

# Title 250 WAC

## COUNCIL FOR POSTSECONDARY EDUCATION

(FORMERLY COMMISSION ON HIGHER EDUCATION AND COUNCIL ON HIGHER EDUCATION; HIGHER EDUCATION FACILITIES COMMISSION)

<b>Chapters</b>	
250-04	General operating rules of the commission.
250-08	Provision for hearing regarding commission actions.
250-10	Bylaws—Council for postsecondary education.
250-12	Receipt and processing of applications for federal grants for higher education facilities construction.
250-16	Receipt and processing of applications for federal grants for higher education instructional equipment.
250-20	State student financial aid program—Need grant.
250-24	Rules and regulations administering the state of Washington tuition supplement grant program.
250-28	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.
250-32	Financial aid to blind students.
250-36	Higher education benefits to children of deceased or incapacitated veterans.
250-40	College work-study program.

### Chapter 250-04 WAC GENERAL OPERATING RULES OF THE COMMISSION

<b>WAC</b>	
250-04-010	Legal name and official address of the commission.
250-04-020	Principal officers of the commission.
250-04-030	Commission staff.
250-04-040	Coordination with other agencies.
250-04-050	Rules of procedure.
250-04-060	Records of proceedings.
250-04-070	Reports and materials required by the U.S. office of education.
250-04-080	Announcement of commission decisions and disposition of application materials.

**WAC 250-04-010** **Legal name and official address of the commission.** The legal name and official address of the State Commission are: Higher Education Facilities Commission, P.O. Box 527, Olympia, Washington (98501). [§ 250-04-010, filed 7/29/68, 9/22/67, 4/4/67.]

**WAC 250-04-020** **Principal officers of the commission.** The titles of the principal officers of the State Commission are: Chairman, Vice Chairman. The title of the chief staff assistant for the State Commission shall be the Executive Secretary. [§ 250-04-020, filed 7/29/68, 9/22/67, 4/4/67.]

**WAC 250-04-030** **Commission staff.** Staff and administrative services to the State Commission will be performed by an Executive Secretary employed for the purpose of administering the Higher Education Facilities Act, plus necessary administrative, secretarial and clerical personnel and/or consultants appointed from time to time. [§ 250-04-030, filed 7/29/68, 9/22/67, 4/4/67.]

**WAC 250-04-040** **Coordination with other agencies.** The Commission, its members or staff, may confer from time to time with The Coordinating Council for Occupational Education and its staff or the State Board for Community College Education and its staff on matters regarding projects under Section 103 of the Act and with the presidents of the accredited four-year colleges and universities, or their representatives, on matters regarding projects under Section 104 of the Act. [§ 250-04-040, filed 7/29/68, 9/22/67, 4/4/67.]

**WAC 250-04-050** **Rules of procedure.** The State Commission has adopted the following rules of procedure in accordance with State law, for conducting its business and reaching official decisions regarding applications submitted to it under Title I of P. L. 88-204:

The State Commission will conduct all official business, including all action under Title I, Public Law 88-204, at formal meetings open to the public, notice of which shall be given in the manner provided by State Law: *Provided*, That the Commission may at any such meeting hold executive sessions, from which the public may be excluded, for any purpose other than final adoption of rules, orders, or directives relating to the Commission's function under Public Law 88-204: *Provided further*, That informal conferences may be held and/or staff liaison maintained as set forth in WAC 250-04-050. Formal meeting will be conducted in accordance with Robert's Rules of Order, as modified by such rules as the State Commission may adopt in the future. A copy of each such rule shall be forwarded to the Commissioner. [§ 250-04-050, filed 7/29/68, 9/22/67, 4/4/67.]

**WAC 250-04-060 Records of proceedings.** The State Commission will maintain a full record of all proceedings by which it established relative priorities and recommended Federal shares for eligible projects considered according to each specified closing date, and will retain such records for at least three years after each such closing date. [§ 250-04-060, filed 7/29/68, 9/22/67, 4/4/67.]

**WAC 250-04-070 Reports and materials required by the U.S. office of education.** Promptly upon completing its consideration of applications as of each closing date, and no later than March 31 of each Federal fiscal year, the State Commission will forward to the Commissioner:

(1) A current project report, on forms supplied by the Commissioner, for the pertinent category of applications (i.e., Section 103 applications, Section 104 applications) listing each application received since the previous closing date, each application returned to the applicant and the reason for return of such application, each application considered as of the last closing date, and the priority and Federal share determined according to the State Plan for each project;

(2) The application form and exhibits in the number of copies requested by the Commissioner, for each project assigned a priority high enough to qualify for a Federal grant within the amount of funds available in the allotment for the State;

and,  
(3) Copies of correspondence documenting the offering and either the acceptance or rejection of partial Federal shares pursuant to the Regulations. [§ 250-04-070, filed 7/29/68, 9/22/67, 4/4/67.]

**WAC 250-04-080 Announcement of commission decisions and disposition of application materials.** The State Commission will promptly notify all applicants of the results of all State Commission determinations as of each closing date, and the records of official State Commission proceedings shall be a matter of public record within the State. Applications which are not recommended for a grant within the fiscal year in which they are filed will be retained by the State Commission until notified that all recommended applications for such fiscal year have been approved by the Commissioner. New applications will be required to be filed each fiscal year for any project which does not receive a recommendation for a grant and which the applicant desires to have reconsidered in a subsequent year. [§ 250-04-080, filed 7/29/68, 9/22/67, 4/4/67.]

### Chapter 250-08 WAC PROVISION FOR HEARING REGARDING COMMISSION ACTIONS

WAC	
250-08-010	Opportunity for hearing.
250-08-020	Procedure for requesting a hearing.
250-08-030	Deadlines for commission action on a request for hearing.

250-08-040 Commission responsibility for notifying the U.S. commissioner of education.

**WAC 250-08-010 Opportunity for hearing.** The State Commission will afford to every applicant which has filed an application with the State Commission an opportunity for a fair hearing before the State Commission as to any determination of the State Commission adversely affecting such applicant. [§ 250-08-010, filed 7/29/68, 9/22/67, 4/4/67.]

**WAC 250-08-020 Procedure for requesting a hearing.** An applicant so affected may request such a hearing by the following method:

Every applicant adversely affected by determination of the State Commission shall, upon request made in writing and filed with the Chairman of the State Commission, be granted an opportunity for a hearing before the Commission to determine whether or not the applicant should have been awarded a priority which would have qualified the project covered by the application to receive a Federal grant within the funds available as of the closing date for which the application was considered. [§ 250-08-020, filed 7/29/68, 9/22/67, 4/4/67.]

**WAC 250-08-030 Deadlines for commission action on a request for hearing.** An applicant may request such a hearing within 10 days of notification by mail to such applicant of the determination of the State Commission which is being appealed, and the State Commission will begin public hearings on such appeals within 20 days of the closing date for submitting the appeals and shall at least 3 days prior to the date fixed for the hearing notify such applicant in writing of the date, time and place of the hearing. [§ 250-08-030, filed 7/29/68, 9/22/67, 4/4/67.]

**WAC 250-08-040 Commission responsibility for notifying the U.S. commissioner of education.** The State Commission will notify the Commissioner promptly of the nature of the complaint whenever an applicant requests a hearing, and the results of the hearing upon its completion. [§ 250-08-040, filed 7/29/68, 9/22/67, 4/4/67.]

### Chapter 250-10 WAC BYLAWS—COUNCIL FOR POSTSECONDARY EDUCATION

WAC	
250-10-010	Name.
250-10-020	Purpose.
250-10-025	Administering programs.
250-10-030	Membership.
250-10-040	Term of office.
250-10-050	Vacancies.
250-10-060	Organization of council.
250-10-070	Meetings.
250-10-080	Committees.
250-10-090	Finances.
250-10-100	Personnel.
250-10-110	Legal counsel.
250-10-120	Reports.
250-10-130	Administrative Procedures Act.
250-10-140	Rules of order.

250-10-150	Amendments.
250-10-160	Suspension of bylaws.
250-10-170	State Environmental Policy Act.

**WAC 250-10-010 Name.** The name of this organization shall be the Council for Postsecondary Education, hereinafter referred to as the "council". [Order 2-76, § 250-10-010, filed 9/13/76; Order 7-75, § 250-10-010, filed 8/26/75.]

**WAC 250-10-020 Purpose.** The council may perform any of the following functions:

(1) Engage in overall planning for postsecondary education in the state, which shall include the collection and analysis of necessary data from public, and, where appropriate, private institutions of postsecondary education. The purpose shall be to:

(a) Assess and define the educational needs of the state to be served by postsecondary education;

(b) Recommend and coordinate studies to ascertain how defined educational needs are being met;

(c) Study and make recommendations concerning adult education, continuing education, public service and postsecondary educational programs;

(d) Identify priorities among the defined needs and specify the resources necessary to meet them;

(e) Differentiate roles of the community college system and the individual public institutions and identify the most effective division of responsibility among them in meeting defined needs. To facilitate this, review and recommend the creation of all new degrees and recommend which institutions shall award them; and evaluate proposals for the elimination of existing degrees. Identify changing conditions which may require the revision of these roles and division of responsibility of the institutions.

(2) In the execution of the above planning responsibilities, develop criteria for the need for new baccalaureate institutions; and recommend the establishment, location and role of any new public baccalaureate granting institutions and review the plans for the community college system in terms of their articulation with planning for postsecondary education in the state.

(3) Study levels of fees and charges to students and, when necessary, make recommendations to the institutions, legislature, and governor.

(4) Study and make recommendations concerning admission and transfer policies.

(5) Review individual institutional operating budget requests to determine the conformity or lack thereof to the state's postsecondary education plan: Provided, that its review of community colleges be limited to the plan prepared by the State Board for Community College Education.

