

CERTIFICATION OF ENROLLMENT

**SECOND SUBSTITUTE HOUSE BILL 1096**

Chapter 277, Laws of 2007

60th Legislature  
2007 Regular Session

POSTSECONDARY OPPORTUNITY PROGRAMS

EFFECTIVE DATE: 07/22/07

Passed by the House April 16, 2007  
Yeas 94 Nays 1

FRANK CHOPP

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**Speaker of the House of Representatives**

Passed by the Senate April 9, 2007  
Yeas 45 Nays 0

BRAD OWEN

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**President of the Senate**

Approved May 2, 2007, 11:07 a.m.

CHRISTINE GREGOIRE

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**Governor of the State of Washington**

CERTIFICATE

I, Richard Nafziger, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **SECOND SUBSTITUTE HOUSE BILL 1096** as passed by the House of Representatives and the Senate on the dates hereon set forth.

RICHARD NAFZIGER

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**Chief Clerk**

FILED

May 3, 2007

**Secretary of State  
State of Washington**

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SECOND SUBSTITUTE HOUSE BILL 1096

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AS AMENDED BY THE SENATE

Passed Legislature - 2007 Regular Session

**State of Washington**                      **60th Legislature**                      **2007 Regular Session**

**By** House Committee on Appropriations (originally sponsored by Representatives Kenney, Priest, Quall, Wallace, Conway, Haler, Morris, Ormsby, Linville, Jarrett, Dickerson, Hunt, Walsh, P. Sullivan, Darneille, Appleton, Morrell, Williams, Dunn, Schual-Berke, Fromhold, Hasegawa, Chase, Upthegrove, McCoy, Green, O'Brien, Hudgins, Sells, Springer, Moeller, Goodman, Barlow, Eddy, Santos, Simpson, Haigh, Lantz, Kagi and Rolfes)

READ FIRST TIME 2/28/07.

1            AN ACT Relating to creating postsecondary opportunity programs;  
2 amending RCW 28B.50.030; adding new sections to chapter 28B.50 RCW; and  
3 creating new sections.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5            NEW SECTION.    **Sec. 1.** The legislature finds that:

6            (1) The economic trends of globalization and technological change  
7 are increasing the demand for higher and differently skilled workers  
8 than in the past;

9            (2) Increasing Washington's economic competitiveness requires  
10 increasing the supply of skilled workers in the state;

11            (3) Improving the labor market competitiveness of all Washington  
12 residents requires that all residents have access to postsecondary  
13 education; and

14            (4) Community and technical college workforce training programs and  
15 Washington state apprenticeship and training council-approved  
16 apprenticeship programs provide effective and efficient pathways for  
17 people to enter high wage, high skill careers while also meeting the  
18 needs of the economy.

1 **PART 1**

2 **OPPORTUNITY GRANT PROGRAM**

3 NEW SECTION. **Sec. 101.** A new section is added to chapter 28B.50  
4 RCW to read as follows:

5 (1) The college board shall develop and implement a workforce  
6 education program known as the opportunity grant program to provide  
7 financial and other assistance for students enrolled at qualified  
8 institutions of higher education in opportunity grant-eligible programs  
9 of study as described in section 201 of this act. Students enrolled in  
10 the opportunity grant program are eligible for:

11 (a) Funding for tuition and mandatory fees at the public community  
12 and technical college rate, prorated if the credit load is less than  
13 full time, paid directly to the educational institution; and

14 (b) An additional one thousand dollars per academic year for books,  
15 tools, and supplies, prorated if the credit load is less than full  
16 time.

17 (2) Funding under subsection (1)(a) and (b) of this section is  
18 limited to a maximum forty-five credits or the equivalent in an  
19 opportunity grant-eligible program of study, including required related  
20 courses. No student may receive opportunity grant funding for more  
21 than forty-five credits or for more than three years from initial  
22 receipt of grant funds in one or a combination of programs.

