Implemented: Not applicable.

Rule is not necessitated by federal law, federal or state court decision.

Name of Proponent: Washington state board for community and technical colleges, public.

Name of Agency Personnel Responsible for Drafting, Implementation, and Enforcement: Scott Copeland, 1300 Quince Street S.E., Olympia, WA 98504, 360-704-4397.

Agency Comments or Recommendations, if any, as to Statutory Language, Implementation, Enforcement, and Fiscal Matters: Terminology changes to language only.

This notice meets the following criteria to use the expedited adoption process for these rules:

Content is explicitly and specifically dictated by statute.

Explanation of the Reason the Agency Believes the Expedited Rule-Making Process is Appropriate: Rules language changes to match state and federal definitions.

NOTICE

THIS RULE IS BEING PROPOSED UNDER AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRITERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THIS USE OF THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO Beth Gordon, Washington State Board for Community and Technical Colleges, P.O. Box 42495, Olympia, WA 98504-2495, phone 360-704-4400, fax 360-704-4415, email bgordon@sbctc.edu, AND RECEIVED BY August 2, 2021.

May 19, 2021
Beth Gordon
Executive Assistant

OTS-3082.1

AMENDATORY SECTION (Amending WSR 16-02-087, filed 1/5/16, effective 2/5/16)

WAC 131-28-026 Tuition charges for certain ungraded courses.

(1) The state board shall designate ungraded courses. These courses may be offered at tuition rates that differ from the standard rates set by WAC 131-28-025. Ungraded shall mean courses not categorized by level of instruction and may be assigned degree credit or letter grades.

(2) Ungraded courses shall meet the following qualifications:

(a) 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.

(b) The course is offered for the purpose of providing the individual student with a discrete skill or basic body of knowledge that is intended to enhance potential for initial or continued employment, parenting skills or retirement.

(c) The course cannot be administered as a contract course pursuant to WAC 131-28-027, 131-32-010, or 131-32-020.

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

(3) Colleges may establish the amount of waiver for the following ungraded courses:

(a) Farm management and small business management;

(b) Emergency medical technician and paramedic continuing education;

(c) Retirement;

(d) Industrial first aid offered to satisfy WISHA and approved by the department of labor and industries;

(e) Journey person training in cooperation with joint apprenticeship and training committees;

(f) Parenting education including, but not limited to, cooperative preschool programs.

(4) The waiver amounts for the following ungraded courses shall conform with the following schedule:

(a) Adult basic education, English ((~~as a second~~)) language ((~~GED preparation~~)) acquisition, high school equivalency test: An amount to be established by the state board.

(b) Courses offered for the purpose of satisfying related or supplemental educational requirements for apprentices registered with the Washington state apprenticeship council or federal Bureau of Apprenticeship and Training: A college shall waive one-half of the standard per credit tuition and services and activities fee. The college may convert the credit hour charge to a rounded amount per clock hour. Colleges may deduct the tuition owed from training contracts with apprentice organizations.

(5) Students taking both regular and ungraded courses will be charged separately for the courses.

(6) 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.

(7) Ungraded course fees received pursuant to this section shall be accounted for and deposited in local college operating fee accounts established in RCW 28B.15.031.

(8) Ungraded course fees may be paid by the sponsoring entity rather than an individual student.

[Statutory Authority: Chapter 28B.15 RCW. WSR 16-02-087, § 131-28-026, filed 1/5/16, effective 2/5/16. Statutory Authority: RCW 28B.15.069. WSR 12-14-020, § 131-28-026, filed 6/22/12, effective 7/23/12. Statutory Authority: Chapter 28B.50 RCW. WSR 05-14-070, § 131-28-026, filed 6/30/05, effective 7/31/05; WSR 04-11-027, § 131-28-026, filed 5/11/04, effective 6/11/04; WSR 03-19-050, § 131-28-026, filed 9/10/03, effective 10/11/03; WSR 98-22-062, § 131-28-026, filed 11/2/98, effective 12/3/98. Statutory Authority: Chapters 28B.15 and 28B.50 RCW. WSR 96-03-049, § 131-28-026, filed 1/12/96, effective 1/12/96; WSR 95-13-070, § 131-28-026, filed 6/20/95, effective 7/21/95. Statutory Authority: RCW 28B.15.502 and 1992 c 231, 232 and 238. WSR 92-14-033 (Order 139, Resolution No. 92-06-39), § 131-28-026, filed 6/23/92, effective 7/24/92. Statutory Authority: RCW 28B.15.502. WSR 91-21-011 (Order 133, Resolution No. 91-49), § 131-28-026, filed 10/4/91, effective 11/4/91. Statutory Authority: RCW 28B.50.090 (7) (d) and (10), 28B.50.851, 28B.15.502(4), 28B.15.522, 28B.50.140(3) and 1990 c 29. WSR 90-20-009 (Order 122, Resolution Nos. 90-42 and 90-43), § 131-28-026, filed 9/20/90, effective 10/21/90. Statutory Authority: RCW 28B.15.502. WSR 89-14-037 (Order 116, Resolution No. 89-16), § 131-28-026, filed 6/29/89. Statutory Authority: RCW 28B.15.502 and 28B.15.740. WSR 82-22-023 (Order 94, Resolution No. 82-37), § 131-28-026, filed 10/26/82. Statutory Authority: RCW 28B.15.502. WSR 82-11-035 (Order 93, Resolution No. 82-16), § 131-28-026, filed 5/11/82. Statutory Authority: RCW 28B.15.500 as amended by chapter 257, Laws of 1981. WSR 81-19-060 (Order 89, Resolution No. 81-65), § 131-28-026, filed 9/14/81. Statutory Authority: Chapter 34.04 RCW and WAC 1-12-065. WSR 78-07-064 (Order 71, Resolution No. 78-29), § 131-28-026, filed 6/30/78; Order 63 and Emergency Order 64, § 131-28-026, filed 9/13/77, effective 9/13/77; Order 25, § 131-28-026, filed 4/22/74, effective 7/1/74.]