(6) Review the individual institutional and capital budget requests to determine their conformity or lack thereof to the state's postsecondary education plan: Provided, that its review of community colleges be limited to the plan prepared by the State Board for Community College Education.

(7) Study and make recommendations for the development of improved practices of administrative management in order to facilitate the most efficient operation of

the public institutions and the avoidance of unnecessary duplication among the institutions.

(8) At the request of the governor, legislature, State Board for Community College Education, or baccalaureate granting institutions of postsecondary education, and in conjunction with such legislative standing committees on higher education as may be in existence, study and make recommendations regarding legislation affecting postsecondary education. (Reference: RCW 28B.80.030).

(9) Be the clearinghouse for technological education, with responsibilities for compilation and distribution of information to support:

(a) Career guidance information of all programs and levels of technology;

(b) Assistance in curriculum development;

(c) Coordination of long-range technological planning; and

(d) Assistance in maximizing federal and other non-state funding grants for program development in technology.

(10) The council shall not duplicate the efforts of the Commission for Vocational Education which shall serve as the clearinghouse source for the compilation of all information for technological programs under the state plan for vocational education.

(11) The council shall incorporate within its long-range planning consideration of the delivery systems of advanced technological programs, the need for new or additional programs, and their proper organizational location. (Reference: RCW 28B.80.130).

(12) Develop such state plans as are necessary to coordinate the State of Washington's participation within the student exchange compact programs under the auspices of the Western Interstate Commission for Higher Education, as provided by chapter 28B.70 RCW. In addition to establishing such plans the council shall designate the state certifying officer for student programs. (Reference: RCW 28B.80.150). [Order 7-75, § 250-10-020, filed 8/26/75.]

**WAC 250-10-025 Administering programs.** The council with all members voting shall administer the following programs:

(1) Title IV-B and VI of the Higher Education Act of 1965; Title I of the Higher Education Facilities Act of 1963; and any other federal act pertaining to higher education which is not administered by another state agency. (Reference: RCW 28B.80.210 through 28B.80.220.)

(2) Any state program or state administered federal program of student financial aid now or hereafter established. (Reference: RCW 28B.80.240.)

(a) The state need grant program authorized by RCW 28B.10.800 through 28B.10.824.

(b) The college work-study program authorized by RCW 28B.12.010 through 28B.12.070.

(c) Determination of eligibility and need for benefits to children of deceased or totally incapacitated veterans under RCW 28B.10.250 through 28B.10.260.

(d) Assistance to blind students under RCW 28B.10.210 through 28B.10.220.

(3) The receipt and expenditure of federal funds and any private gifts or grants and such funds shall be expended in accordance with the conditions contingent to such grant. (Reference: RCW 28B.80.230.)

(4) State 1202 Commission. The council is designated as the state commission as provided for in Section 1202 of the Education Amendments of 1972 (public law 92-318), as now or hereafter amended; and shall perform such functions as are necessary to comply with federal directives pertaining to the provisions of such law. [Order 2-76, § 250-10-025, filed 9/13/76; Order 7-75, § 250-10-025, filed 8/26/75.]

**WAC 250-10-030 Membership.** The council shall consist of members selected as follows:

(1) Nine citizen members to be appointed by the governor and confirmed by the senate as representatives of the public at large, one of whom shall be a full-time undergraduate student at the time of his or her appointment at a public or private postsecondary educational institution; the Superintendent of Public Instruction; one member of the executive branch of government appointed by the governor; one president of the public universities and four-year colleges of the state who is the chairman of the Council of Presidents; the executive director of the State Board for Community College Education; the executive director of the Commission for Vocational Education; one president of the state's private universities or four-year colleges; and one representative of postsecondary proprietary education; each appointed by the governor. (Reference: RCW 28B.80-.040, Para. 1).

(2) Duties of Certain Members.

(a) It shall be the duty of the executive director of the State Board for Community College Education to represent not only the State Board for Community College Education, but also all the community colleges in the state and their respective governing boards and he or she is further directed and charged to act as a liaison between the council and the State Board for Community College Education and the boards of trustees of the community college districts in the state. (Reference: RCW 28B.80.040, Para. 2).

(b) It shall be the duty of the Superintendent of Public Instruction to represent the common school system presenting such information to the council as may be of assistance in the development of overall educational plans and articulation between the common school and postsecondary systems of education. (Reference: RCW 28B.80.040, Para. 3).

(c) It shall be the duty of the executive director of the Commission for Vocational Education to represent vocational and technical education, presenting to the council such information regarding the state plan for vocational education and other data as may be of assistance in the development of overall educational plans. (Reference: RCW 28B.80.040, Para. 4). [Order 7-75, § 250-10-030, filed 8/26/75.]

**WAC 250-10-040 Term of office.** (1) Citizen members of the council shall serve for terms of six years, said terms expiring on June 30 of the sixth year of their

term: Provided, that the term of the student citizen member shall not exceed three years and shall be coextensive with his or her tenure as a student except for summer sessions. The member of the council appointed by the governor from the executive branch of government shall serve at the governor's pleasure.

(2) The term of the Superintendent of Public Instruction, the executive director of the Commission for Vocational Education, and the executive director of the State Board for Community College Education shall be coextensive with their tenure in those respective offices.

(3) The president-representatives appointed by the governor shall serve for a four-year term, or until such earlier date as each shall cease to be the president of the institution or representative of a postsecondary group from which he or she was appointed. (Reference: RCW 28B.80.060). [Order 7-75, § 250-10-040, filed 8/26/75.]

**WAC 250-10-050 Vacancies.** Any vacancies among the citizen members appointed by the governor shall be filled by the governor subject to confirmation by the senate then in session, or if not in session, at the next session. Citizen members appointed under this section shall have full authority to act as such prior to the time the senate acts on their confirmation. Any vacancies among the other members shall be filled by the appointing authority which initially filled the position. (Reference: RCW 28B.80.070). [Order 7-75, § 250-10-050, filed 8/26/75.]

**WAC 250-10-060 Organization of council.** (1) Officers. The officers of the council shall be chairman, vice-chairman, and executive coordinator who shall function as the secretary of the council. The chairman and vice-chairman shall be citizen members of the council.

(2) Duties of Officers.

(a) The chairman shall preside at all meetings of the council, shall act as an ex-officio member of all standing committees, and shall perform such other duties as pertain to the office.

(b) The vice-chairman shall perform the duties of the chairman in his or her absence, shall act as an ex-officio member of all standing committees and any other duties delegated by the chairman. The vice-chairman shall assume the duties of the chairman upon permanent departure of the chairman until such time as elections shall be held to elect a new chairman.

(c) The duty of the executive coordinator will be to keep a record of the proceedings of the council, notify all council members of meetings and to perform such other duties as shall be delegated by the chairman.

(3) Term of Office. Term of office for chairman and vice-chairman will be for one council year beginning July 1 and ending June 30. The chairman and vice-chairman may serve for a maximum of three consecutive terms.

(4) Election of Officers.

(a) The nominating committee shall be responsible for presenting nominations for chairman and vice-chairman.

(b) The chairman of the council shall appoint a nominating committee in April. The nominating committee shall consist of three citizen members designated by the chairman from those citizen members who have the longest remaining terms to serve; and two members as designated by the chairman from the non-citizen membership.

(c) The nominations shall be presented and elections held at the last council meeting of the council year. The chairman and vice-chairman shall be elected by a majority vote of the citizen members. The vote for chairman and vice-chairman will be by separate and secret ballot. [Order 7-75, § 250-10-060, filed 8/26/75.]

**WAC 250-10-070 Meetings.** (1) Regular Meetings. The council shall meet at least four times each year and at such other times as determined by the chairman or by a majority of the members. The dates of future meetings will be scheduled at least six (6) months in advance at a meeting held each calendar quarter.

(2) Place of Meetings. The meetings of the council may be held at any place as determined by the chairman.

(3) Notice. Ten days notice of all meetings shall be given by mailing a copy of the notice and agenda to each member.

(4) Special Meetings. The ten day notice may be waived for special or emergency meetings upon consent of at least three-fourths of all council members. In such cases, the provision of RCW 42.30.080 will govern due notification of the time, place and business to be transacted.

(5) Executive Sessions. An executive session may be called by the chairman or by a majority of all council members. No official actions shall be taken at executive sessions which shall be binding without formal action at a regular or special meeting of the council. Executive sessions shall deal only with matters authorized by RCW 42.30.110.

(6) Agenda. The agenda shall be prepared by the executive coordinator in consultation with the chairman. Items may be submitted by all council members to the executive coordinator at least 15 days prior to the council meeting.

(7) Attendance of Council Members. Each member of the council is expected to attend all council and assigned committee meetings. In the event that a member is unable to attend a scheduled meeting, he or she is requested to provide the chairman or the executive coordinator with the reasons for the absence. In the case of individuals who are council members by virtue of their office or position, personal attendance is urged. If attendance is not possible, a representative may be sent who will be afforded full speaking privileges but shall not be able to move or second motions or vote. At the end of each council year, the chairman will send the attendance records of all members other than ex-officio members to the governor's office with the reasons for the absences duly noted. A copy will also be provided to each council member.

(8) Legislative and Advisory Committee Liaison. Members of the legislature who are assigned to the

council as liaison and chairmen of major council advisory committees will be extended seats with the council at all council and standing committee meetings with full speaking privileges but shall not be able to move and second motions or vote. For purposes of this section, "major advisory committees" are the student advisory committee and the faculty advisory committee.

(9) Courtesy of the Council. In the event that the governor, a member of the legislature, or a chief executive office of an institution of postsecondary education, is in attendance at a council or a standing committee meeting, the chairman may extend the "courtesy of the council" to such individual, inviting that person to sit with the council or committee with full speaking privileges on any and all issues coming before the council or committee.