23 (3) Grants awarded under this section are subject to the  
24 availability of amounts appropriated for this specific purpose.

25 NEW SECTION. **Sec. 102.** A new section is added to chapter 28B.50  
26 RCW to read as follows:

27 (1) To be eligible for participation in the opportunity grant  
28 program established in section 101 of this act, a student must:

29 (a) Be a Washington resident student as defined in RCW 28B.15.012  
30 enrolled in an opportunity grant-eligible program of study;

31 (b) Have a family income that is at or below two hundred percent of  
32 the federal poverty level using the most current guidelines available  
33 from the United States department of health and human services, and be  
34 determined to have financial need based on the free application for  
35 federal student aid; and

36 (c) Meet such additional selection criteria as the college board

1 shall establish in order to operate the program within appropriated  
2 funding levels.

3 (2) Upon enrolling, the student must provide evidence of commitment  
4 to complete the program. The student must make satisfactory progress  
5 and maintain a cumulative 2.0 grade point average for continued  
6 eligibility. If a student's cumulative grade point average falls below  
7 2.0, the student may petition the institution of higher education of  
8 attendance. The qualified institution of higher education has the  
9 authority to establish a probationary period until such time as the  
10 student's grade point average reaches required standards.

11 (3) Subject to funds appropriated for this specific purpose, public  
12 qualified institutions of higher education shall receive an enhancement  
13 of one thousand five hundred dollars for each full-time equivalent  
14 student enrolled in the opportunity grant program whose income is below  
15 two hundred percent of the federal poverty level. The funds shall be  
16 used for individualized support services which may include, but are not  
17 limited to, college and career advising, tutoring, emergency child  
18 care, and emergency transportation. The qualified institution of  
19 higher education is expected to help students access all financial  
20 resources and support services available to them through alternative  
21 sources.

22 (4) The college board shall be accountable for student retention  
23 and completion of opportunity grant-eligible programs of study. It  
24 shall set annual performance measures and targets and monitor the  
25 performance at all qualified institutions of higher education. The  
26 college board must reduce funding at institutions of higher education  
27 that do not meet targets for two consecutive years, based on criteria  
28 developed by the college board.

29 (5) The college board and higher education coordinating board shall  
30 work together to ensure that students participating in the opportunity  
31 grant program are informed of all other state and federal financial aid  
32 to which they may be entitled while receiving an opportunity grant.

33 (6) The college board and higher education coordinating board shall  
34 document the amount of opportunity grant assistance and the types and  
35 amounts of other sources of financial aid received by participating  
36 students. Annually, they shall produce a summary of the data.

37 (7) The college board shall:

1 (a) Begin developing the program no later than August 1, 2007, with  
2 student enrollment to begin no later than January 14, 2008; and

3 (b) Submit a progress report to the legislature by December 1,  
4 2008.

5 (8) The college board may, in implementing the opportunity grant  
6 program, accept, use, and expend or dispose of contributions of money,  
7 services, and property. All such moneys received by the college board  
8 for the program must be deposited in an account at a depository  
9 approved by the state treasurer. Only the college board or a duly  
10 authorized representative thereof may authorize expenditures from this  
11 account. In order to maintain an effective expenditure and revenue  
12 control, the account is subject in all respects to chapter 43.88 RCW,  
13 but no appropriation is required to permit expenditure of moneys in the  
14 account.

15 **PART 2**

16 **OPPORTUNITY PARTNERSHIPS**

17 NEW SECTION. **Sec. 201.** A new section is added to chapter 28B.50  
18 RCW to read as follows:

19 The college board, in partnership with business, labor, and the  
20 workforce training and education coordinating board, shall:

21 (1) Identify job specific training programs offered by qualified  
22 postsecondary institutions that lead to a credential, certificate, or  
23 degree in high demand occupations, which are occupations where data  
24 show that employer demand for workers exceeds the supply of qualified  
25 job applicants throughout the state or in a specific region, and where  
26 training capacity is underutilized;

27 (2) Gain recognition of the credentials, certificates, and degrees  
28 by Washington's employers and labor organizations. The college board  
29 shall designate these recognized credentials, certificates, and degrees  
30 as "opportunity grant-eligible programs of study"; and

31 (3) Market the credentials, certificates, and degrees to potential  
32 students, businesses, and apprenticeship programs as a way for  
33 individuals to advance in their careers and to better meet the needs of  
34 industry.



