

CERTIFICATION OF ENROLLMENT

HOUSE BILL 2904

Chapter 160, Laws of 2000

56th Legislature
2000 Regular Session

BORDER COUNTY HIGHER EDUCATION OPPORTUNITY PILOT PROJECT

EFFECTIVE DATE: 6/8/00

Passed by the House February 9, 2000
Yeas 97 Nays 0

CLYDE BALLARD
Speaker of the House of Representatives

FRANK CHOPP
Speaker of the House of Representatives

Passed by the Senate March 1, 2000
Yeas 45 Nays 0

BRAD OWEN
President of the Senate

Approved March 27, 2000

GARY LOCKE
Governor of the State of Washington

CERTIFICATE

We, Timothy A. Martin and Cynthia Zehnder, Co-Chief Clerks of the House of Representatives of the State of Washington, do hereby certify that the attached is **HOUSE BILL 2904** as passed by the House of Representatives and the Senate on the dates hereon set forth.

TIMOTHY A. MARTIN
Chief Clerk

CYNTHIA ZEHNDER
Chief Clerk

FILED

March 27, 2000 - 4:38 p.m.

**Secretary of State
State of Washington**

HOUSE BILL 2904

Passed Legislature - 2000 Regular Session

State of Washington 56th Legislature 2000 Regular Session

By Representatives Carlson and Kenney

Read first time 01/24/2000. Referred to Committee on Higher Education.

1 AN ACT Relating to the border county higher education opportunity
2 pilot project; amending RCW 28B.15.012, 28B.15.0139, and 28B.80.806;
3 and providing an expiration date.

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

5 **Sec. 1.** RCW 28B.15.012 and 1999 c 320 s 5 are each amended to read
6 as follows:

7 Whenever used in chapter 28B.15 RCW:

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

10 (2) The term "resident student" shall mean:

11 (a) A financially independent student who has had a domicile in the
12 state of Washington for the period of one year immediately prior to the
13 time of commencement of the first day of the semester or quarter for
14 which the student has registered at any institution and has in fact
15 established a bona fide domicile in this state primarily for purposes
16 other than educational;

17 (b) A dependent student, if one or both of the student's parents or
18 legal guardians have maintained a bona fide domicile in the state of
19 Washington for at least one year immediately prior to commencement of

1 the semester or quarter for which the student has registered at any
2 institution;

3 (c) A student classified as a resident based upon domicile by an
4 institution on or before May 31, 1982, who was enrolled at a state
5 institution during any term of the 1982-1983 academic year, so long as
6 such student's enrollment (excepting summer sessions) at an institution
7 in this state is continuous;

8 (d) Any student who has spent at least seventy-five percent of both
9 his or her junior and senior years in high schools in this state, whose
10 parents or legal guardians have been domiciled in the state for a
11 period of at least one year within the five-year period before the
12 student graduates from high school, and who enrolls in a public
13 institution of higher education within six months of leaving high
14 school, for as long as the student remains continuously enrolled for
15 three quarters or two semesters in any calendar year;

16 (e) A student who is the spouse or a dependent of a person who is
17 on active military duty stationed in the state;

18 (f) A student of an out-of-state institution of higher education
19 who is attending a Washington state institution of higher education
20 pursuant to a home tuition agreement as described in RCW 28B.15.725; or

21 (g) A student who meets the requirements of RCW 28B.15.0131 or
22 28B.15.0139: PROVIDED, That a nonresident student enrolled for more
23 than six hours per semester or quarter shall be considered as attending
24 for primarily educational purposes, and for tuition and fee paying
25 purposes only such period of enrollment shall not be counted toward the
26 establishment of a bona fide domicile of one year in this state unless
27 such student proves that the student has in fact established a bona
28 fide domicile in this state primarily for purposes other than
29 educational.

30 (3) The term "nonresident student" shall mean any student who does
31 not qualify as a "resident student" under the provisions of RCW
32 28B.15.012 and 28B.15.013. Except for students qualifying under
33 subsection (2)(f) of this section, a nonresident student shall include:

34 (a) A student attending an institution with the aid of financial
35 assistance provided by another state or governmental unit or agency
36 thereof, such nonresidency continuing for one year after the completion
37 of such semester or quarter. This condition shall not apply to
38 students from Columbia, Multnomah, Clatsop, Clackamas, or Washington

1 county, Oregon participating in the border county pilot project under
2 RCW 28B.80.806, 28B.80.807, and 28B.15.0139.

3 (b) A person who is not a citizen of the United States of America
4 who does not have permanent or temporary resident status or does not
5 hold "Refugee-Parolee" or "Conditional Entrant" status with the United
6 States immigration and naturalization service or is not otherwise
7 permanently residing in the United States under color of law and who
8 does not also meet and comply with all the applicable requirements in
9 RCW 28B.15.012 and 28B.15.013.

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

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

25 **Sec. 2.** RCW 28B.15.0139 and 1999 c 320 s 4 are each amended to
26 read as follows:

27 For the purposes of determining resident tuition rates, "resident
28 student" includes a resident of Oregon, residing in Columbia,
29 Multnomah, Clatsop, Clackamas, or Washington county, who meets the
30 following conditions:

31 (1) The student is eligible to pay resident tuition rates under
32 Oregon laws and has been domiciled in Columbia, Multnomah, Clatsop,
33 Clackamas, or Washington county for at least ninety consecutive days
34 immediately before enrollment at a community college located in Clark,
35 Cowlitz, Wahkiakum, or Pacific county, Washington; or

36 (2) The student is enrolled in courses located at the Vancouver
37 branch of Washington State University for eight credits or less.

1 **Sec. 3.** RCW 28B.80.806 and 1999 c 320 s 2 are each amended to read
2 as follows:

3 (1) The border county higher education opportunity pilot project is
4 created. The purpose of the pilot project is to allow four Washington
5 institutions of higher education that are located in four counties on
6 the Oregon border to implement, on a trial basis, tuition policies that
7 correspond to Oregon policies. Under the border county pilot project,
8 Lower Columbia Community College, Grays Harbor Community College, and
9 Clark Community College may enroll students who reside in the bordering
10 Oregon counties of Columbia, Multnomah, Clatsop, Clackamas, and
11 Washington at resident tuition rates. The Vancouver branch of
12 Washington State University may enroll students who reside in the
13 bordering Oregon counties of Columbia, Multnomah, Clatsop, Clackamas,
14 and Washington for eight credits or less at resident tuition rates.

15 (2) Washington institutions of higher education participating in
16 the pilot project shall give priority program enrollment to Washington
17 residents.

18 NEW SECTION. **Sec. 4.** This act expires June 30, 2002.

Passed the House February 9, 2000.

Passed the Senate March 1, 2000.

Approved by the Governor March 27, 2000.

Filed in Office of Secretary of State March 27, 2000.