(10) Voting Procedures.

(a) Voting procedures for the council on all matters set forth in WAC 250-10-020 shall be as follows:

(i) Five citizen members shall constitute a quorum to conduct the affairs of the council. (Reference: RCW 28B.80.090.)

(ii) The chairman may vote on all matters coming before the council. In the case of a tie, the matter shall be referred to committee for further consideration.

(iii) A roll call of all council members shall be taken on all substantive matters dealing with postsecondary education policy. However, the nine citizen members of the council alone shall have the right to decide by five affirmative votes all matters coming before the council. (Reference: RCW 28B.80.050.)

(iv) All council members shall have the right to move and second motions.

(v) There shall be no proxy voting.

(11) Voting procedures for the council on all matters set forth in WAC 250-10-025 shall be as follows:

(a) All sixteen members shall have the right to vote.

(b) Nine members, at least five of whom shall be citizen members, shall constitute a quorum to conduct the business of the council concerning matters set forth in WAC 250-10-025.

(c) The chairman shall have the right to vote on all matters coming before the council. In the case of a tie, the matter shall be referred to committee for further consideration.

(d) A roll call vote will be taken on all substantive matters.

(e) Decisions will be made by a majority vote of all council members present.

(f) There shall be no proxy voting.

(12) Minutes. The minutes of the previous meeting shall be distributed to all council members 10 days prior to the next council meeting.

(13) Public Attendance. All regular and special meetings shall be open to the public. All executive sessions shall be closed to the public.

(14) Press Releases. All press releases and information concerning council activities shall be released from the council office.

(15) Public Participation.

(a) Any person(s) or organization wishing to make a formal presentation at a regularly scheduled meeting of

the Council for Postsecondary Education shall notify the executive coordinator in writing at least 48 hours prior to the time of the meeting.

(i) Such notification shall contain the person's or organization's name, address, and the topic to be presented to the council.

(ii) Permission to appear before the council shall be granted by the executive committee under written authorization of the executive coordinator.

(iii) Such permission shall include the date and time of the council meeting and time set for the formal presentation.

(16) The chairman of the Council for Postsecondary Education may, at his or her discretion, recognize anyone in the audience who indicates in writing at the time of the meeting that he wishes to speak at a formal meeting of the council, provided that such remarks by one person shall be limited to five minutes. [Order 2-76, § 250-10-070, filed 9/13/76; Order 7-75, § 250-10-070, filed 8/26/75.]

**WAC 250-10-080 Committees.** (1) Representation.

(a) All committees appointed shall reflect a geographical representation as well as citizen and educational representation.

(b) The chairman of each standing committee shall be a citizen member of the council.

(2) Executive Committee.

(a) There shall be an executive committee which shall consist of the chairman, vice-chairman, and executive coordinator.

(b) The executive committee is authorized to deal with personnel, award of personal service contracts in excess of \$5,000, and housekeeping matters, subject to approval at the next council meeting. Official minutes of executive committee meetings will be signed by each member of the executive committee present and filed in the council office, and shall be available for review of any council member.

(3) Standing Committees.

(a) The standing committees of the council shall be: (1) administration & finance and (2) program planning. The council chairman shall appoint the chairman and other members of each committee subject to confirmation by the council. The chairman and vice-chairman shall be ex-officio voting members of each standing committee.

(b) Committee voting procedures only:

(i) All regularly appointed members of a particular committee shall have the right to vote. Other members in attendance may enter into discussion, but shall have no vote.

(ii) There shall be no proxy voting.

(c) Notice of committee meetings shall be given to all council members.

(d) All questions decided by the committee shall be by majority of the committee members present.

(4) Advisory Committees. Advisory committees shall be established as deemed necessary to the functioning of the council. Advisory committees shall be limited in their jurisdiction to the purposes determined by the council. Procedures established with regard to advisory

committee meetings and duties are subject to approval by the council.

(5) Committee of the Whole. The chairman may, from time to time, direct that items of major importance be discussed in committee of the whole. Meetings of the committee of the whole will be chaired by the chairman, or in the absence of the chairman, the vice-chairman, or by a citizen member designated by the chairman. When meeting as a committee of the whole, all council members shall have the right to vote. There shall be no proxy voting, however.

(6) Committee Reports.

(a) Committee reports and recommendations shall be submitted to the council in writing except when committees are meeting in conjunction with the council.

(b) Minority reports may be submitted by regular members of the committee if signed by said member(s).

(7) Committee Compensation.

(a) Council members attending committee meetings shall be reimbursed on the same basis as for attendance at regularly called council meetings.

(b) Compensation to persons other than council members for expenses incurred for attendance at officially called committee meetings shall be reimbursed on an actual expense basis and in accordance with regulations governing employee travel. [Order 7-75, § 250-10-080, filed 8/26/75.]

**WAC 250-10-090 Finances.** (1) Council Funds. All council funds shall be expended subject to the approval of the chairman. All matters related to payment of compensation and other expenses of the council shall be subject to the State Budget and Accounting Act. (Reference: RCW 28B.80.080, Para. 5).

(2) Budget Approval. The executive coordinator shall prepare the budget which shall be reviewed by the executive committee and approved by the council.

(3) Allotment Approval. The agency allotment shall be prepared by the executive coordinator and approved by the executive committee prior to submission to the governor.

(4) Compensation. Members of the council will receive per diem in lieu of compensation, and travel expenditures in accordance with standard rates for part-time boards, councils, and commissions as certified by the state budget director. (Reference: RCW 28B.80.110).

(5) Other Funds. The council, in addition to any funds appropriated or allocated from the state legislature to carry out its purpose, may accept federal funds made available to the state for postsecondary education research or otherwise, under the terms of any act or acts of Congress, or any private gifts or grants, such as federal funds or private funds to be expended in accordance with conditions contingent in such grant. (Reference: RCW 28B.80.120). [Order 7-75, § 250-10-090, filed 8/26/75.]

**WAC 250-10-100 Personnel.** (1) Executive Coordinator. The council shall appoint an executive coordinator who shall serve at the pleasure of the council. The executive coordinator shall be the executive officer of the

council and, under the administrative direction of the chairman of the Council for Postsecondary Education, will plan, organize, direct and coordinate all staff support activities for the council, or any of the council's established committees; will serve as executive officer of the council will be fully responsible for administering any state program or state administered federal program assigned to, or established by the council; and will control and supervise the staff personnel of the council. In the execution of assigned responsibilities, the executive coordinator may, subject to applicable rules and regulations, award personal service contracts of less than \$5,000.

(2) Staff. The council may employ and appoint such other assistants and employees as may be required. In addition, the council may appoint deputy coordinators who shall be assistant directors for the purpose of chapter 41.06 RCW, the State Civil Service Act, and any individual filling such a position shall serve at the pleasure of the council. (Reference: RCW 28B.80.080, Para. 3).

(3) Individuals appointed to classified positions shall be subject to the rules and regulations promulgated by the Higher Education Personnel Board.

(4) Use of State Agencies. The council shall make extensive use of those state agencies with responsibility for implementing and supporting postsecondary education plans and policies; e.g., appropriate legislative groups, postsecondary institutions, the Office of Program Planning and Fiscal Management and the State Board for Community College Education. Outside consulting and service agencies may also be employed. The council may compensate these groups and consultants in appropriate ways. (Reference: RCW 28B.80.080, Para. 4). [Order 7-75, § 250-10-100, filed 8/26/75.]

**WAC 250-10-110 Legal counsel.** A member of the Attorney General's staff will serve as legal counsel for the council. [Order 7-75, § 250-10-110, filed 8/26/75.]

**WAC 250-10-120 Reports.** (1) Reports will be made to the governor and the legislature not later than 30 days prior to each legislative session and at other times deemed appropriate by the council.

(2) All official requests for reports or information concerning council activities or business will be issued by the council office, unless otherwise delegated. [Order 7-75, § 250-10-120, filed 8/26/75.]

**WAC 250-10-130 Administrative Procedures Act.** Any directive, order or rule of the Council for Postsecondary Education will be promulgated in accordance with the Administrative Procedures Act. [Order 7-75, § 250-10-130, filed 8/26/75.]

**WAC 250-10-140 Rules of order.** *Roberts Rules of Order Newly Revised* shall serve as parliamentary authority for procedures not covered in these bylaws. [Order 7-75, § 250-10-140, filed 8/26/75.]

**WAC 250-10-150 Amendments.** These bylaws may be amended at any regular or special meeting by a two-thirds vote at any regular or special meeting by a two-

thirds vote of citizen members of the council. [Order 7-75, § 250-10-150, filed 8/26/75.]

**WAC 250-10-160 Suspension of bylaws.** These bylaws or any portion may be suspended at any regular or special meeting for the duration of the meeting by an affirmative vote of two-thirds of the citizen members of the council. [Order 7-75, § 250-10-160, filed 8/26/75.]

**WAC 250-10-170 State Environmental Policy Act.** Pursuant to RCW 43.21C.120 and the State Environmental Policy Act Guidelines, chapter 197-10 WAC, the council has reviewed its authorized activities and finds that none of these activities or functions involve preparation of environmental impact statements and is therefore exempt from the regulations pertaining to the above cited law and adopted State Environmental Policy Act Guidelines. [Order 1-77, § 250-10-170, filed 3/10/77.]

## Chapter 250-12 WAC

### RECEIPT AND PROCESSING OF APPLICATIONS FOR FEDERAL GRANTS FOR HIGHER EDUCATION FACILITIES CONSTRUCTION

#### WAC

250-12-010	Application acceptance procedures.
250-12-020	Eligibility verification procedures.
250-12-030	Maintenance of application case files.
250-12-040	Deadlines for acceptance of applications.
250-12-050	Scoring methods and criteria.
250-12-060	Determination of matching federal share.
250-12-070	Definition of terms.

