

1 5982-S AAS 4/14/93 S3290.1

2 SSB 5982 - S AMD - 000781
3 By Senators Sheldon and Erwin

4 ADOPTED 4/14/93

5 On page 2, line 28, after "Washington" strike all material through
6 "personnel" and insert "~~((and the spouses and dependents of such~~
7 ~~military personnel))~~"

8 SSB 5982 - S AMD - 000782
9 By Senators Sheldon and Erwin

10 ADOPTED 4/14/93

11 On page 23, line 32, after "28B.10.802." insert "A resident student
12 as defined in RCW 28B.15.012(2)(e) is not an eligible student for
13 purposes of this section."

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16 ADOPTED 4/14/93

17 On page 29, after line 24, insert the following:

18 "**Sec. 33.** RCW 28B.10.800 and 1969 ex.s. c 222 s 7 are each amended
19 to read as follows:

20 The sole purpose of RCW 28B.10.800 through 28B.10.824 is to
21 establish a state of Washington student financial aid program, thus
22 assisting financially needy or disadvantaged students domiciled in
23 Washington to obtain the opportunity of attending an accredited
24 institution of higher education, as defined in RCW 28B.10.802(1).
25 Financial aid under RCW 28B.10.800 through 28B.10.824 is available only
26 to students who are resident students as defined in RCW 28B.15.012(2)
27 (a) through (d).

28 **Sec. 34.** RCW 28B.12.060 and 1987 c 330 s 202 are each amended to
29 read as follows:

30 The higher education coordinating board shall adopt rules and
31 regulations as may be necessary or appropriate for effecting the

1 provisions of this chapter, and not in conflict with this chapter, in
2 accordance with the provisions of chapter 34.05 RCW, the state higher
3 education administrative procedure act. Such rules and regulations
4 shall include provisions designed to make employment under such work-
5 study program reasonably available, to the extent of available funds,
6 to all eligible students in eligible post-secondary institutions in
7 need thereof. Such rules and regulations shall include:

8 (1) Providing work under the college work-study program which will
9 not result in the displacement of employed workers or impair existing
10 contracts for services.

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

12 (a) Is capable, in the opinion of the eligible institution, of
13 maintaining good standing in such course of study while employed under
14 the program covered by the agreement; and

15 (b) Has been accepted for enrollment as at least a half-time
16 student at the eligible institution or, in the case of a student
17 already enrolled in and attending the eligible institution, is in good
18 standing and in at least half-time attendance there either as an
19 undergraduate, graduate or professional student; and

20 (c) Is not pursuing a degree in theology.

21 (3) Placing priority on the securing of work opportunities for
22 students who are residents of the state of Washington as defined in RCW
23 28B.15.011 through 28B.15.014 except resident students defined in RCW
24 28B.15.012(2)(e).

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

27 (a) Shall only supplement and not supplant classified positions
28 under jurisdiction of chapter 28B.16 RCW;

29 (b) That all positions established which are comparable shall be
30 identified to a job classification under the higher education personnel
31 board's 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.

36 **Sec. 35.** RCW 28B.15.012 and 1987 c 137 s 1 and 1987 c 96 s 1 are
37 each reenacted and amended to read as follows:

38 Whenever used in chapter 28B.15 RCW:

1 (1) The term "institution" shall mean a public university, college,
2 or community college within the state of Washington.

3 (2) The term "resident student" shall mean: (a) A financially
4 independent student who has had a domicile in the state of Washington
5 for the period of one year immediately prior to the time of
6 commencement of the first day of the semester or quarter for which the
7 student has registered at any institution and has in fact established
8 a bona fide domicile in this state primarily for purposes other than
9 educational; (b) a dependent student, if one or both of the student's
10 parents or legal guardians have maintained a bona fide domicile in the
11 state of Washington for at least one year immediately prior to
12 commencement of the semester or quarter for which the student has
13 registered at any institution; (c) a student classified as a resident
14 based upon domicile by an institution on or before May 31, 1982, who
15 was enrolled at a state institution during any term of the 1982-1983
16 academic year, so long as such student's enrollment (excepting summer
17 sessions) at an institution in this state is continuous; ~~((or))~~ (d) any
18 student who has spent at least seventy-five percent of both his or her
19 junior and senior years in high schools in this state, whose parents or
20 legal guardians have been domiciled in the state for a period of at
21 least one year within the five-year period before the student graduates
22 from high school, and who enrolls in a public institution of higher
23 education within six months of leaving high school, for as long as the
24 student remains continuously enrolled for three quarters or two
25 semesters in any calendar year; or (e) a student who is the spouse or
26 a dependent of a person who is on active military duty stationed in the
27 state: PROVIDED, That a nonresident student enrolled for more than six
28 hours per semester or quarter shall be considered as attending for
29 primarily educational purposes, and for tuition and fee paying purposes
30 only such period of enrollment shall not be counted toward the
31 establishment of a bona fide domicile of one year in this state unless
32 such student proves that the student has in fact established a bona
33 fide domicile in this state primarily for purposes other than
34 educational.

