

WSR 23-07-111

PROPOSED RULES

WHATCOM COMMUNITY COLLEGE

[Filed March 20, 2023, 1:44 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 23-03-105.

Title of Rule and Other Identifying Information: Chapter 132U-122

WAC.

Hearing Location(s): On April 26, 2023, at 3 - 4 p.m., at 237 West Kellogg Road, Laidlaw 143, Bellingham, WA 98226.

Date of Intended Adoption: May 10, 2023.

Submit Written Comments to: Lexus Criswell, 237 West Kellogg Road, Laidlaw 208, Bellingham, WA 98226, email lcriswell@whatcom.edu, fax 360-383-4000, by April 24, 2023.

Assistance for Persons with Disabilities: Contact Kerri Holferty, phone 360-383-3043, fax 360-383-4000, TTY 360-225-7182, email kholferty@whatcom.edu, by April 19, 2023.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: The existing chapter 132U-122 WAC does not meet the new state legislature guidelines for withholding services. Whatcom Community College will no longer withhold transcripts as a means of debt collection.

Reasons Supporting Proposal: The existing WAC does not meet current state guidelines.

Statutory Authority for Adoption: RCW 28B.50.143, 28B.10.293.

Statute Being Implemented: SSHB [2SHB] 2513.

Rule is necessary because of state court decision, [no further information supplied by agency].

Name of Proponent: Whatcom Community College, governmental.

Name of Agency Personnel Responsible for Drafting: Lexus Criswell, LDC 208, 360-383-3077; Implementation and Enforcement: William Martens, Laidlaw 141, 360-343-3046.

A school district fiscal impact statement is not required under RCW 28A.305.135.

A cost-benefit analysis is not required under RCW 34.05.328. This change in the rule is the result of a Washington state statute exempt under RCW 34.05.328 (5) [(b)] (v).

This rule proposal, or portions of the proposal, is exempt from requirements of the Regulatory Fairness Act because the proposal:

Is exempt under RCW 19.85.061 because this rule making is being adopted solely to conform and/or comply with federal statute or regulations. Citation of the specific federal statute or regulation and description of the consequences to the state if the rule is not adopted: SSHB [2SHB] 2513, "An act relating to prohibiting the practice of transcript withholding and limiting the practices of registration holds at institutions of higher education as debt collection practices."

Is exempt under RCW 19.85.025(3) as the rule content is explicitly and specifically dictated by statute.

Scope of exemption for rule proposal:

Is fully exempt.

March 20, 2023

Lexus Criswell

Administrative Assistant to the Vice President
for Student Services

OTS-4398.1

AMENDATORY SECTION (Amending WSR 88-15-005, filed 7/8/88)

WAC 132U-122-010 Statement of policy. The college expects that students who receive services for which a financial obligation is incurred will exercise responsibility in meeting these obligations. Appropriate college staff are empowered to act in accordance with regularly adopted procedures to carry out the intent of this policy, and if necessary to initiate legal action to insure that collection matters are brought to a timely and satisfactory conclusion.

Admission to or registration with the college, and conferring of degrees (~~(and issuance of academic transcripts)~~), may be withheld for failure to meet financial obligations to the college.

[Statutory Authority: RCW 28B.50.130 and 28B.50.140. WSR 88-15-005 (Order 88-03), § 132U-122-010, filed 7/8/88.]