**WAC 250-12-010 Application acceptance procedures.** The State Commission will accept all applications for Title VII-A grants for institutions of higher education in the State provided such applications are submitted on forms provided by the Commissioner and which bear a Federal postmark on or before the closing date(s) shown in WAC 250-12-040 of this plan. The State Commission will officially record the date of receipt of each application by the State Commission. [Order 2-69, § 250-12-010, filed 2/26/73; § 250-12-010, filed 7/29/68, 9/22/67, 4/4/67.]

**WAC 250-12-020 Eligibility verification procedures.** Before determining the relative priority or Federal share for any application for grant assistance under Title VII-A of the Amendments, the State Commission will satisfy itself that the data contained in the application appear to be valid and that the institution or branch campus and the construction project proposed in the application appear to meet basic eligibility requirements set forth in the Amendments and the regulations governing administration of the Amendments. In any case where in the opinion of the State Commission a question may be raised as to the eligibility of an institution or of a project, the State Commission shall promptly forward a copy of the application to the Office of Education for a clarification of such eligibility. In any such case, the State Commission will continue to process and rank the

application as if it were eligible but will delay final action on all applications under the same category considered as of the same closing date until notified by the Office of Education of the disposition of the eligibility question. [Order 2-69, § 250-12-020, filed 2/26/73; § 250-12-020, filed 7/29/68, 9/22/67, 4/4/67.]

**WAC 250-12-030 Maintenance of application case files.** The State Commission will: Establish a complete case file on each Title VII-A application received; inform applicants of official actions and determinations by letter or similar type of correspondence; and retain records regarding each case for at least two years after final action with respect to any such application is taken by the State Commission. [Order 2-69, § 250-12-030, filed 2/26/73; § 250-12-030, filed 7/29/68, 9/22/67, 4/4/67.]

**WAC 250-12-040 Deadlines for acceptance of applications.** The State Commission will group applications for assignment of relative priorities and Federal shares, in accordance with the following provisions:

(1) The following closing dates are established for receipt and consideration of completed applications:

(a) For applications with respect to Public Community Colleges and Public Technical Institutes (Section 702 Applications) – December 15 and February 15 for each fiscal year;

(b) For applications with respect to Institutions of Higher Education Other Than Public Community Colleges and Public Technical Institutes (Section 703 Applications) – December 15 and February 15 for each fiscal year;

(c) If the closing date(s) established in (a) and (b) above fall on a Saturday, Sunday, or legal holiday, the next regular working date thereafter shall be the effective closing date;

(d) Closing dates after the first shall be effective only if funds are available in the applicable state allotment as of each such later closing date.

(2) All completed applications received by each specified closing date will be considered by the State Commission together with others of the same category and, if they appear to meet basic eligibility requirements, will be assigned relative priorities and recommended Federal shares in accordance with the provisions of this plan. Completed applications will be defined as applications consisting of all required documents.

(3) In any case where the funds available in either the Section 702 or the Section 703 allotment to this state, as of a given closing date are insufficient to cover all eligible applications, a partial Federal share (consisting of the funds remaining available in the appropriate allotment as of such closing date) will be offered for the first project in order of relative priority for which less than the full federal share as otherwise calculated is available.

(4) Institutions having applications held over for a later closing date will be required to update those sections of such applications from which data for scoring WAC 250-12-050 of the state plan are taken. This updating procedure must be followed in all cases where applications were submitted prior to the fall term of the

academic year during which the closing date occurs, which fall term is considered to be "the fall term preceding the date of application" for purposes of completing those portions of the application forms that require updating. [Order 2-69, § 250-12-040, filed 2/26/73; § 250-12-040, filed 7/29/68, 9/22/67, 4/4/67.]

**WAC 250-12-050 Scoring methods and criteria.** The State Commission will determine relative priorities for projects which appear to be eligible for funds allotted under Title VII-A of the Amendments, by application of the following standards and methods:

(1) Relative priorities of eligible projects for public community colleges and public technical institutes will be determined by the same standards and methods as those set forth for other institutions of higher education in WAC 250-12-050(2) below.

(a) In evaluating applications, a public institution with existing approved post-high school, community college or vocational-technical programs as of the fourth fall term preceding the date of application shall be considered by the Commission as being an "Established Institution," as defined by Federal regulations.

(b) For the purposes of applying criteria WAC 250-12-050(2)(a) and (b) to Section 702 applications, the projected enrollment for the third fall term after the date of application shall be the most recent enrollment projections provided to the Commission by the State Board for Community College Education.

(c) Projections so provided by the State Board for Community College Education will be published 30 days in advance of approval of the priority list to allow each institution to review them.

(2) Relative priorities of eligible projects for institutions other than public community colleges and public technical institutes will be determined as follows:

(a) Established institutions and new institutions will be evaluated simultaneously. All projects for which the criterion provides points will be placed in rank order for that criterion, and the point values assigned for placement in rank order shall be that shown under heading "Established Institutions" (includes established branch campuses) or under "New Institutions" (includes new branch campuses) as each is defined in Federal regulation.

(b) The total point score for each application will be determined by adding together the points awarded for each factor, and the applications will be listed in rank order by total point score. Higher priority will be assigned to an application with a higher score. In case of a tie in total points for two or more applications, the institution which expects the greatest numerical increase in undergraduate enrollment, as defined in (e)(i) below, shall be assigned the highest priority. In the event that the tie is still not broken, the institution which expects the greatest numerical increase in square feet of assignable space in instructional and library facilities at the campus where the project will be constructed shall be assigned the highest priority.

(c) For each criterion for which the ranking method of scoring is specified, the highest ranked will receive the maximum number of points and the remaining points, or



fraction thereof to zero, will be distributed arithmetically among the remaining applicants. The increment shall be computed by dividing the maximum number of points by the number of applicants minus one. For example, if there are six applicants and the maximum number of points is 15, the highest would receive 15 points, and the others would receive in descending order, 12, 9, 6, 3, and 0. When more than one application is received from an institution for a particular closing date, criteria where ties occur shall not be considered as tied. Instead, the applications shall be ranked according to the priority assigned to them by the institution. In case of ties within any one criterion for applications from two or more institutions, the scores will be averaged.

(d) For each criterion for which the ranging method of scoring is specified, points will be awarded by percentage of the largest increase based on the relationship of one institution's growth to another. The greatest increase will receive the maximum number of points. The points shall be computed by dividing each growth increase by the largest growth increase submitted on the applications, and the percentage derived therefrom multiplied by the maximum number of points available. As an example:

Increase	Range Points
2,058	20.000
1,725	16.764
1,445	14.042
129	1.254

(e) Applications will not be accepted as complete until the institution can give reasonable assurance that the nonfederal share of funds is available as follows:

(i) Private colleges and universities must be able to give assurance that cash is either on hand or is secured by a letter of credit.

(ii) Public colleges and universities must be able to give assurance that funds are available and can be expended from local revenue sources, state appropriated funds, bond issues approved by voters, or from specially earmarked nontax revenues that the State Legislature as a matter of custom, has appropriated in the past.

(f) The specific scoring criteria that will be used to determine priorities are:

(i) Expansion of undergraduate enrollment capacity as evidenced by the planned and reasonably expected numerical increase in undergraduate enrollment at the campus where the project is to be constructed for the third fall term after the date of the application, expressed in full-time student equivalents for that fall term by relative ranging of all project applications. (Full-time equivalent is the quotient of the total fall quarter credit hours or their equivalent for which students are enrolled divided by 15.)

Established Institutions	New Institutions
Maximum 10 points	45 points

The projected enrollment for the third fall term after the date of application shall be the most recent enrollment projection provided to the Commission by the Council on Higher Education.

Projections will be published 30 days in advance of the approval of the priority list to allow each institution to review them.

(ii) Expansion of undergraduate enrollment capacity as evidenced by the planned and reasonably expected percentage increase in undergraduate enrollment at the campus where the project is to be constructed for the third fall term after the date of the application, expressed in full-time student equivalents for that fall term by relative ranging of project applications from established institutions.

Established Institutions	New Institutions
Maximum 10 points	0 points

The projected enrollment for the third fall term after the date of application shall be the most recent enrollment projections provided to the Commission by the State Council on Higher Education.

Projections will be published 30 days in advance of the approval of the priority list to allow each institution to review them. If the institution has questions about the projections, they can then be taken to the Council on Higher Education in time to allow any revisions in the projections deemed necessary by the Council on Higher Education.

(iii) For new and established institutions, the amount by which the construction of the proposed project for which a Title VII-A grant is requested will increase or replace the square feet of assignable area in instructional and library facilities or health care facilities at the campus at which the facilities are to be constructed.

