

**WSR 23-04-004
PERMANENT RULES
BELLEVUE COLLEGE**

[Filed January 19, 2023, 7:37 a.m., effective February 19, 2023]

Effective Date of Rule: Thirty-one days after filing.

Purpose: To update to the current student financial debt rules under chapter 132H-122 WAC in order to be in compliance with current policies, remove outdated information, and clarify processes.

Citation of Rules Affected by this Order: Amending WAC 132H-122-010, 132H-122-020, and 132H-122-030.

Statutory Authority for Adoption: RCW 28B.50.140(13); chapter 34.05 RCW.

Adopted under notice filed as WSR 22-21-054 on October 12, 2022.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 1, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 3, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 3, Repealed 0.

Date Adopted: January 18, 2023.

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OTS-4127.1

**Chapter 132H-122 WAC
(~~(WITHHOLDING SERVICES FOR OUTSTANDING)~~) STUDENT FINANCIAL DEBTS**

AMENDATORY SECTION (Amending WSR 92-19-054, filed 9/10/92, effective 10/11/92)

WAC 132H-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, conferring of degrees and issuance of academic transcripts may be withheld for failure to meet financial obligations to the college.)~~ (1) Bellevue College

expects students who owe a debt for services, tuition and fees, housing, financial aid, fines, and other fees to pay the amount they owe, or set up a payment plan, and to contact the college for additional information, if needed.

(2) Students have the right to ask for details related to the debt, and to appeal a debt.

(3) The finance office is responsible for the implementation of this code.

[Statutory Authority: Chapter 34.05 RCW and RCW 28B.50.140. WSR 92-19-054, § 132H-122-010, filed 9/10/92, effective 10/11/92.]

AMENDATORY SECTION (Amending WSR 02-14-008, filed 6/20/02, effective 7/21/02)

WAC 132H-122-020 ((Withholding services for outstanding debts.))

Student financial debt procedures. ~~((1) Where there is an outstanding debt owed to the college and upon receipt of a written request inquiring as to the reason(s) for services or refund being withheld the college shall reply in writing to the person that the services and/or refund will not be provided. The college will include the amount of the outstanding debt, and further explain that until that debt is satisfied (or stayed by bankruptcy proceedings or discharged in bankruptcy), no such services and/or refund will be provided to the individual.~~

~~(a) The notice shall include a statement to inform the individual that he or she has a right to a hearing before a person designated by the president of the college if he or she believes that no debt is owed. The notice shall state that the request for the hearing must be made within twenty-one days from the date of notification.~~

~~(2) Upon receipt of a timely request for a hearing, the person designated by the president shall have the records and files of the college available for review and, at that time, shall hold a brief adjudicative proceeding concerning whether the individual owes or owed any outstanding debts to the institution. After the brief adjudicative proceeding, a decision shall be rendered by the president's designee indicating whether the college is correct in withholding services and/or applying off-set for the outstanding debt.~~

~~(a) If the outstanding debt is found to be owed by the individual involved, no further services shall be provided.~~

~~(b) Notice of the decision shall be sent to the individual within five days after the hearing.)~~ (1) The college may take the following actions for nonpayment of outstanding student debt:

(a) Place a hold, also called a negative service indicator, on a student's account if they owe a debt for housing, financial aid, tuition, or other college fees. A negative service indicator prevents enrollment for future quarters.

(b) Drop students for nonpayment of any debt at any time.

(c) Refer past due debts that exceed \$100 to a collection agency. Prior to referral, students will receive notice via their Bellevue College email. The notice will include at a minimum the following information:

(i) The amount of the debt owed;

(ii) The nature of the debt;

(iii) Information on how to pay the debt;

(iv) Contact information for the finance office and/or staff member who can provide more information, and/or set up a payment plan;
(v) The deadline for payment of the debt; and
(vi) Any consequences that may result from nonpayment of the debt.

(2) Reporting requirements: The college follows the state reporting rules related to the use of negative service indicators, debt levels, and collection practices.

[Statutory Authority: RCW 28B.50.140. WSR 02-14-008, § 132H-122-020, filed 6/20/02, effective 7/21/02. Statutory Authority: Chapter 34.05 RCW and RCW 28B.50.140. WSR 92-19-054, § 132H-122-020, filed 9/10/92, effective 10/11/92.]

AMENDATORY SECTION (Amending WSR 92-19-054, filed 9/10/92, effective 10/11/92)

WAC 132H-122-030 ~~((Appeal of initial order upholding the withholding of services for outstanding debts.))~~ **Debt dispute and appeal.**

~~((1) Any person aggrieved by an order issued under WAC 132H-122-020 may file an appeal with the president. The appeal must be in writing and must clearly state errors in fact or matters in extenuation or mitigation which justify the appeal.~~

~~(2) The appeal must be filed within twenty one days from the date on which the appellant received notification of the order issued under WAC 132H-122-020 upholding the withholding of services for outstanding debts. The president's determination shall be final.))~~ **Students who believe that exigent circumstances exist, or an error occurred that may require reduction or removal of a debt, may submit an online appeal form, available on the enrollment services website, for review of the debt.**

[Statutory Authority: Chapter 34.05 RCW and RCW 28B.50.140. WSR 92-19-054, § 132H-122-030, filed 9/10/92, effective 10/11/92.]