
SENATE BILL 5334

State of Washington

62nd Legislature

2011 Regular Session

By Senators Stevens, Benton, Morton, Swecker, and Roach

Read first time 01/20/11. Referred to Committee on Higher Education & Workforce Development.

1 AN ACT Relating to requiring lawful presence in the United States
2 for financial aid programs; amending RCW 28B.12.060, 28B.50.272,
3 28B.76.660, 28B.76.670, 28B.92.080, 28B.101.020, 28B.102.020,
4 28B.105.030, 28B.115.020, 28B.116.010, 28B.117.030, 28B.118.010, and
5 28B.119.010; and providing expiration dates.

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

7 **Sec. 1.** RCW 28B.12.060 and 2009 c 172 s 1 are each amended to read
8 as follows:

9 The higher education coordinating board shall adopt rules as may be
10 necessary or appropriate for effecting the provisions of this chapter,
11 and not in conflict with this chapter, in accordance with the
12 provisions of chapter 34.05 RCW, the state higher education
13 administrative procedure act. Such rules shall include provisions
14 designed to make employment under the work-study program reasonably
15 available, to the extent of available funds, to all eligible needy
16 students in eligible postsecondary institutions. The rules shall
17 include:

18 (1) Providing work under the state work-study program that will not

1 result in the displacement of employed workers or impair existing
2 contracts for services;

3 (2) Furnishing work only to a student who:

4 (a) Is capable, in the opinion of the eligible institution, of
5 maintaining good standing in such course of study while employed under
6 the program covered by the agreement; (~~and~~)

7 (b) Has been accepted for enrollment as at least a half-time
8 student at the eligible institution or, in the case of a student
9 already enrolled in and attending the eligible institution, is in good
10 standing and in at least half-time attendance there either as an
11 undergraduate, graduate or professional student; (~~and~~)

12 (c) Is not pursuing a degree in theology; and

13 (d) Is a citizen or permanent resident of the United States;

14 (3) Placing priority on providing:

15 (a) Work opportunities for students who are residents of the state
16 of Washington as defined in RCW 28B.15.012 and 28B.15.013, particularly
17 former foster youth as defined in RCW 28B.92.060;

18 (b) Job placements in fields related to each student's academic or
19 vocational pursuits, with an emphasis on off-campus job placements
20 whenever appropriate; and

21 (c) Off-campus community service placements;

22 (4) To the extent practicable, limiting the proportion of state
23 subsidy expended upon nonresident students to fifteen percent, or such
24 less amount as specified in the biennial appropriations act;

25 (5) Provisions to assure that in the state institutions of higher
26 education, utilization of this work-study program:

27 (a) Shall only supplement and not supplant classified positions
28 under jurisdiction of chapter 41.06 RCW;

29 (b) That all positions established which are comparable shall be
30 identified to a job classification under the director of personnel's
31 classification plan and shall receive equal compensation;

32 (c) Shall not take place in any manner that would replace
33 classified positions reduced due to lack of funds or work; and

34 (d) That work study positions shall only be established at entry
35 level positions of the classified service unless the overall scope and
36 responsibilities of the position indicate a higher level; and

37 (6) Provisions to encourage job placements in high employer demand
38 occupations that meet Washington's economic development goals,

1 including those in international trade and international relations.
2 The board shall permit appropriate job placements in other states and
3 other countries.

4 **Sec. 2.** RCW 28B.50.272 and 2007 c 277 s 102 are each amended to
5 read as follows:

6 (1) To be eligible for participation in the opportunity grant
7 program established in RCW 28B.50.271, a student must:

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

10 (b) Be a citizen or permanent resident of the United States;

11 (c) Have a family income that is at or below two hundred percent of
12 the federal poverty level using the most current guidelines available
13 from the United States department of health and human services, and be
14 determined to have financial need based on the free application for
15 federal student aid; and

16 ~~((+e))~~ (d) Meet such additional selection criteria as the college
17 board shall establish in order to operate the program within
18 appropriated funding levels.

19 (2) Upon enrolling, the student must provide evidence of commitment
20 to complete the program. The student must make satisfactory progress
21 and maintain a cumulative 2.0 grade point average for continued
22 eligibility. If a student's cumulative grade point average falls below
23 2.0, the student may petition the institution of higher education of
24 attendance. The qualified institution of higher education has the
25 authority to establish a probationary period until such time as the
26 student's grade point average reaches required standards.