Established Institutions	New Institutions
20,000 and over 15 points	35 points
10,000 to 19,999 10 points	20 points
0 to 9,999 5 points	10 points

(iv) The degree of utilization of existing facilities at the campus where the project is to be constructed, i.e., general classrooms (including lecture halls), instructional laboratories, shops, libraries and faculty offices, with points assigned for each type of facility, in accordance with the following tables:

(a) Classrooms

Average Clock Hours Per Week	Score	New Institutions
33 hours or more	6 points	0 points
32 - 32.9 hours	5 points	0 points
30 - 31.9 hours	4 points	0 points
28 - 29.9 hours	3 points	0 points
26 - 27.9 hours	2 points	0 points
24 - 25.9 hours	1 point	0 points
23.9 or under	0 points	0 points

(b) Class Laboratories

Average Clock Hours Per Week	Score	New Institutions
22 hours or more	6 points	0 points
21 - 21.9 hours	5 points	0 points
20 - 20.9 hours	4 points	0 points
19 - 19.9 hours	3 points	0 points
18 - 18.9 hours	2 points	0 points
16 - 17.9 hours	1 point	0 points
15.9 or under	0 points	0 points

(c) Fullness ratio of classrooms as measured by fall term enrollments for the school year immediately preceding the date of the application in terms of the number of students enrolled in relation to the established capacity of the classrooms. Point values will be distributed as follows:

Fullness Ratio	Score	Institutions
64% and over	6 points	0 points
62% - 63.9%	5 points	0 points
60% - 61.9%	4 points	0 points
54% - 59.9%	3 points	0 points
48% - 53.9%	2 points	0 points
42% - 47.9%	1 point	0 points
41.9% or less	0 points	0 points

(d) Fullness ratio of class laboratories as measured by fall term enrollments for the school year immediately preceding the date of the application in terms of the number of students enrolled in relation to the established capacity of class laboratories. Point values will be distributed as follows:

Fullness Ratio	Score	New Institutions
83% and over	6 points	0 points
82% - 82.9%	5 points	0 points
81% - 81.9%	4 points	0 points
80% - 80.9%	3 points	0 points
78% - 79.9%	2 points	0 points
75% - 77.9%	1 point	0 points
74.9% or less	0 points	0 points

(e) Ability of existing library facilities to accommodate students, and faculty, as measured by the number of square feet of library open- and closed-stack, open-stack reading room space and study room space per full-time equivalent student and faculty member, as of the last fall term. Points will be divided among projects by relative ranking with the lowest square feet per FTE ranking first in the list.

Established Institutions	New Institutions
Maximum 5 points	0 points

(f) Ability of existing library facilities to house the institution's book collection as measured by the total number of volumes per square foot of the net assignable open- and closed-stack, open-stack reading room space and study room space. Points will be divided among the projects by relative ranking with the greatest number of volumes per square foot ranking first in the list.

Established Institutions	New Institutions
Maximum 6 points	0 points

(g) The extent to which faculty office space is crowded as expressed by the ratio of full-time equivalent faculty members to square feet of net assignable area for faculty office space.

Established Institutions	New Institutions
Maximum 10 points	0 points

(v) The amount of the most recent previous grant award under Title VII-A for construction at the same campus. Possible score of 10 points, awarded as follows for new and established institutions:

(a) No grant under Title VII-A awarded within two years preceding the current closing date. -- 10 points

(b) A grant or grants under Title VII-A awarded within two years preceding the current closing date. Possible score of 10 points, assigned in accordance with cumulative dollar amounts as follows:

Less than \$100,000	10 points
\$100,000 - 199,999	9 points
200,000 - 299,999	8 points
300,000 - 399,999	7 points
400,000 - 499,999	6 points
500,000 - 599,999	5 points
600,000 - 699,999	4 points
700,000 - 799,999	3 points
800,000 - 899,999	2 points
900,000 - 999,999	1 point
Over \$999,999	0 points

(c) When computing the score for a project which is competing for a balance of a grant, such a project having received a partial grant previously due to insufficient Federal funds, the partial grant shall not be considered as a "grant" in terms of awarding points under this paragraph and the project shall be awarded the full 10 points, provided that if the total of any supplemental request is for more than the balance of the original Federal share, the project shall be scored in accordance with WAC 250-12-050(v)(b) above. If an institution applies for grants for two or more projects to be considered following a particular closing date, only one of these projects is eligible to receive any points. In this case, the institution shall rank the projects. The highest ranked shall be assigned the points.

(vi) Commitment of institutions to enroll veterans returning to civilian life. Percentage of full-time students enrolled at the campus at which the facilities are to be constructed for the fall term which opened immediately preceding the closing date for which the application is being considered who are veterans returning to civilian life.

(a) This percentage will be extracted from data submitted to the Office of Program Planning and Fiscal Management on the "Veterans Receiving Benefits" section within the Higher Education Enrollment Projection (HEEP) Data Collection Form. The count will be as of the 10th day of classes for the fall term preceding the date of application. The definitions shall be in conformance with the definitions used in the data collection document. Veterans counted are to be those receiving benefits; not the dependents of veterans who may be receiving benefits. For the purpose of this criterion the total of "full-time students enrolled" shall be obtained from the same data source (HEEP).

(b) Points will be distributed among projects by the ranging method with the greatest percentage receiving the maximum number of points.

Established Institutions	New Institutions
Maximum 5 points	5 points

(vii) Commitment of institutions to enroll students from low income families. The percentage of full-time students enrolled at the campus at which the facilities are to be constructed for the fall term which opened immediately preceding the closing date for which the application is being considered, who are from families whose estimated gross annual income is \$9,000 or less.

(a) This percentage will be obtained from the latest state-wide survey of students which specifically addressed the issue of determining the gross family income of

students. If a state-wide survey providing such information is not available on an institution-by-institution basis, the Council on Higher Education will conduct a survey of those institutions applying for Title VII-A grants and provide the necessary data.

(b) Points will be distributed among projects by the ranging method with the greatest percentage receiving the maximum number of points.

	Established Institutions	New Institutions
Maximum	5 points	5 points

[Order 2-69, § 250-12-050, filed 2/26/73; § 250-12-050, filed 7/29/68, 9/22/67, 4/4/67.]

**WAC 250-12-060 Determination of matching federal share.** The State Commission will determine Federal shares for projects which appear to be eligible for funds allotted under Title VII-A of the Amendments by application of the following standards and methods:

(1) Federal shares for projects for public community colleges and public technical institutes will be determined as follows:

(a) The Federal share for each eligible project under Section 702 shall be 20% of the estimated eligible development cost: *Provided*, That the Federal share shall not exceed 20% of the state allotment for that fiscal year.

(b) For any closing date where all projects in the priority list are recommended for Federal shares of 20% of the eligible project development cost or 20% of the state allotment, and unallocated funds remain, such unallocated funds shall be offered to projects in the order of their priority until all projects have been offered a Federal share equal to 20% of the eligible project development cost or until all funds are allocated.

(c) If unallocated funds still remain, they shall be assigned to projects in order of their priority until all have been offered a Federal share equal to 50% of the eligible project development cost, or until all funds are allocated.

(2) Federal shares for projects for institutions of higher education other than public community colleges and public technical institutes will be determined as follows:

(a) The recommended Federal share for each eligible project under Section 703 will be 33 1/3% of the estimated eligible development cost, unless the applicant requests a lesser share: *Provided*, That the maximum Federal share for any project which contains more than one single construction activity shall be 5% of the estimated eligible development cost. For the purposes of this Federal share provision, a "single construction activity" includes all eligible construction on a single construction site and under one set of basic construction contracts, plus the eligible portion of the cost of any separate central utility facilities.

(b) If unallocated funds still remain, they shall be assigned to projects in order of their priority until all have been offered a Federal share equal to 50% of the eligible project development cost, or until all funds are allocated. [Order 2-69, § 250-12-060, filed 2/26/73; § 250-12-060, filed 7/29/68, 9/22/67, 4/4/67.]

**WAC 250-12-070 Definition of terms.** Terms used in this state plan which are either not defined in the applicable Federal regulations or whose definitions differ from the definitions set forth in the applicable Federal regulations are defined as follows for purposes of this state plan:

(1) In the case of a public community college or branch campus which has facilities for approved post-high school, community college or vocational-technical programs located at several different sites, all such facilities are considered, for the purpose of a Section 702 application, to be a single "campus."

(2) Full-time equivalency for teaching faculty — Determined by the percentage of the full calendar year for which the individual is on the payroll. For the purposes of this definition, a faculty member that is on duty for nine months or more is considered a full-time faculty member.

(3) Full-time-equivalent undergraduate enrollment — The quotient of the total fall semester or quarter credit hours, or their equivalent, for which undergraduate students are enrolled divided by 15.

(4) Fullness ratio — The percentage of available student stations in a given category of rooms which are occupied when those rooms are occupied. The totals are calculated for each room in the category and an average is calculated for the entire category.

(5) Library volume — A physical unit of any printed, typewritten, handwritten, mimeographed or processed work contained in one binding or portfolio, hardbound or paperbound, which has been classified, cataloged or otherwise prepared for use. This term includes bound periodical volumes.

(6) Net assignable stack and open- and closed-stack reading room space — That portion of assignable library space that is identified as stack area or open- and closed-stack reading area in the Higher Education Facilities inventory and Classification Manual. [Order 2-69, § 250-12-070, filed 2/26/73; § 250-12-070, filed 7/29/68, 9/22/67, 4/4/67.]

#### Chapter 250-16 WAC

### RECEIPT AND PROCESSING OF APPLICATIONS FOR FEDERAL GRANTS FOR HIGHER EDUCATION INSTRUCTIONAL EQUIPMENT

#### WAC

250-16-010	Application acceptance procedures.
250-16-020	Eligibility verification procedures.
250-16-030	Maintenance of application case files.
250-16-040	Deadlines for acceptance of applications.
250-16-050	Scoring methods and priorities.
250-16-060	Determination of matching federal share.

**WAC 250-16-010 Application acceptance procedures.** (1) The State Commission will accept all applications for grants under Part A of Title VI for institutions of higher education in the State, provided such applications are submitted on forms provided by the Commissioner and which bear a Federal postmark on or before the closing date(s) shown in WAC 250-16-040. The

State Commission will officially record the date of receipt of each application by the State Commission.

(2) Only one application under each category (i.e., "laboratory and other special equipment" and "television equipment for closed circuit direct instruction") may be submitted for any single campus of an institution for a particular fiscal year. [Order 1-68, § 250-16-010, filed 2/26/73; Order, § 250-16-010, filed 7/29/68, 9/22/67, 4/4/67.]