- 1 (2) "Board" shall mean the work force training and education  
2 coordinating board.
- 3 (3) "College board" shall mean the state board for community and  
4 technical colleges created by this chapter.
- 5 (4) "Director" shall mean the administrative director for the state  
6 system of community and technical colleges.
- 7 (5) "District" shall mean any one of the community and technical  
8 college districts created by this chapter.
- 9 (6) "Board of trustees" shall mean the local community and  
10 technical college board of trustees established for each college  
11 district within the state.
- 12 (7) "Occupational education" shall mean that education or training  
13 that will prepare a student for employment that does not require a  
14 baccalaureate degree, and education and training leading to an applied  
15 baccalaureate degree.
- 16 (8) "K-12 system" shall mean the public school program including  
17 kindergarten through the twelfth grade.
- 18 (9) "Common school board" shall mean a public school district board  
19 of directors.
- 20 (10) "Community college" shall include those higher education  
21 institutions that conduct education programs under RCW 28B.50.020.
- 22 (11) "Technical college" shall include those higher education  
23 institutions with the sole mission of conducting occupational  
24 education, basic skills, literacy programs, and offering on short  
25 notice, when appropriate, programs that meet specific industry needs.  
26 The programs of technical colleges shall include, but not be limited  
27 to, continuous enrollment, competency-based instruction, industry-  
28 experienced faculty, curriculum integrating vocational and basic skills  
29 education, and curriculum approved by representatives of employers and  
30 labor. For purposes of this chapter, technical colleges shall include  
31 Lake Washington Vocational-Technical Institute, Renton Vocational-  
32 Technical Institute, Bates Vocational-Technical Institute, Clover Park  
33 Vocational Institute, and Bellingham Vocational-Technical Institute.
- 34 (12) "Adult education" shall mean all education or instruction,  
35 including academic, vocational education or training, basic skills and  
36 literacy training, and "occupational education" provided by public  
37 educational institutions, including common school districts for persons  
38 who are eighteen years of age and over or who hold a high school

1 diploma or certificate. However, "adult education" shall not include  
2 academic education or instruction for persons under twenty-one years of  
3 age who do not hold a high school degree or diploma and who are  
4 attending a public high school for the sole purpose of obtaining a high  
5 school diploma or certificate, nor shall "adult education" include  
6 education or instruction provided by any four year public institution  
7 of higher education.

8 (13) "Dislocated forest product worker" shall mean a forest  
9 products worker who: (a)(i) Has been terminated or received notice of  
10 termination from employment and is unlikely to return to employment in  
11 the individual's principal occupation or previous industry because of  
12 a diminishing demand for his or her skills in that occupation or  
13 industry; or (ii) is self-employed and has been displaced from his or  
14 her business because of the diminishing demand for the business'  
15 services or goods; and (b) at the time of last separation from  
16 employment, resided in or was employed in a rural natural resources  
17 impact area.

18 (14) "Forest products worker" shall mean a worker in the forest  
19 products industries affected by the reduction of forest fiber  
20 enhancement, transportation, or production. The workers included  
21 within this definition shall be determined by the employment security  
22 department, but shall include workers employed in the industries  
23 assigned the major group standard industrial classification codes "24"  
24 and "26" and the industries involved in the harvesting and management  
25 of logs, transportation of logs and wood products, processing of wood  
26 products, and the manufacturing and distribution of wood processing and  
27 logging equipment. The commissioner may adopt rules further  
28 interpreting these definitions. For the purposes of this subsection,  
29 "standard industrial classification code" means the code identified in  
30 RCW 50.29.025(3).