27 (3) Subject to funds appropriated for this specific purpose, public
28 qualified institutions of higher education shall receive an enhancement
29 of one thousand five hundred dollars for each full-time equivalent
30 student enrolled in the opportunity grant program whose income is below
31 two hundred percent of the federal poverty level. The funds shall be
32 used for individualized support services which may include, but are not
33 limited to, college and career advising, tutoring, emergency child
34 care, and emergency transportation. The qualified institution of
35 higher education is expected to help students access all financial
36 resources and support services available to them through alternative
37 sources.

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

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

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

16 (7) The college board shall:

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

19 (b) Submit a progress report to the legislature by December 1,
20 2008.

21 (8) The college board may, in implementing the opportunity grant
22 program, accept, use, and expend or dispose of contributions of money,
23 services, and property. All such moneys received by the college board
24 for the program must be deposited in an account at a depository
25 approved by the state treasurer. Only the college board or a duly
26 authorized representative thereof may authorize expenditures from this
27 account. In order to maintain an effective expenditure and revenue
28 control, the account is subject in all respects to chapter 43.88 RCW,
29 but no appropriation is required to permit expenditure of moneys in the
30 account.

31 **Sec. 3.** RCW 28B.76.660 and 2005 c 518 s 917 are each amended to
32 read as follows:

33 (1) Recipients of the Washington scholars award or the Washington
34 scholars-alternate award under RCW 28A.600.100 through 28A.600.150 who
35 choose to attend an independent college or university in this state, as
36 defined in subsection ~~((+4))~~ (5) of this section, and recipients of
37 the award named after June 30, 1994, who choose to attend a public

1 college or university in the state may receive grants under this
2 section if moneys are available. The higher education coordinating
3 board shall distribute grants to eligible students under this section
4 from moneys appropriated for this purpose. The individual grants shall
5 not exceed, on a yearly basis, the yearly, full-time, resident,
6 undergraduate tuition and service and activities fees in effect at the
7 state-funded research universities. Grants to recipients attending an
8 independent institution shall be contingent upon the institution
9 matching on at least a dollar-for-dollar basis, either with actual
10 money or by a waiver of fees, the amount of the grant received by the
11 student from the state. The higher education coordinating board shall
12 establish procedures, by rule, to disburse the awards as direct grants
13 to the students.

14 (2) The higher education coordinating board shall establish rules
15 that provide for the annual awarding of grants, if moneys are
16 available, to three Washington scholars per legislative district except
17 for fiscal year 2007 when no more than two scholars per district shall
18 be selected; and, if not used by an original recipient, to the
19 Washington scholars-alternate from the same legislative district.

20 Beginning with scholars selected in the year 2000, if the
21 recipients of grants fail to demonstrate in a timely manner that they
22 will enroll in a Washington institution of higher education in the fall
23 term of the academic year following the award of the grant or are
24 deemed by the higher education coordinating board to have withdrawn
25 from college during the first academic year following the award, then
26 the grant shall be considered relinquished. The higher education
27 coordinating board may then award any remaining grant amounts to the
28 Washington scholars-alternate from the same legislative district if the
29 grants are awarded within one calendar year of the recipient being
30 named a Washington scholars-alternate. Washington scholars-alternates
31 named as recipients of the grant must also demonstrate in a timely
32 manner that they will enroll in a Washington institution of higher
33 education during the next available term, as determined by the higher
34 education coordinating board. The board may accept appeals and grant
35 waivers to the enrollment requirements of this section based on
36 exceptional mitigating circumstances of individual grant recipients.

37 To maintain eligibility for the grants, recipients must maintain a
38 minimum grade point average at the college or university equivalent to

1 3.30. Students shall be eligible to receive a maximum of twelve
2 quarters or eight semesters of grants for undergraduate study and may
3 transfer among in-state public and independent colleges and
4 universities during that period and continue to receive the grant as
5 provided under RCW 28B.76.665. If the student's cumulative grade point
6 average falls below 3.30 during the first three quarters or two
7 semesters, that student may petition the higher education coordinating
8 board which shall have the authority to establish a probationary period
9 until such time as the student's grade point average meets required
10 standards.

