

**Chapter 250-28 WAC**  
**RULES AND REGULATIONS TO GOVERN THE ADMINISTRATION, BY THE COUNCIL FOR POSTSECONDARY EDUCATION, OF THE WESTERN INTERSTATE COMMISSION ON HIGHER EDUCATION STUDENT EXCHANGE PROGRAM IN THE STATE OF WASHINGTON**

Last Update: 8/24/95

**WAC**

250-28-020	Purpose.
250-28-030	General administration.
250-28-060	Program definitions.
250-28-070	Award determination.
250-28-080	Award amount.
250-28-090	Repayment provisions.
250-28-100	Appeals.

**DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER**

250-28-040	Grant determination. [Order 2-74, § 250-28-040, filed 9/6/74.] Repealed by Order 6-77, filed 9/6/77.
250-28-050	Certifying students in processing of award. [Order 2-74, § 250-28-050, filed 9/6/74.] Repealed by Order 6-77, filed 9/6/77.

**WAC 250-28-020 Purpose.** The purpose of the program is to provide Washington residents with educational opportunities, otherwise unavailable to them, through preferential consideration for enrollment in institutions outside the state of Washington and through reduced obligations for tuition payments. Such benefits are available only to students enrolled in programs of optometry or osteopathic medicine.

[Statutory Authority: RCW 28B.80.150 - [28B.80.]180. WSR 95-11-059, § 250-28-020, filed 5/12/95, effective 6/12/95; Order 6-77, § 250-28-020, filed 9/6/77; Order 2-74, § 250-28-020, filed 9/6/74.]

**WAC 250-28-030 General administration.** (1) The program shall be administered in accordance with these rules and regulations and with guidelines established by the Western Interstate Commission for Higher Education, the coordinating agency for the thirteen member states comprising the Western Regional Educational Compact.

(2) The certifying officer for the administration of the program shall be the executive director of the higher education coordinating board or his or her designee.

[Statutory Authority: RCW 28B.80.150 - [28B.80.]180. WSR 95-11-059, § 250-28-030, filed 5/12/95, effective 6/12/95. Statutory Authority: RCW 28B.10.806. WSR 82-15-057 (Order 8-82, Resolution No. 82-50), § 250-28-030, filed 7/20/82; Order 6-77, § 250-28-030, filed 9/6/77; Order 2-74, § 250-28-030, filed 9/6/74.]

**WAC 250-28-060 Program definitions.** (1) "Budgetary cost" shall consist of that amount required to support an individual as a student, taking into consideration cost factors for maintaining the student's dependents. Budgets will reflect the latest recognized cost levels for room and board, transportation, books, supplies, personal expenses and any other factors deemed necessary for consideration.

(2) "Certification" is the designation used by the state to declare that a student is eligible for support if that student is admitted to a participating institution.

(3) The term "financial need" shall be the difference between the appropriate budgetary cost and the student's total family contribu-

tion, as determined according to the federal methodology system of need analysis.

(4) A "participating institution" shall be one recognized by the Western Interstate Commission for Higher Education to participate in this program.

(5) The term "Washington resident" shall mean an individual who has satisfied the requirements of domicile in the state of Washington in accordance with RCW 28B.15.011 through 28B.15.014.

(6) The definition of "satisfactory progress" toward degree completion shall be in accordance with published definitions utilized by each participating institution.

(7) "Total family contribution" for a dependent student shall mean the sum of the assumed parent and student contribution. For a self-supporting student, "total family contribution" shall mean the sum of the student's resources.

(8) The definition of "dependent student" and "self-supporting student" shall be in accordance with definitions utilized by the United States Office of Education for its institutionally-based financial aid programs.

(9) A "designated shortage area" shall mean an area designated by the higher education coordinating board as having a shortage in primary or optometric health care in the state of Washington, as recommended by the department of health.

[Statutory Authority: 1995 c 217. WSR 95-18-015, § 250-28-060, filed 8/24/95, effective 9/24/95. Statutory Authority: RCW 28B.80.150 - [28B.80.]180. WSR 95-11-059, § 250-28-060, filed 5/12/95, effective 6/12/95; Order 6-77, § 250-28-060, filed 9/6/77.]

**WAC 250-28-070 Award determination.** (1) Student eligibility.

(a) A student certified to receive assistance through this program must meet Washington residency requirements. Residency requirements must have been satisfied by the application deadline.