**WAC 250-16-020 Eligibility verification procedures.** Before determining the relative priority or Federal share for any application for grant assistance under Part A of Title VI of the Act, the State Commission will verify the validity of data contained in the application and will verify that the institutions and the project proposed in the application appear to meet basic eligibility requirements set forth in the Act and the regulations governing administration of the Act. In any case where in the opinion of the State Commission a question exists as to the eligibility of an institution or of a project, one copy of the application will be forwarded promptly to the U.S. Office of Education for a clarification of such eligibility. In any such case, the State Commission will continue to process and rank the application as if it were eligible but will delay final action on all applications under the same category considered as of the same closing date until notified by the U.S. Office of Education as of the disposition of the eligibility question. [Order, § 250-16-020, filed 7/29/68, 9/22/67, 4/4/67.]

**WAC 250-16-030 Maintenance of application case files.** The State Commission will: Establish a complete case file on each application received; inform applicants of official actions and determinations regarding applications, by letter or similar type of correspondence; and retain records regarding each case for at least two years after final action with respect to the application is taken by the State Commission. [Order, § 250-16-030, filed 7/29/68, 9/22/67, 4/4/67.]

**WAC 250-16-040 Deadlines for acceptance of applications.** The State Commission will group applications for assignment of relative priorities and Federal share, in accordance with the following provisions:

(1) The following closing dates are established for assignment of relative projects:

(a) For applications for laboratory and other special equipment projects - January 15 and February 15 for each fiscal year.

(b) For applications for closed-circuit instructional television projects - January 15 and February 15 for each fiscal year.

(c) If the closing date(s) established in (a) and (b) above fall on Saturday, Sunday, or legal holiday, the next regular working date thereafter shall be the effective closing date.

(2) All completed applications received by each specified closing date will be verified by the State Commission review to be accurate and complete. Applications will be separated by category and all applications in

each category will be considered together and assigned relative priorities and recommended Federal shares in accordance with the provisions of this Plan.

(3) In any case where funds available in either Section 601(b) or Section 601(c) allotment to this State, as of a given closing date, are insufficient to cover all eligible applications, a reduced Federal share (consisting of the funds remaining available in the appropriate allotment as of such closing date) will be offered to the first project in order of priority for which less than the full Federal share as otherwise calculated is available. An applicant offered such a reduced Federal share shall be entitled to reduce the scope of the project to a level not less than that required to qualify under the State Plan for such a Federal share amount. [Order 1-68, § 250-16-040, filed 2/26/73; Order, § 250-16-040, filed 7/29/68, 9/22/67, 4/4/67.]

**WAC 250-16-050 Scoring methods and priorities.**

(1) The State Commission will determine separate relative priorities for Category I and Category II projects which appear to be eligible for funds allotted under Part A of Title VI of the Act, by application of the following standards and methods:

(2) All applications will be separated into Category I and Category II, evaluated simultaneously, and placed in the rank order for each criterion.

(3) The total point score for each application will be determined by adding together the points awarded for each factor, and the applications will be listed in rank order by total point score. Higher priority will be assigned to an application with a higher score.

(4) In case of a tie in total points for two or more applications, priority shall be given to the application with the lower average of basic educational and general expenditures per semester credit hour equivalent for the three completed institutional fiscal years (or, if the tie involves a new institution, for the completed institutional fiscal years, if less than three) immediately preceding the closing date for which the application is submitted.

(5) If the tie includes an application from an institution that has been in operation for less than one fiscal year, that institution shall be automatically given a lower priority.

(6) Relative priorities of laboratory and other special equipment projects will be determined as follows:

(a) The average of the basic educational and general expenditures per semester credit hour equivalent, at the institution or branch campus for which the project is submitted, for the three completed institutional fiscal years immediately preceding the closing date for which the application is filed with the State Commission. A maximum of 25 points to be assigned as follows, based on full-time equivalent students enrolled in the fall term preceding the closing date for which the application is filed.

(i) In the case of institutions having more than fifteen percent of full-time equivalent students enrolled in programs leading to advanced degrees beyond the baccalaureate, if expenditures are:

Below \$53.00	25	points
Between \$53.00 and \$55.99	22.5	points
Between \$56.00 and \$59.99	20	points
Between \$60.00 and \$63.99	17.5	points
Between \$64.00 and \$66.99	15	points
Between \$67.00 and \$69.99	12.5	points
Between \$70.00 and \$73.99	10	points
Between \$74.00 and \$84.99	7.5	points
Between \$85.00 and \$94.99	5	points
Between \$95.00 and \$103.99	2.5	points
Over \$104.00	0	points

(ii) In the case of institutions offering some graduate or professional programs, but having less than fifteen percent of full-time equivalent students enrolled in programs leading to advanced degrees beyond the baccalaureate, if expenditures are:

Below \$31.00	25	points
Between \$31.00 and \$33.99	22.5	points
Between \$34.00 and \$37.99	20	points
Between \$38.00 and \$41.99	17.5	points
Between \$42.00 and \$44.99	15	points
Between \$45.00 and \$47.99	12.5	points
Between \$48.00 and \$51.99	10	points
Between \$52.00 and \$62.99	7.5	points
Between \$63.00 and \$71.99	5	points
Between \$72.00 and \$81.99	2.5	points
Over \$82.00	0	points

(iii) In the case of institutions having baccalaureate programs, but no advanced degree programs, if expenditures are:

Below \$25.00	25	points
Between \$25.00 and \$27.99	22.5	points
Between \$28.00 and \$30.99	20	points
Between \$31.00 and \$33.99	17.5	points
Between \$34.00 and \$36.99	15	points
Between \$37.00 and \$38.99	12.5	points
Between \$39.00 and \$42.99	10	points
Between \$43.00 and \$49.99	7.5	points
Between \$50.00 and \$56.99	5	points
Between \$57.00 and \$62.99	2.5	points
Over \$63.00	0	points

(iv) In case of other institutions of higher education, not included in paragraphs (i), (ii), or (iii) above, if expenditures are:

Below \$16.00	25	points
Between \$16.00 and \$18.99	22.5	points
Between \$19.00 and \$19.99	20	points
Between \$20.00 and \$21.99	17.5	points
Between \$22.00 and \$23.99	15	points
Between \$24.00 and \$26.99	12.5	points
Between \$27.00 and \$30.99	10	points
Between \$31.00 and \$36.99	7.5	points
Between \$37.00 and \$42.99	5	points
Between \$43.00 and \$48.99	2.5	points
Over \$49.00	0	points

Applications for institutions or branch campuses which have not been in operation for at least one academic year preceding the academic year in which the application is filed shall receive zero points under this standard.

(b) The extent to which the equipment and materials to be purchased under the project are to be placed and used in: Existing classrooms\* or audio-visual centers; classrooms or audio-visual centers to be made available by new construction and/or by major rehabilitation or conversion of existing facilities.

Points for this standard shall be awarded according to the percentage of the total equipment and materials budget which is for equipment and materials to be placed and used in existing classrooms or audio-visual centers, with maximum points awarded for projects for which 100 percent of the budget is for such purposes.

**Placement of Equipment and Materials**

	Points
All equipment and materials to be placed in existing facilities _____	15
All equipment and materials to be placed in new and/or rehabilitated or converted facilities _____	0
Equipment and materials to be placed in both existing and new or rehabilitated or converted facilities — Pro-ration of 15 points based on project budget	

\*"Classrooms" includes only general classrooms, instructional laboratories and shops, other teaching facilities, and service areas for teaching facilities as defined in Federal regulations.

(c) The capacity/enrollment ratio\* at the institution or branch campus for which the project is submitted, as of the fall term which opened preceding the closing date for which the application is filed. The applications will be ranked with institutions in the lowest decile receiving the highest number of points. Institutions not in operation for one academic year preceding the academic year in which the application is filed shall receive zero points under this criteria.

Range	Points
250.99 or less	10.0
251.00 – 350.99	7.5
351.00 – 500.99	5.0
501.00 – 650.99	2.5
Over 651	0

(d) Date of most recent laboratory and other special equipment grant received by the applicant.

	Points
No grant received _____	10
Most recent grant received two or more Federal fiscal years prior to the Federal fiscal year in which application is submitted —	5
Most recent grant received one Federal fiscal year prior to the Federal fiscal year in which the application is submitted _____	0

(7) Relative priorities of closed-circuit instructional television projects will be determined as follows:

(a) The average of the basic educational and general expenditures per semester credit hour equivalent, at the institution or branch campus for which the project is submitted, for the three completed institutional fiscal years immediately preceding the closing date for which the application is filed with the State Commission. A maximum of 25 points to be assigned as follows, based on full-time equivalent students enrolled in the fall term preceding the closing date for which the application is filed.

(i) In the case of institutions having more than fifteen percent of full-time equivalent students enrolled in programs leading to advanced degrees beyond the baccalaureate, if expenditures are:

Below \$53.00	25	points
Between \$53.00 and \$55.99	22.5	points
Between \$56.00 and \$59.99	20	points
Between \$60.00 and \$63.99	17.5	points
Between \$64.00 and \$66.99	15	points
Between \$67.00 and \$69.99	12.5	points
Between \$70.00 and \$73.99	10	points
Between \$74.00 and \$84.99	7.5	points
Between \$85.00 and \$94.99	5	points
Between \$95.00 and \$103.99	2.5	points
Over \$104.00	0	points

\*The ratio of square feet of assignable area of instructional and library facilities (as those terms are defined in Federal regulations) to the total student clock-hour enrollment divided by 100. See Section 171.1(f) of Federal regulations for means of calculating student clock-hour equivalents.