11 (3) No grant shall be awarded to any student who is pursuing a
12 degree in theology.

13 (4) No grant shall be awarded to any student who is not a citizen
14 or permanent resident of the United States.

15 (5) As used in this section, "independent college or university"
16 means a private, nonprofit educational institution, the main campus of
17 which is permanently situated in the state, open to residents of the
18 state, providing programs of education beyond the high school level
19 leading at least to the baccalaureate degree, and accredited by the
20 northwest association of schools and colleges as of June 9, 1988, and
21 other institutions as may be developed that are approved by the higher
22 education coordinating board as meeting equivalent standards as those
23 institutions accredited under this section.

24 ((+5)) (6) As used in this section, "public college or university"
25 means an institution of higher education as defined in RCW 28B.10.016.

26 **Sec. 4.** RCW 28B.76.670 and 1995 1st sp.s. c 7 s 8 are each amended
27 to read as follows:

28 (1) Recipients of the Washington award for vocational excellence
29 under RCW 28C.04.520 through 28C.04.550, who receive the award after
30 June 30, 1994, may receive a grant, if funds are available. The grant
31 shall be used to attend a postsecondary institution located in the
32 state of Washington. Recipients may attend an institution of higher
33 education as defined in RCW 28B.10.016, or an independent college or
34 university, or a licensed private vocational school. The higher
35 education coordinating board shall distribute grants to eligible
36 students under this section from moneys appropriated for this purpose.
37 The individual grants shall not exceed, on a yearly basis, the yearly,

1 full-time, resident, undergraduate tuition and service and activities
2 fees in effect at the state-funded research universities. In
3 consultation with the workforce training and education coordinating
4 board, the higher education coordinating board shall establish
5 procedures, by rule, to disburse the awards as direct grants to the
6 students.

7 (2) To qualify for the grant, recipients shall enter the
8 postsecondary institution within three years of high school graduation
9 and maintain a minimum grade point average at the institution
10 equivalent to 3.00, or, at a technical college, an above average
11 rating. Students shall be eligible to receive a maximum of two years
12 of grants for undergraduate study and may transfer among in-state
13 eligible postsecondary institutions during that period and continue to
14 receive the grant.

15 (3) No grant may be awarded to any student who is pursuing a degree
16 in theology.

17 (4) No grant may be awarded to any student who is not a citizen or
18 permanent resident of the United States.

19 (5) As used in this section, "independent college or university"
20 means a private, nonprofit educational institution, the main campus of
21 which is permanently situated in the state, open to residents of the
22 state, providing programs of education beyond the high school level
23 leading at least to the baccalaureate degree, and accredited by the
24 Northwest association of schools and colleges as of June 9, 1988, and
25 other institutions as may be developed that are approved by the higher
26 education coordinating board as meeting equivalent standards as those
27 institutions accredited under this section.

28 ((+5+)) (6) As used in this section, "licensed private vocational
29 school" means a private postsecondary institution, located in the
30 state, licensed by the workforce training and education coordinating
31 board under chapter 28C.10 RCW, and offering postsecondary education in
32 order to prepare persons for a vocation or profession, as defined in
33 RCW 28C.10.020(7).

34 **Sec. 5.** RCW 28B.92.080 and 2009 c 238 s 9 are each amended to read
35 as follows:

36 Except for opportunity internship graduates whose eligibility is

1 provided under RCW 28B.92.084, for a student to be eligible for a state
2 need grant a student must:

3 (1) Be a "needy student" or "disadvantaged student" as determined
4 by the board in accordance with RCW 28B.92.030 (~~((3) and (4))~~) (2) and
5 (5);

6 (2) Have been domiciled within the state of Washington for at least
7 one year;

8 (3) Be a citizen or permanent resident of the United States;

9 (4) Be enrolled or accepted for enrollment on at least a half-time
10 basis at an institution of higher education in Washington as defined in
11 RCW 28B.92.030(~~((1))~~) (4);

12 (~~((4))~~) (5) Until June 30, 2011, to the extent funds are
13 specifically appropriated for this purpose, and subject to any terms
14 and conditions specified in the omnibus appropriations act, be enrolled
15 or accepted for enrollment for at least three quarter credits or the
16 equivalent semester credits at an institution of higher education in
17 Washington as defined in RCW 28B.92.030(~~((1))~~) (4); and

18 (~~((5))~~) (6) Have complied with all the rules adopted by the board
19 for the administration of this chapter.