(b) Each student must make separate application to an eligible participating school for admission or be enrolled in a participating school.

(c) Each student supported through this program must maintain satisfactory progress toward degree completion.

(2) Application procedure.

(a) Each student should obtain appropriate application and need analysis forms from the certifying officer, complete and return the forms by the appropriate deadline.

(b) Deadlines for application will be established in accordance with Western Interstate Commission for Higher Education guidelines.

(3) Allocation of awards. To the extent practicable the board will award equal numbers of eligible optometry and osteopathy students.

(4) Award priorities.

(a) The state will continue to support certified students as long as they continue to make satisfactory academic progress toward the award of their professional degrees.

(b) Applicants will be placed in rank order according to their financial need as determined by the federal methodology system of need analysis. Those students with greater financial need will be offered priority over those with lesser financial need.

[Statutory Authority: RCW 28B.80.150 - [28B.80.]180. WSR 95-11-059, § 250-28-070, filed 5/12/95, effective 6/12/95. Statutory Authority: RCW 28B.10.806. WSR 79-11-032 (Order 12-79, Resolution 80-20), § 250-28-070, filed 10/11/79; Order 6-77, § 250-28-070, filed 9/6/77.]

**WAC 250-28-080 Award amount.** The amount of the award for each recipient will be equal to the level of support fees established by the Western Interstate Commission for Higher Education.

[Order 6-77, § 250-28-080, filed 9/6/77.]

**WAC 250-28-090 Repayment provisions.** (1) WICHE award recipients selected after January 1, 1995, shall receive tuition assistance in the form of loans. Recipients shall repay those loans under the following conditions, unless the loan is forgiven under (2) of this section.

(a) The recipient shall begin repaying the loan no later than nine months from the date he/she completes or discontinues the course of study; and

(b) The recipient shall make quarterly loan repayments to the board in an amount sufficient to repay the entire debt, including interest at an annual rate to be determined by the board, no later than five years from the due date of the first payment, unless the board grants a deferral in subsection (3) of this section.

(2) Service obligations.

(a) Loans to WICHE award recipients selected after January 1, 1995, may be completely forgiven in exchange for the recipient's service, if the recipient meets all of the following criteria: (1) After graduating, the recipient serves in a board-designated shortage area in Washington for the greater of (a) one full year of service for each award year or (b) three full years; and (2) the recipient provides documentation to the board of the service provided.

(b) A recipient who elects to assume the service obligations under (a)(1) and (2) of this subsection, but fails to complete those obligations, must repay the full amount of the loan unless the board waives the recipient's obligations under subsection (5) of this section. The recipient must notify the board when he/she terminates service in the shortage area. The obligation to repay the loan as provided in (1)(b) begins on the day following the last quarter of the recipient's service.

(3) The board may grant deferral of loan repayment obligations under this section under such terms and conditions as it deems appropriate. These conditions include periods of time in which the recipient is engaged in post-graduate training or residency training.

(4) The board is responsible for collecting loan repayments and shall exercise due diligence in such collections to ensure that maximum repayments are made. The board intends to exercise its collection responsibility diligently and to use all available legal avenues to meet its collection responsibility.

(5) The board may waive, in full or in part, a recipient's obligation for service or loan repayment when a recipient can no longer function in his or her professional duties due to a permanent disability; or death.

(6) The board shall deposit all receipts from loan repayment received under this section in the state treasurer's WICHE trust fund established by the Legislature in 1995, in § 1(5) of SB 5287. Those funds shall be used to cover costs of granting the conditional awards, maintaining necessary records and making collections. The board shall maintain accurate records of these costs, and all receipts beyond those necessary to pay such costs shall be used to grant CONDITIONAL AWARDS to eligible students.

[Statutory Authority: 1995 c 217. WSR 95-18-015, § 250-28-090, filed 8/24/95, effective 9/24/95.]

**WAC 250-28-100 Appeals.** Recipients of WICHE support may request in writing a review of any adverse decision affecting them by requesting such review within twenty days of notification of adverse decision, addressed to the executive director of the higher education coordinating board. The review shall be handled by brief adjudication hearing procedures as outlined in the Administrative Procedure Act chapter 34.05 RCW.

[Statutory Authority: 1995 c 217. WSR 95-18-015, § 250-28-100, filed 8/24/95, effective 9/24/95.]