31 (15) "Dislocated salmon fishing worker" means a finfish products  
32 worker who: (a)(i) Has been terminated or received notice of  
33 termination from employment and is unlikely to return to employment in  
34 the individual's principal occupation or previous industry because of  
35 a diminishing demand for his or her skills in that occupation or  
36 industry; or (ii) is self-employed and has been displaced from his or  
37 her business because of the diminishing demand for the business's

1 services or goods; and (b) at the time of last separation from  
2 employment, resided in or was employed in a rural natural resources  
3 impact area.

4 (16) "Salmon fishing worker" means a worker in the finfish industry  
5 affected by 1994 or future salmon disasters. The workers included  
6 within this definition shall be determined by the employment security  
7 department, but shall include workers employed in the industries  
8 involved in the commercial and recreational harvesting of finfish  
9 including buying and processing finfish. The commissioner may adopt  
10 rules further interpreting these definitions.

11 (17) "Rural natural resources impact area" means:

12 (a) A nonmetropolitan county, as defined by the 1990 decennial  
13 census, that meets three of the five criteria set forth in subsection  
14 (18) of this section;

15 (b) A nonmetropolitan county with a population of less than forty  
16 thousand in the 1990 decennial census, that meets two of the five  
17 criteria as set forth in subsection (18) of this section; or

18 (c) A nonurbanized area, as defined by the 1990 decennial census,  
19 that is located in a metropolitan county that meets three of the five  
20 criteria set forth in subsection (18) of this section.

21 (18) For the purposes of designating rural natural resources impact  
22 areas, the following criteria shall be considered:

23 (a) A lumber and wood products employment location quotient at or  
24 above the state average;

25 (b) A commercial salmon fishing employment location quotient at or  
26 above the state average;

27 (c) Projected or actual direct lumber and wood products job losses  
28 of one hundred positions or more;

29 (d) Projected or actual direct commercial salmon fishing job losses  
30 of one hundred positions or more; and

31 (e) An unemployment rate twenty percent or more above the state  
32 average. The counties that meet these criteria shall be determined by  
33 the employment security department for the most recent year for which  
34 data is available. For the purposes of administration of programs  
35 under this chapter, the United States post office five-digit zip code  
36 delivery areas will be used to determine residence status for  
37 eligibility purposes. For the purpose of this definition, a zip code  
38 delivery area of which any part is ten miles or more from an urbanized

1 area is considered nonurbanized. A zip code totally surrounded by zip  
2 codes qualifying as nonurbanized under this definition is also  
3 considered nonurbanized. The office of financial management shall make  
4 available a zip code listing of the areas to all agencies and  
5 organizations providing services under this chapter.

6 (19) "Applied baccalaureate degree" means a baccalaureate degree  
7 awarded by a college under RCW 28B.50.810 for successful completion of  
8 a program of study that is:

9 (a) Specifically designed for individuals who hold an associate of  
10 applied science degree, or its equivalent, in order to maximize  
11 application of their technical course credits toward the baccalaureate  
12 degree; and

13 (b) Based on a curriculum that incorporates both theoretical and  
14 applied knowledge and skills in a specific technical field.

15 (20) "Qualified institutions of higher education" means:

16 (a) Washington public community and technical colleges;

17 (b) Private career schools that are members of an accrediting  
18 association recognized by rule of the higher education coordinating  
19 board for the purposes of chapter 28B.92 RCW; and

20 (c) Washington state apprenticeship and training council-approved  
21 apprenticeship programs.

22 NEW SECTION. Sec. 302. Part headings used in this act are not any  
23 part of the law.

Passed by the House April 16, 2007.

Passed by the Senate April 9, 2007.

Approved by the Governor May 2, 2007.

Filed in Office of Secretary of State May 3, 2007.