20 **Sec. 6.** RCW 28B.101.020 and 2004 c 275 s 67 are each amended to
21 read as follows:

22 (1) For the purposes of this chapter, "placebound" means unable to
23 complete a college program because of family or employment commitments,
24 health concerns, monetary inability, or other similar factors.

25 (2) To be eligible for an educational opportunity grant, applicants
26 must be placebound residents of the state of Washington as defined in
27 RCW 28B.15.012(2) (a) through (d), who: (a) Are citizens or permanent
28 residents of the United States; (b) are needy students as defined in
29 RCW 28B.92.030(3); and (~~((b))~~) (c) have completed the associate of arts
30 or associate of science degree or the equivalent. A placebound
31 resident is one who may be influenced by the receipt of an enhanced
32 student financial aid award to complete a baccalaureate degree at an
33 eligible institution. An eligible placebound applicant is further
34 defined as a person who would be unable to complete a baccalaureate
35 course of study but for receipt of an educational opportunity grant.

1 **Sec. 7.** RCW 28B.102.020 and 2004 c 58 s 2 are each amended to read
2 as follows:

3 Unless the context clearly requires otherwise, the definitions in
4 this section apply throughout this chapter.

5 (1) "Conditional scholarship" means a loan that is forgiven in
6 whole or in part if the recipient renders service as a teacher in an
7 approved education program in this state.

8 (2) "Institution of higher education" or "institution" means a
9 college or university in the state of Washington that is accredited by
10 an accrediting association recognized as such by rule of the higher
11 education coordinating board.

12 (3) "Board" means the higher education coordinating board.

13 (4) "Eligible student" means a student who is registered for at
14 least six credit hours or the equivalent, demonstrates high academic
15 achievement, is a resident student as defined by RCW 28B.15.012 and
16 28B.15.013, is a citizen or permanent resident of the United States,
17 and has a declared intention to complete an approved preparation
18 program leading to initial teacher certification or required for
19 earning an additional endorsement, and commits to teaching service in
20 the state of Washington.

21 (5) "Public school" means an elementary school, a middle school,
22 junior high school, or high school within the public school system
23 referred to in Article IX of the state Constitution.

24 (6) "Forgiven" or "to forgive" or "forgiveness" means to render
25 service as a teacher in an approved education program in the state of
26 Washington in lieu of monetary repayment.

27 (7) "Satisfied" means paid-in-full.

28 (8) "Participant" means an eligible student who has received a
29 conditional scholarship or loan repayment under this chapter.

30 (9) "Loan repayment" means a federal student loan that is repaid in
31 whole or in part if the recipient renders service as a teacher in an
32 approved education program in Washington state.

33 (10) "Approved education program" means an education program in the
34 state of Washington for knowledge and skills generally learned in
35 preschool through twelfth grade. Approved education programs may
36 include but are not limited to:

37 (a) K-12 schools under Title 28A RCW; or

1 (b) Other K-12 educational sites in the state of Washington as
2 designated by the board.

3 (11) "Equalization fee" means the additional amount added to the
4 principal of a loan under this chapter to equate the debt to that which
5 the student would have incurred if the loan had been received through
6 the federal subsidized Stafford student loan program.

7 (12) "Teacher shortage area" means a shortage of elementary or
8 secondary school teachers in a specific subject area, discipline,
9 classification, or geographic area as defined by the office of the
10 superintendent of public instruction.

