

CERTIFICATION OF ENROLLMENT
ENGROSSED SUBSTITUTE HOUSE BILL 1179

60th Legislature
2007 Regular Session

Passed by the House April 19, 2007
Yeas 97 Nays 1

Speaker of the House of Representatives

Passed by the Senate April 19, 2007
Yeas 48 Nays 0

President of the Senate

Approved

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 **ENGROSSED SUBSTITUTE HOUSE BILL 1179** as passed by the House of Representatives and the Senate on the dates hereon set forth.

Chief Clerk

FILED

**Secretary of State
State of Washington**

ENGROSSED SUBSTITUTE HOUSE BILL 1179

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 Hasegawa, Jarrett, Sells, Roberts, Anderson, Green, Sommers, Kenney, Wallace, Buri, Appleton, Hudgins, Kagi, Ormsby, McDonald, Conway, Wood, Santos, Schual-Berke, Simpson, Lantz, Haigh and Morrell)

READ FIRST TIME 2/28/07.

1 AN ACT Relating to allowing students attending a postsecondary
2 institution on a less than half-time basis to qualify for a state need
3 grant; amending RCW 28B.92.080, 28B.92.060, and 28B.15.820; adding a
4 new section to chapter 28B.92 RCW; and creating a new section.

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

6 **Sec. 1.** RCW 28B.92.080 and 2004 c 275 s 39 are each amended to
7 read as follows:

8 For a student to be eligible for a state need grant a student must:

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

11 (2) Have been domiciled within the state of Washington for at least
12 one year.

13 (3) Be enrolled or accepted for enrollment on at least a half-time
14 basis at an institution of higher education in Washington as defined in
15 RCW 28B.92.030(1).

16 (4) Until June 30, 2011, to the extent funds are specifically
17 appropriated for this purpose, and subject to any terms and conditions
18 specified in the omnibus appropriations act, be enrolled or accepted

1 for enrollment for at least three quarter credits or the equivalent
2 semester credits at an institution of higher education in Washington as
3 defined in RCW 28B.92.030(1).

4 (5) Have complied with all the rules and regulations adopted by the
5 board for the administration of this chapter.

6 **Sec. 2.** RCW 28B.92.060 and 2005 c 93 s 3 are each amended to read
7 as follows:

8 In awarding need grants, the board shall proceed substantially as
9 follows: PROVIDED, That nothing contained herein shall be construed to
10 prevent the board, in the exercise of its sound discretion, from
11 following another procedure when the best interest of the program so
12 dictates:

13 (1) The board shall annually select the financial aid award
14 recipients from among Washington residents applying for student
15 financial aid who have been ranked according to:

16 (a) Financial need as determined by the amount of the family
17 contribution; and

18 (b) Other considerations, such as whether the student is a former
19 foster youth.

20 (2) The financial need of the highest ranked students shall be met
21 by grants depending upon the evaluation of financial need until the
22 total allocation has been disbursed. Funds from grants which are
23 declined, forfeited or otherwise unused shall be reawarded until
24 disbursed, except that eligible former foster youth shall be assured
25 receipt of a grant.

26 (3) A student shall be eligible to receive a state need grant for
27 up to five years, or the credit or clock hour equivalent of five years,
28 or up to one hundred twenty-five percent of the published length of
29 time of the student's program. A student may not start a new associate
30 degree program as a state need grant recipient until at least five
31 years have elapsed since earning an associate degree as a need grant
32 recipient, except that a student may earn two associate degrees
33 concurrently. Qualifications for renewal will include maintaining
34 satisfactory academic progress toward completion of an eligible program
35 as determined by the board. Should the recipient terminate his or her
36 enrollment for any reason during the academic year, the unused portion

1 of the grant shall be returned to the state educational grant fund by
2 the institution according to the institution's own policy for issuing
3 refunds, except as provided in RCW 28B.92.070.

4 (4) In computing financial need, the board shall determine a
5 maximum student expense budget allowance, not to exceed an amount equal
6 to the total maximum student expense budget at the public institutions
7 plus the current average state appropriation per student for operating
8 expense in the public institutions. Any child support payments
9 received by students who are parents attending less than half-time
10 shall not be used in computing financial need.

11 (5)(a) A student who is enrolled in three to six credit-bearing
12 quarter credits, or the equivalent semester credits, may receive a
13 grant for up to one academic year before beginning a program that leads
14 to a degree or certificate.

15 (b) An eligible student enrolled on a less-than-full-time basis
16 shall receive a prorated portion of his or her state need grant for any
17 academic period in which he or she is enrolled on a less-than-full-time
18 basis, as long as funds are available.

19 (c) An institution of higher education may award a state need grant
20 to an eligible student enrolled in three to six credit-bearing quarter
21 credits, or the semester equivalent, on a provisional basis if:

22 (i) The student has not previously received a state need grant from
23 that institution;

24 (ii) The student completes the required free application for
25 federal student aid;

26 (iii) The institution has reviewed the student's financial
27 condition, and the financial condition of the student's family if the
28 student is a dependent student, and has determined that the student is
29 likely eligible for a state need grant; and

30 (iv) The student has signed a document attesting to the fact that
31 the financial information provided on the free application for federal
32 student aid and any additional financial information provided directly
33 to the institution is accurate and complete, and that the student
34 agrees to repay the institution for the grant amount if the student
35 submitted false or incomplete information.

36 (6) As used in this section, "former foster youth" means a person
37 who is at least eighteen years of age, but not more than twenty-four

1 years of age, who was a dependent of the department of social and
2 health services at the time he or she attained the age of eighteen.