(ii) In the case of institutions offering some graduate or professional programs, but having less than fifteen percent of full-time equivalent students enrolled in programs leading to advanced degrees beyond the baccalaureate, if expenditures are:

Below \$31.00	25	points
Between \$31.00 and \$33.99	22.5	points
Between \$34.00 and \$37.99	20	points
Between \$38.00 and \$41.99	17.5	points
Between \$42.00 and \$44.99	15	points
Between \$45.00 and \$47.99	12.5	points
Between \$48.00 and \$51.99	10	points
Between \$52.00 and \$62.99	7.5	points
Between \$63.00 and \$71.99	5	points
Between \$72.00 and \$81.99	2.5	points
Over \$82.00	0	points

(iii) In the case of institutions having baccalaureate programs, but no advanced degree programs, if expenditures are:

Below \$25.00	25	points
Between \$25.00 and \$27.99	22.5	points
Between \$28.00 and \$30.99	20	points
Between \$31.00 and \$33.99	17.5	points
Between \$34.00 and \$36.99	15	points
Between \$37.00 and \$38.99	12.5	points
Between \$39.00 and \$42.99	10	points

Between \$43.00 and \$49.99	7.5	points
Between \$50.00 and \$56.99	5	points
Between \$57.00 and \$62.99	2.5	points
Over \$63.00	0	points

(iv) In case of other institutions of higher education, not included in paragraphs (i), (ii), or (iii) above, if expenditures are:

Below \$16.00	25	points
Between \$16.00 and \$18.99	22.5	points
Between \$19.00 and \$19.99	20	points
Between \$20.00 and \$21.99	17.5	points
Between \$22.00 and \$23.99	15	points
Between \$24.00 and \$26.99	12.5	points
Between \$27.00 and \$30.99	10	points
Between \$31.00 and \$36.99	7.5	points
Between \$37.00 and \$42.99	5	points
Between \$43.00 and \$48.99	2.5	points
Over \$49.00	0	points

Applications for institutions or branch campuses which have not been in operation for at least one academic year preceding the academic year in which the application is filed shall receive zero points under this standard.

(b) The ability of the applicant to effectively use educational television as evidenced by the number of planned additional undergraduate level courses to be programmed for closed circuit instruction at the institution or branch campus covered by the project as of the second fall term after the fall term preceding the closing date for which the application is filed.\* Applications will be ranked with maximum points going to the application showing the greatest number of additional courses. The remaining points or fraction thereof to zero will be distributed arithmetically among the remaining applicants. The increment shall be computed by dividing the maximum number of points by the number of applicants minus one. (For example, if there are six applicants and the maximum number of points is 15 the highest would receive 15 points and the others would receive in descending order, 12, 9, 6, 3, and 0.) In case of ties among applications from two or more institutions the scores will be averaged.

Maximum \_\_\_\_\_ 15 points

(c) The ability of the applicant to effectively use educational television as evidenced by the projected number of additional student enrollments in undergraduate level courses to be programmed for closed-circuit instruction at the institution or branch campus covered by the project as of the second fall term after the fall term preceding the closing date for which the application is filed.\* Applications will be ranked with maximum points going to the application showing the greatest number of additional student enrollments. The remaining points will be distributed as described in WAC 250-16-050(7)(b) above. In case of ties among applications from two or more institutions, the scores will be averaged.

Maximum \_\_\_\_\_ 10 points

(d) Date of the most recent closed-circuit direct instruction television grant received by the applicant.

	Points
No grant received _____	10
Most recent grant received two or more Federal fiscal years prior to the Federal fiscal year in which the application is submitted _____	5
Most recent grant received one Federal fiscal year prior to the Federal fiscal year in which the application is submitted _____	0

\*As used here "course" means a particular course offering (such as "English I") rather than an individual section of the same course. A course is to be counted as programmed for closed-circuit direct instruction if 25 percent or more of the class hours scheduled during the term are scheduled as "television hours." Any class hour during which television will be used is to be considered a "television hour" regardless of the length of time television will be used during the hour. Attach list to application indicating each course title and number of students involved in the planned additional undergraduate level courses to be programmed for closed circuit television. This attachment is to include a list of all titles and numbers of students currently enrolled in programs for closed circuit television.

[Order 1-68, § 250-16-050, filed 2/26/73; Order, § 250-16-050, filed 7/29/68, 9/22/67, 4/4/67.]

**WAC 250-16-060 Determination of matching federal share.** The State Commission will determine Federal share for projects which appear to be eligible for funds allotted under Part A of Title VI of the Act, by application of the following standards and methods:

(1) Federal shares for laboratory and other special equipment projects will be determined as follows: The recommended Federal share for each eligible project will be 50% of the estimated eligible project cost: *Provided*, That the Federal share for any one project in any one fiscal year shall not exceed 5% of the State's allotment for that fiscal year. Should funds remain in the State's allotment after all eligible projects have been recommended for Federal shares of 50% of project cost or 5% of the State's allotment, such unallocated funds shall be assigned to projects in order of their priority until all projects have received a Federal share of 50% of the eligible project cost, or until all funds for that closing date are allocated.

(2) Federal shares for closed-circuit instructional television projects will be determined as follows: The recommended Federal share for each such eligible project will be 50% of the estimated eligible project cost, unless the applicant requests a lesser share. [Order, § 250-16-060, filed 7/29/68, 9/22/67, 4/4/67.]

**Chapter 250-20 WAC  
STATE STUDENT FINANCIAL AID PROGRAM—  
NEED GRANT**

**WAC**

250-20-011	Program eligibility.
250-20-021	Program definitions.
250-20-031	Application procedure.
250-20-041	Award procedure.
250-20-051	Grants disbursement.
250-20-061	Program administration and audits.
250-20-071	Appeal process.

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

250-20-020	Requirements. [Emergency and Permanent Order 1-72, § 250-20-020, filed 3/23/72; Order 2-70, § 250-20-020, filed 2/17/70.] Repealed by Order 1-73, filed 7/2/73.
250-20-025	Program definitions. [Emergency and Permanent Order 1-72, § 250-20-025, filed 3/23/72.] Repealed by Order 1-73, filed 7/2/73.
250-20-030	Method of award. [Emergency and Permanent Order 1-72, § 250-20-030, filed 3/23/72; Order 2-70, § 250-20-030, filed 2/17/70.] Repealed by Order 1-73, filed 7/2/73.
250-20-040	Grant renewal. [Emergency and Permanent Order 1-72, § 250-20-040, filed 3/23/72; Order 2-70, § 250-20-040, filed 2/17/70.] Repealed by Order 1-73, filed 7/2/73.
250-20-050	Refunds. [Emergency and Permanent Order 1-72, § 250-20-050, filed 3/23/72; Order 2-70, § 250-20-050, filed 2/17/70.] Repealed by Order 1-73, filed 7/2/73.
250-20-060	Student transfer. [Order 2-70, § 250-20-060, filed 2/17/70.] Repealed by Order 1-73, filed 7/2/73.
250-20-070	Application by only first-year entering students. [Order 2-70, § 250-20-070, filed 2/17/70.] Repealed by Emergency and Permanent Order 1-72, filed 3/23/72.
250-20-080	Ineligible applicants. [Order 2-70, § 250-20-080, filed 2/17/70.] Repealed by Emergency and Permanent Order 1-72, filed 3/23/72.
250-20-090	Voluntary repayment pledge. [Emergency and Permanent Order 1-72, § 250-20-090, filed 3/23/72; Order 2-70, § 250-20-090, filed 2/17/70.] Repealed by Order 1-73, filed 7/2/73.
250-20-100	Application and award procedures. [Order 1-70, § 250-20-100, filed 7/14/72; Emergency and Permanent Order 1-72, § 250-20-100, filed 3/23/72; Order 2-70, § 250-20-100, filed 2/17/70.] Repealed by Order 1-73, filed 7/2/73.
250-20-110	Field Audits. [Emergency and Permanent Order 1-72, § 250-20-110, filed 3/23/72.] Repealed by Order 1-73, filed 7/2/73.

**WAC 250-20-011 Program eligibility.** (1) For a student to be eligible for a State Need Grant he or she must:

(a) Be a "needy student" or "disadvantaged student" as determined by the Council for Postsecondary Education in accordance with RCW 28B.10.802.

(b) Have been domiciled within the State of Washington for at least one year.

(c) Be enrolled or accepted for enrollment as a full-time undergraduate student or be a student under an established program designed to qualify him or her for enrollment as a full-time student at a postsecondary institution in the State of Washington.

(i) For purposes of Need Grant eligibility, the student must be enrolled in a course load of at least twelve credit or equivalent clock hours unless it is documented that

"full-time" for the particular course the student is pursuing is less than twelve credit or equivalent clock hours. Should a student be in such a course of study, he or she must be enrolled for the number of credit or equivalent clock hours accepted as full-time for that course of study. A grant recipient enrolled less than full-time may not receive this grant for the term in question, but is eligible for reinstatement or reapplication for a grant upon return to full-time status. If, on the written recommendation of a counselor or a professor, and in accordance with agreement by the financial aid officer, the student enrolls in a course load less than full-time, the student will be allowed to retain his or her grant for that term.

(ii) In addition to enrolling full-time, the student is also expected to satisfactorily complete twelve credit or equivalent clock hours or the appropriate number of hours as documented. Each institution must submit to the Council for Postsecondary Education for approval its policy for awarding financial aid to students who do not complete the required number of credit or clock hours. The financial aid office must have on record in each student's file justification for rewarding a Need Grant to any student who received a grant the previous academic term and did not complete a full-time course load during that term.

(iii) If the Council is notified in writing that a Need Grant recipient will not attend the institution for a term during the academic year of the grant award, but plans to return that same academic year, a portion of the full year's grant may be awarded for those terms the student attends full-time.

(d) Not be pursuing a degree in theology.

(e) Be a citizen of the United States or in the process of becoming a citizen.