11 **Sec. 8.** RCW 28B.105.030 and 2007 c 214 s 3 are each amended to
12 read as follows:

13 (1) An eligible student is a student who:

14 (a) Is eligible for resident tuition and fee rates as defined in
15 RCW 28B.15.012 and is a citizen or permanent resident of the United
16 States;

17 (b) Achieved level four on the mathematics or science portion of
18 the tenth grade Washington assessment of student learning or achieved
19 a score in the math section of the SAT or the math section of the ACT
20 that is above the ninety-fifth percentile;

21 (c) Has a family income at or below one hundred twenty-five percent
22 of the state median family income at the time the student applies for
23 a GET ready for math and science scholarship and for up to the two
24 previous years;

25 (d) Has declared an intention to complete a qualified program or
26 qualified major or has entered a qualified program or declared a
27 qualified major at an institution of higher education;

28 (e) Has declared an intention to work in a mathematics, science, or
29 related field in Washington for at least three years immediately
30 following completion of a bachelor's degree or higher degree.

31 (2) An eligible recipient is an eligible student who:

32 (a) Has been awarded a scholarship in accordance with the selection
33 criteria and process established by the board and the program
34 administrator;

35 (b) Enrolls at an institution of higher education within one year
36 of graduating from high school;

1 (c) Maintains satisfactory academic progress, as defined by the
2 institution of higher education where the student is enrolled;

3 (d) Takes at least one college-level mathematics or science course
4 each term since enrolling in an institution of higher education; and

5 (e) Enters a qualified program or qualified major no later than the
6 end of the first term in which the student has junior level standing.

7 **Sec. 9.** RCW 28B.115.020 and 1991 c 332 s 15 are each amended to
8 read as follows:

9 Unless the context clearly requires otherwise, the definitions in
10 this section apply throughout this chapter.

11 (1) "Board" means the higher education coordinating board.

12 (2) "Department" means the state department of health.

13 (3) "Eligible education and training programs" means education and
14 training programs approved by the department that lead to eligibility
15 for a credential as a credentialed health care professional.

16 (4) "Eligible expenses" means reasonable expenses associated with
17 the costs of acquiring an education such as tuition, books, equipment,
18 fees, room and board, and other expenses determined by the board.

19 (5) "Eligible student" means a student who has been accepted into
20 an eligible education or training program, is a United States citizen
21 or permanent resident, and has a declared intention to serve in a
22 health professional shortage area upon completion of the education or
23 training program.

24 (6) "Forgiven" or "to forgive" or "forgiveness" means to render
25 health care services in a health professional shortage area in the
26 state of Washington in lieu of monetary repayment.

27 (7) "Health professional shortage areas" means those areas where
28 credentialed health care professionals are in short supply as a result
29 of geographic maldistribution or as the result of a short supply of
30 credentialed health care professionals in specialty health care areas
31 and where vacancies exist in serious numbers that jeopardize patient
32 care and pose a threat to the public health and safety. The department
33 shall determine health professional shortage areas as provided for in
34 RCW 28B.115.070, or until June 1, 1992, as provided for in RCW
35 28B.115.060. In making health professional shortage area designations
36 in the state the department may be guided by applicable federal

1 standards for "health manpower shortage areas," and "medically
2 underserved areas," and "medically underserved populations."

3 (8) "Credentialed health care profession" means a health care
4 profession regulated by a disciplining authority in the state of
5 Washington under RCW 18.130.040 or by the state board of pharmacy under
6 chapter 18.64 RCW and designated by the department in RCW 28B.115.070,
7 or until June 1, 1992, as established in RCW 28B.115.060 as a
8 profession having shortages of credentialed health care professionals
9 in the state.

10 (9) "Credentialed health care professional" means a person
11 regulated by a disciplining authority in the state of Washington to
12 practice a health care profession under RCW 18.130.040 or by the state
13 board of pharmacy under chapter 18.64 RCW.

14 (10) "Loan repayment" means a loan that is paid in full or in part
15 if the participant renders health care services in a health
16 professional shortage area as defined by the department.

17 (11) "Nonshortage rural area" means a nonurban area of the state of
18 Washington that has not been designated as a rural physician shortage
19 area. The department shall identify the nonshortage rural areas of the
20 state.

21 (12) "Participant" means a credentialed health care professional
22 who has received a loan repayment award and has commenced practice as
23 a credentialed health care provider in a designated health professional
24 shortage area or an eligible student who has received a scholarship
25 under this program.

26 (13) "Program" means the health professional loan repayment and
27 scholarship program.

28 (14) "Required service obligation" means an obligation by the
29 participant to provide health care services in a health professional
30 shortage area for a period to be established as provided for in this
31 chapter.