3 NEW SECTION. **Sec. 3.** A new section is added to chapter 28B.92 RCW
4 to read as follows:

5 Institutions of higher education are encouraged to review their
6 policies and procedures regarding financial aid for students taking a
7 less-than-half-time course load, and to implement policies and
8 procedures providing students taking a less-than-half-time course load
9 with the same access to institutional aid, including tuition waivers,
10 as provided to students enrolled half time or more.

11 **Sec. 4.** RCW 28B.15.820 and 2004 c 275 s 66 are each amended to
12 read as follows:

13 (1) Each institution of higher education, including technical
14 colleges, shall deposit a minimum of three and one-half percent of
15 revenues collected from tuition and services and activities fees in an
16 institutional financial aid fund that is hereby created and which shall
17 be held locally. Moneys in the fund shall be used only for the
18 following purposes: (a) To make guaranteed long-term loans to eligible
19 students as provided in subsections (3) through (8) of this section;
20 (b) to make short-term loans as provided in subsection (9) of this
21 section; or (c) to provide financial aid to needy students as provided
22 in subsection (10) of this section.

23 (2) An "eligible student" for the purposes of subsections (3)
24 through (8) and (10) of this section is a student registered for at
25 least (~~six~~) three credit hours or the equivalent, who is eligible for
26 resident tuition and fee rates as defined in RCW 28B.15.012 and
27 28B.15.013, and who is a "needy student" as defined in RCW 28B.92.030.

28 (3) The amount of the guaranteed long-term loans made under this
29 section shall not exceed the demonstrated financial need of the
30 student. Each institution shall establish loan terms and conditions
31 which shall be consistent with the terms of the guaranteed loan program
32 established by 20 U.S. Code Section 1071 et seq., as now or hereafter
33 amended. All loans made shall be guaranteed by the Washington student
34 loan guaranty association or its successor agency. Institutions are
35 hereby granted full authority to operate as an eligible lender under
36 the guaranteed loan program.

1 (4) Before approving a guaranteed long-term loan, each institution
2 shall analyze the ability of the student to repay the loan based on
3 factors which include, but are not limited to, the student's
4 accumulated total education loan burdens and the employment
5 opportunities and average starting salary characteristics of the
6 student's chosen fields of study. The institution shall counsel the
7 student on the advisability of acquiring additional debt, and on the
8 availability of other forms of financial aid.

9 (5) Each institution is responsible for collection of guaranteed
10 long-term loans made under this section and shall exercise due
11 diligence in such collection, maintaining all necessary records to
12 insure that maximum repayments are made. Institutions shall cooperate
13 with other lenders and the Washington student loan guaranty
14 association, or its successor agency, in the coordinated collection of
15 guaranteed loans, and shall assure that the guarantability of the loans
16 is not violated. Collection and servicing of guaranteed long-term
17 loans under this section shall be performed by entities approved for
18 such servicing by the Washington student loan guaranty association or
19 its successor agency: PROVIDED, That institutions be permitted to
20 perform such servicing if specifically recognized to do so by the
21 Washington student loan guaranty association or its successor agency.
22 Collection and servicing of guaranteed long-term loans made by
23 community colleges under subsection (1) of this section shall be
24 coordinated by the state board for community and technical colleges and
25 shall be conducted under procedures adopted by the state board.

26 (6) Receipts from payment of interest or principal or any other
27 subsidies to which institutions as lenders are entitled, that are paid
28 by or on behalf of borrowers of funds under subsections (3) through (8)
29 of this section, shall be deposited in each institution's financial aid
30 fund and shall be used to cover the costs of making the guaranteed
31 long-term loans under this section and maintaining necessary records
32 and making collections under subsection (5) of this section: PROVIDED,
33 That such costs shall not exceed five percent of aggregate outstanding
34 loan principal. Institutions shall maintain accurate records of such
35 costs, and all receipts beyond those necessary to pay such costs, shall
36 be deposited in the institution's financial aid fund.

37 (7) The governing boards of the state universities, the regional
38 universities, and The Evergreen State College, and the state board for

1 community and technical colleges, on behalf of the community colleges
2 and technical colleges, shall each adopt necessary rules and
3 regulations to implement this section.

4 (8) First priority for any guaranteed long-term loans made under
5 this section shall be directed toward students who would not normally
6 have access to educational loans from private financial institutions in
7 Washington state, and maximum use shall be made of secondary markets in
8 the support of loan consolidation.

9 (9) Short-term loans, not to exceed one year, may be made from the
10 institutional financial aid fund to students enrolled in the
11 institution. No such loan shall be made to any student who is known by
12 the institution to be in default or delinquent in the payment of any
13 outstanding student loan. A short-term loan may be made only if the
14 institution has ample evidence that the student has the capability of
15 repaying the loan within the time frame specified by the institution
16 for repayment.

17 (10) Any moneys deposited in the institutional financial aid fund
18 that are not used in making long-term or short-term loans may be used
19 by the institution for locally-administered financial aid programs for
20 needy students, such as need-based institutional employment programs or
21 need-based tuition and fee scholarship or grant programs. These funds
22 shall be used in addition to and not to replace institutional funds
23 that would otherwise support these locally-administered financial aid
24 programs. First priority in the use of these funds shall be given to
25 needy students who have accumulated excessive educational loan burdens.
26 An excessive educational loan burden is a burden that will be difficult
27 to repay given employment opportunities and average starting salaries
28 in the student's chosen fields of study. Second priority in the use of
29 these funds shall be given to needy single parents, to assist these
30 students with their educational expenses, including expenses associated
31 with child care and transportation.

32 NEW SECTION. **Sec. 5.** If specific funding for the purposes of this
33 act, referencing this act by bill or chapter number, is not provided by
34 June 30, 2007, in the omnibus appropriations act, this act is null and
35 void.

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