35 (3) The term "nonresident student" shall mean any student who does
36 not qualify as a "resident student" under the provisions of RCW
37 28B.15.011 through 28B.15.014 and 28B.15.015, each as now or hereafter
38 amended. A nonresident student shall include:

1 (a) A student attending an institution with the aid of financial
2 assistance provided by another state or governmental unit or agency
3 thereof, such nonresidency continuing for one year after the completion
4 of such semester or quarter.

5 (b) A person who is not a citizen of the United States of America
6 who does not have permanent or temporary resident status or does not
7 hold "Refugee-Parolee" or "Conditional Entrant" status with the United
8 States immigration and naturalization service or is not otherwise
9 permanently residing in the United States under color of law and who
10 does not also meet and comply with all the applicable requirements in
11 RCW 28B.15.011 through 28B.15.014 and 28B.15.015, each as now or
12 hereafter amended.

13 (4) The term "domicile" shall denote a person's true, fixed and
14 permanent home and place of habitation. It is the place where the
15 student intends to remain, and to which the student expects to return
16 when the student leaves without intending to establish a new domicile
17 elsewhere. The burden of proof that a student, parent or guardian has
18 established a domicile in the state of Washington primarily for
19 purposes other than educational lies with the student.

20 (5) The term "dependent" shall mean a person who is not financially
21 independent. Factors to be considered in determining whether a person
22 is financially independent shall be set forth in rules and regulations
23 adopted by the higher education coordinating board and shall include,
24 but not be limited to, the state and federal income tax returns of the
25 person and/or the student's parents or legal guardian filed for the
26 calendar year prior to the year in which application is made and such
27 other evidence as the board may require.

28 **Sec. 36.** RCW 28B.101.040 and 1990 c 288 s 6 are each amended to
29 read as follows:

30 Grants may be used by eligible participants to attend any public or
31 private college or university in the state of Washington that has an
32 existing unused capacity. Grants shall not be used to attend any
33 branch campus or educational program established under chapter 28B.45
34 RCW. The participant shall not be eligible for a grant if it will be
35 used for any programs that include religious worship, exercise, or
36 instruction or to pursue a degree in theology. Each participating
37 student may receive up to two thousand five hundred dollars per
38 academic year, not to exceed the student's demonstrated financial need

1 for the course of study. Resident students as defined in RCW
2 28B.15.012(2)(e) are not eligible for grants under this chapter.

3 **Sec. 37.** RCW 28B.102.020 and 1987 c 437 s 2 are each amended to
4 read as follows:

5 Unless the context clearly requires otherwise, the definitions in
6 this section apply throughout this chapter.

7 (1) "Conditional scholarship" means a loan that is forgiven in
8 whole or in part if the recipient renders service as a teacher in the
9 public schools of this state.

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

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

15 (4) "Eligible student" means a student who is registered for at
16 least ten credit hours or the equivalent, demonstrates achievement of
17 at least a 3.30 grade point average for students entering an
18 institution of higher education directly from high school or maintains
19 at least a 3.00 grade point average or the equivalent for each academic
20 year in an institution of higher education, is a resident student as
21 defined by RCW 28B.15.012 through 28B.15.015, and has a declared
22 intention to complete an approved preparation program leading to
23 initial teacher certification or required for earning an additional
24 endorsement, or a college or university graduate who meets the same
25 credit hour requirements and is seeking an additional teaching
26 endorsement or initial teacher certification. Resident students
27 defined in RCW 28B.15.012(2)(e) are not eligible students under this
28 chapter.

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

32 (6) "Forgiven" or "to forgive" or "forgiveness" means to render
33 service as a teacher at a public school in the state of Washington in
34 lieu of monetary repayment.

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

36 (8) "Participant" means an eligible student who has received a
37 conditional scholarship under this chapter.

1 (9) "Targeted ethnic minority" means a group of Americans with a
2 common ethnic or racial heritage selected by the board for program
3 consideration due to societal concerns such as high dropout rates or
4 low rates of college participation by members of the group."

5 Renumber the remaining section consecutively and correct any
6 internal references accordingly.

7 **SSB 5982** - S AMD
8 By Senators Sheldon and Erwin

ADOPTED 4/14/93

10 On page 1, beginning on line 6 of the title, after "28B.80.580,"
11 strike "and 28B.15.910" and insert "28B.15.910, 28B.10.800, 28B.12.060,
12 28B.101.040, and 28B.102.020; reenacting and amending RCW 28B.15.012"

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