32 (15) "Rural physician shortage area" means rural geographic areas
33 where primary care physicians are in short supply as a result of
34 geographic maldistributions and where their limited numbers jeopardize
35 patient care and pose a threat to public health and safety. The
36 department shall designate rural physician shortage areas.

37 (16) "Satisfied" means paid-in-full.

1 (17) "Scholarship" means a loan that is forgiven in whole or in
2 part if the recipient renders health care services in a health
3 professional shortage area.

4 (18) "Sponsoring community" means a rural hospital or hospitals as
5 authorized in chapter 70.41 RCW, a rural health care facility or
6 facilities as authorized in chapter 70.175 RCW, or a city or county
7 government or governments.

8 **Sec. 10.** RCW 28B.116.010 and 2005 c 215 s 2 are each amended to
9 read as follows:

10 Unless the context clearly requires otherwise, the definitions in
11 this section apply throughout this chapter.

12 (1) "Institution of higher education" means a college or university
13 in the state of Washington that is accredited by an accrediting
14 association recognized as such by rule of the higher education
15 coordinating board.

16 (2) "Eligible student" means a student who:

17 (a) Is between the ages of sixteen and twenty-three;

18 (b) Has been in foster care in the state of Washington for a
19 minimum of six months since his or her fourteenth birthday;

20 (c) Is a financially needy student, as defined in RCW 28B.92.030;

21 (d) Is a resident student, as defined in RCW 28B.15.012(2);

22 (e) Is a citizen or permanent resident of the United States;

23 (f) Has entered or will enter an institution of higher education in
24 Washington state within three years of high school graduation or having
25 successfully completed his or her GED;

26 ~~((+f))~~ (g) Is not pursuing a degree in theology; and

27 ~~((+g))~~ (h) Makes satisfactory progress towards the completion of
28 a degree or certificate program.

29 (3) "Cost of attendance" means the cost associated with the
30 attendance of the institution of higher education as determined by the
31 higher education coordinating board, including but not limited to
32 tuition, room, board, and books.

33 **Sec. 11.** RCW 28B.117.030 and 2007 c 314 s 4 are each amended to
34 read as follows:

35 (1) The higher education coordinating board shall design and, to
36 the extent funds are appropriated for this purpose, implement, a

1 program of supplemental scholarship and student assistance for students
2 who have emancipated from the state foster care system after having
3 spent at least one year in care.

4 (2) The board shall convene and consult with an advisory committee
5 to assist with program design and implementation. The committee shall
6 include but not be limited to former foster care youth and their
7 advocates; representatives from the state board for community and
8 technical colleges, and from public and private agencies that assist
9 current and former foster care recipients in their transition to
10 adulthood; and student support specialists from public and private
11 colleges and universities.

12 (3) To the extent that sufficient funds have been appropriated for
13 this purpose, a student is eligible for assistance under this section
14 if he or she:

15 (a) Emancipated from foster care on or after January 1, 2007, after
16 having spent at least one year in foster care subsequent to his or her
17 sixteenth birthday;

18 (b) Is a resident student, as defined in RCW 28B.15.012(2);

19 (c) Is a citizen or permanent resident of the United States;

20 (d) Is enrolled with or will enroll on at least a half-time basis
21 with an institution of higher education in Washington state by the age
22 of twenty-one;

23 ~~((d))~~ (e) Is making satisfactory academic progress toward the
24 completion of a degree or certificate program, if receiving
25 supplemental scholarship assistance;

26 ~~((e))~~ (f) Has not earned a bachelor's or professional degree; and

27 ~~((f))~~ (g) Is not pursuing a degree in theology.

28 (4) A passport to college scholarship under this section:

29 (a) Shall not exceed resident undergraduate tuition and fees at the
30 highest-priced public institution of higher education in the state; and

31 (b) Shall not exceed the student's financial need, less a
32 reasonable self-help amount defined by the board, when combined with
33 all other public and private grant, scholarship, and waiver assistance
34 the student receives.

35 (5) An eligible student may receive a passport to college
36 scholarship under this section for a maximum of five years after the
37 student first enrolls with an institution of higher education or until
38 the student turns age twenty-six, whichever occurs first. If a student

1 turns age twenty-six during an academic year, and would otherwise be
2 eligible for a scholarship under this section, the student shall
3 continue to be eligible for a scholarship for the remainder of the
4 academic year.

5 (6) The higher education coordinating board, in consultation with
6 and with assistance from the state board for community and technical
7 colleges, shall perform an annual analysis to verify that those
8 institutions of higher education at which students have received a
9 scholarship under this section have awarded the student all available
10 need-based and merit-based grant and scholarship aid for which the
11 student qualifies.

12 (7) In designing and implementing the passport to college student
13 support program under this section, the board, in consultation with and
14 with assistance from the state board for community and technical
15 colleges, shall ensure that a participating college or university:

16 (a) Has a viable plan for identifying students eligible for
17 assistance under this section, for tracking and enhancing their
18 academic progress, for addressing their unique needs for assistance
19 during school vacations and academic interims, and for linking them to
20 appropriate sources of assistance in their transition to adulthood;

21 (b) Receives financial and other incentives for achieving
22 measurable progress in the recruitment, retention, and graduation of
23 eligible students.

24 **Sec. 12.** RCW 28B.118.010 and 2008 c 321 s 9 are each amended to
25 read as follows:

26 The higher education coordinating board shall design the Washington
27 college bound scholarship program in accordance with this section.

28 (1) "Eligible students" are those students who qualify for free or
29 reduced-price lunches. If a student qualifies in the seventh grade,
30 the student remains eligible even if the student does not receive free
31 or reduced-price lunches thereafter.

32 (2) Eligible students shall be notified of their eligibility for
33 the Washington college bound scholarship program beginning in their
34 seventh grade year. Students shall also be notified of the
35 requirements for award of the scholarship.

36 (3) To be eligible for a Washington college bound scholarship, a
37 student must sign a pledge during seventh or eighth grade that includes

1 a commitment to graduate from high school with at least a C average and
2 with no felony convictions. Students who were in the eighth grade
3 during the 2007-08 school year may sign the pledge during the 2008-09
4 school year. The pledge must be witnessed by a parent or guardian and
5 forwarded to the higher education coordinating board by mail or
6 electronically, as indicated on the pledge form.

7 (4)(a) Scholarships shall be awarded to eligible students
8 graduating from public high schools, approved private high schools
9 under chapter 28A.195 RCW, or who received home-based instruction under
10 chapter 28A.200 RCW.

11 (b) To receive the Washington college bound scholarship, a student
12 must graduate with at least a "C" average from a public high school or
13 an approved private high school under chapter 28A.195 RCW in Washington
14 or have received home-based instruction under chapter 28A.200 RCW, must
15 have no felony convictions, (~~and~~) must be a resident student as
16 defined in RCW 28B.15.012(2) (a) through (d), and must be a citizen or
17 permanent resident of the United States.

18 (5) A student's family income will be assessed upon graduation
19 before awarding the scholarship.

20 (6) If at graduation from high school the student's family income
21 does not exceed sixty-five percent of the state median family income,
22 scholarship award amounts shall be as provided in this section.

23 (a) For students attending two or four-year institutions of higher
24 education as defined in RCW 28B.10.016, the value of the award shall be
25 (i) the difference between the student's tuition and required fees,
26 less the value of any state-funded grant, scholarship, or waiver
27 assistance the student receives; (ii) plus five hundred dollars for
28 books and materials.

29 (b) For students attending private four-year institutions of higher
30 education in Washington, the award amount shall be the representative
31 average of awards granted to students in public research universities
32 in Washington.

33 (c) For students attending private vocational schools in
34 Washington, the award amount shall be the representative average of
35 awards granted to students in public community and technical colleges
36 in Washington.

37 (7) Recipients may receive no more than four full-time years' worth
38 of scholarship awards.

1 (8) Institutions of higher education shall award the student all
2 need-based and merit-based financial aid for which the student would
3 otherwise qualify. The Washington college bound scholarship is
4 intended to replace unmet need, loans, and, at the student's option,
5 work-study award before any other grants or scholarships are reduced.

6 (9) The first scholarships shall be awarded to students graduating
7 in 2012.

8 (10) The state of Washington retains legal ownership of tuition
9 units awarded as scholarships under this chapter until the tuition
10 units are redeemed. These tuition units shall remain separately held
11 from any tuition units owned under chapter 28B.95 RCW by a Washington
12 college bound scholarship recipient.

13 (11) The scholarship award must be used within five years of
14 receipt. Any unused scholarship tuition units revert to the Washington
15 college bound scholarship account.

16 (12) Should the recipient terminate his or her enrollment for any
17 reason during the academic year, the unused portion of the scholarship
18 tuition units shall revert to the Washington college bound scholarship
19 account.

20 **Sec. 13.** RCW 28B.119.010 and 2004 c 275 s 60 are each amended to
21 read as follows:

22 The higher education coordinating board shall design the Washington
23 promise scholarship program based on the following parameters:

24 (1) Scholarships shall be awarded to students graduating from
25 public and approved private high schools under chapter 28A.195 RCW,
26 students participating in home-based instruction as provided in chapter
27 28A.200 RCW, and persons twenty-one years of age or younger receiving
28 a GED certificate, who meet both an academic and a financial
29 eligibility criteria.

30 (a) Academic eligibility criteria shall be defined as follows:

31 (i) Beginning with the graduating class of 2002, students
32 graduating from public and approved private high schools under chapter
33 28A.195 RCW must be in the top fifteen percent of their graduating
34 class, as identified by each respective high school at the completion
35 of the first term of the student's senior year; or

36 (ii) Students graduating from public high schools, approved private
37 high schools under chapter 28A.195 RCW, students participating in home-

1 based instruction as provided in chapter 28A.200 RCW, and persons
2 twenty-one years of age or younger receiving a GED certificate, must
3 equal or exceed a cumulative scholastic assessment test I score of
4 twelve hundred on their first attempt or must equal or exceed a
5 composite American college test score of twenty-seven on their first
6 attempt.

7 (b) To meet the financial eligibility criteria, a student's family
8 income shall not exceed one hundred thirty-five percent of the state
9 median family income adjusted for family size, as determined by the
10 higher education coordinating board for each graduating class.
11 Students not meeting the eligibility requirements for the first year of
12 scholarship benefits may reapply for the second year of benefits, but
13 must still meet the income standard set by the board for the student's
14 graduating class.

15 (2) Promise scholarships are not intended to supplant any grant,
16 scholarship, or tax program related to postsecondary education. If the
17 board finds that promise scholarships supplant or reduce any grant,
18 scholarship, or tax program for categories of students, then the board
19 shall adjust the financial eligibility criteria or the amount of
20 scholarship to the level necessary to avoid supplanting.

21 (3) Within available funds, each qualifying student shall receive
22 two consecutive annual awards, the value of each not to exceed the
23 full-time annual resident tuition rates charged by Washington's
24 community colleges. The higher education coordinating board shall
25 award scholarships to as many students as possible from among those
26 qualifying under this section.

27 (4) By October 15th of each year, the board shall determine the
28 award amount of the scholarships, after taking into consideration the
29 availability of funds.

30 (5) The scholarships may only be used for undergraduate coursework
31 at accredited institutions of higher education in the state of
32 Washington.

33 (6) The scholarships may be used for undergraduate coursework at
34 Oregon institutions of higher education that are part of the border
35 county higher education opportunity project in RCW 28B.76.685 when
36 those institutions offer programs not available at accredited
37 institutions of higher education in Washington state.

1 (7) The scholarships may be used for college-related expenses,
2 including but not limited to, tuition, room and board, books, and
3 materials.

4 (8) The scholarships may not be awarded to any student who is
5 pursuing a degree in theology.

6 (9) The scholarships may not be awarded to any student who is not
7 a citizen or permanent resident of the United States.

8 (10) The higher education coordinating board may establish
9 satisfactory progress standards for the continued receipt of the
10 promise scholarship.

11 ~~((+10))~~ (11) The higher education coordinating board shall
12 establish the time frame within which the student must use the
13 scholarship.

14 NEW SECTION. **Sec. 14.** Section 6 of this act expires August 1,
15 2011.

16 NEW SECTION. **Sec. 15.** Section 11 of this act expires June 30,
17 2013.

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