(f) Not have received a State Need Grant for more than eight semesters or twelve quarters or equivalent or a combination of these two. Upon receipt of a bachelor's degree, a student is no longer eligible. A fifth-year student in a program requiring five years for a bachelor's degree may receive a State Need Grant if he or she has not received a State Need Grant for the maximum number of quarters or semesters. [Order 2-77, § 250-20-011, filed 4/13/77; Order 3-75, § 250-20-011, filed 4/25/75; Order 1-75, § 250-20-011, filed 3/7/75; Order 1-74, § 250-20-011, filed 4/9/74; Order 1-73, § 250-20-011, filed 7/2/73.]

**WAC 250-20-021 Program definitions.** (1) The term "needy student" shall mean a post-high school student of an institution of postsecondary education who demonstrates to the Council the financial inability, either parental, familial, or personal, to bear the total cost of education for any semester or quarter.

(2) The term "disadvantaged student" shall mean a post-high school student who by reason of adverse cultural, educational, environmental, experiential or familial circumstance is "unable to qualify for enrollment" as a full-time student in a postsecondary institution, and who otherwise qualified as a needy student and who is attending a postsecondary educational institution under an established program designed to qualify him or her for enrollment as a full-time student.

(3) The term "postsecondary institution" shall mean any public or private college, university or community college in the State of Washington which is recognized by the Northwest Association of Secondary and Higher Schools; a postsecondary institution shall also mean any state-supported vocational-technical institute in the State of Washington.

(4) The term "domicile" shall denote a person's true fixed and permanent home and place of habitation. It is the place where he or she intends to remain and to which he or she, upon leaving, expects to return without intending to establish a new domicile elsewhere. Determination of "domicile" shall be in accordance with RCW 28B.15.011-RCW 28B.15.014.

(5) "Dependent student" shall mean any post-high school student who does not qualify as an independent student in accordance with 206.0 [WAC 250-20-021(6)].

(6) "Independent student" shall mean any student whose parents (including step-parent(s)) do not acknowledge and accept a financial responsibility for the student and have on record in the financial aid office documentation attesting to requirements for independence. Such requirements include the following criteria:

(a) The student has not and will not be claimed as an exemption for federal income tax purposes by any persons except his or her spouse for the calendar year(s) in which a State Need Grant is received and the prior calendar year.

(b) The student has not received and will not receive financial assistance of more than \$600 in cash or kind from his or her parent(s) in the calendar year(s) in which a State Need Grant is received and the prior calendar year.

(c) The student has not lived and will not live in the home of his or her parent(s) except during occasional temporary visits during the calendar year(s) in which a State Need Grant is received and the prior calendar year.

(d) A special category of independent students consists of persons emancipated or independent by circumstances beyond their control. Examples are wards of court and orphans. An affidavit describing such circumstances is required in lieu of documentation of the family financial situation. Students in this category will be treated as independent applicants with a \$0 parental income and contribution.

(e) Married students will be considered as dependent or independent as appropriate.

(7) Definition of "undergraduate students" will be in accord with definitions adopted for institutional use by the Council.

(8) "Budgetary cost" shall consist of that amount required to support an individual as a student for nine months, taking into consideration cost factors for maintaining the student's dependents. The Council for Postsecondary Education will annually review and adjust budgets which will reflect the latest recognized cost levels for room and board, transportation, books, supplies,



personal expenses and any other factors deemed necessary for consideration. The adopted budgets will be published concurrent with annual guidelines for program administration.

(9) "Total family contribution" for dependent students and students who have been independent from their parents for less than five years shall mean the sum of the assumed parents' contribution, expected student summer savings, contribution from student assets, and additional student resources. For students who have been independent for five years or longer, "total family contribution" shall mean the sum of expected student summer savings, contribution from student assets, and additional student resources.

(10) "Parents' contribution" shall mean the contribution toward college expenses expected from the student's parent(s) as related to the total financial strength of the parents.

(11) "Student's expected summer savings" shall be an established amount expected of all State Need Grant nominees to be applied toward their educational costs as a result of savings from summer employment. The expectation figure will be established by the Council each year.

(12) "Student assets" are comprised of those funds other than the student's expected summer savings and additional student resources as defined in 213.0 [WAC 250-20-021(13)] to meet his or her educational expenses which were generated primarily through the student's own efforts. Examples of student assets are money in a savings account or in a trust fund.

(13) "Additional student resources" consist of those funds made available to the student primarily because of his or her student status such as G.I. Bill or veterans benefits. They also include financial support such as public assistance benefits, vocational rehabilitation funds, spouse's academic year income, etc. Funds administered by the institution, Basic Grants, BIA grants, and student employment are to be used as matching funds, and as such are not included as "additional student resources".

(14) "Determined Need" is the difference between the appropriate student budget and the student's total family contribution. [Order 2-77, § 250-20-021, filed 4/13/77; Order 3-75, § 250-20-021, filed 4/25/75; Order 1-75, § 250-20-021, filed 3/7/75; Order 1-74, § 250-20-021, filed 4/9/74; Order 1-73, § 250-20-021, filed 7/2/73.]

**WAC 250-20-031 Application procedure.** (1) Application for a State Grant must be made each year.

(2) All applications will be ranked anew each year.

(3) Application for a State Need Grant is accomplished through: (1) a student's application for admission to, and financial aid from, the institution of his or her choice, and nomination to the Council by that institution, or (2) direct application by the student to the Council on appropriate forms designed and/or utilized by the Council.

(4) Financial data must be generated in accordance with the method set forth by the Council for Postsecondary Education to assure that information will be consistent on a state-wide basis.

(5) Student nominations will be transmitted by participating institutions to the Council on forms designed and/or utilized and distributed by the Council.

(6) A Financial Aid Form or comparable financial status documents, and resulting financial need analysis must be on record in the financial aid offices for all nominations submitted to the Council.

(7) Students who have met the criteria for independence and who are being considered for State Need Grant receipt without parent data must demonstrate a history of financial need as documented by records on file in the institutional financial aid office of earnings and liabilities for the year immediately preceding enrollment.

(8) The Council shall establish annual application deadlines.

(9) Unless institutions are notified otherwise by the Council, nominations on all eligible State Need Grant recipients should be submitted throughout the academic year in progress.

(10) Grants made subsequent to the fall term awarding cycle will be funded from moneys made available from unexpended grant funds.

(11) The financial aid officer at each institution will be required to sign a statement attesting to the fact that all eligible financial aid applicants within State Need Grant parameters will be nominated and that financial information will be determined in strict adherence to program guidelines. [Order 2-77, § 250-20-031, filed 4/13/77; Order 1-76, § 250-20-031, filed 3/11/76; Order 3-75, § 250-20-031, filed 4/25/75; Order 1-75, § 250-20-031, filed 3/7/75; Order 1-74, § 250-20-031, filed 4/9/74; Order 1-73, § 250-20-031, filed 7/2/73.]

**WAC 250-20-041 Award procedure.** (1) The Council shall annually determine recipients of Washington State Need Grants from among Washington residents who have applied either directly or indirectly for a State Need Grant by ranking them according to determined financial need.

(2) Grant receipt shall be determined by the inability of the student and family, if appropriate, to contribute to the postsecondary educational costs of the applicant as demonstrated by the determined need of the student.

(3) Maximum and minimum grant amounts will be established by the Council each year.

(4) Students may receive a State Need Grant for any regular academic term in which they are enrolled full-time. Depending on the availability of funds, students may receive a Need Grant for summer session attendance.

(5) Upon determination of grant recipients, the Council will notify the institutions of their applicants who will receive a State Need Grant and the amounts of the grants.

(6) The institution will be expected, insofar as possible, to match the State Need Grant with other funds sufficient to meet the student's need. Matching moneys may consist of student financial aid funds and/or student self-help.

(7) The institution will notify the student of receipt of the State Need Grant.

(8) Grant receipt for those students nominated by the institutions or applying directly to the Council after the initial closing date will be determined in the same manner as described in 401.0 and 402.0 [WAC 250-20-041(1) and 250-20-041(2)] above. [Order 2-77, § 250-20-041, filed 4/13/77; Order 3-75, § 250-20-041, filed 4/25/75; Order 1-75, § 250-20-041, filed 3/7/75; Order 1-74, § 250-20-041, filed 4/9/74; Order 1-73, § 250-20-041, filed 7/2/73.]

**WAC 250-20-051 Grants disbursement.** (1) Every term financial aid officers from participating institutions will submit the appropriate warrant order form to the Council for Postsecondary Education for each State Need Grant recipient certifying full-time enrollment and grant eligibility.

(2) Upon receipt of the warrant order forms, the Council for Postsecondary Education will forward warrants to the appropriate institution for each recipient.

(3) The student must acknowledge receipt for the State Need Grant each term agreeing to the conditions of award.

(4) All signed receipts for State Need Grants are to be returned to the Council, along with all unclaimed warrants on or before the date specified by the Council each term.

(5) Should a student recipient leave school by reason of failure or withdrawal at the end of the grading period, the unused portion of the grant will remain with the state.

(6) Should a student recipient withdraw from classes during the term in which he or she was awarded a State Need Grant, and prior to the institutional deadline for refunding any portion of registration fees, he or she shall return the unused portion to the Council. [Order 2-77, § 250-20-051, filed 4/13/77; Order 3-75, § 250-20-051, filed 4/25/75; Order 1-75, § 250-20-051, filed 3/7/75; Order 1-74, § 250-20-051, filed 4/9/74; Order 1-73, § 250-20-051, filed 7/2/73.]

**WAC 250-20-061 Program administration and audits.** (1) The staff of the Council for Postsecondary Education, under the direction of the Executive Coordinator, will manage the administrative functions relative to this program.

(2) The Council for Postsecondary Education will conduct annual audits of institutions and student financial aid applicants selected by random sample in order to determine compliance with state Rules and Regulations. [Order 2-77, § 250-20-061, filed 4/13/77; Order 3-75, § 250-20-061, filed 4/25/75; Order 1-75, § 250-20-061, filed 3/7/75; Order 1-74, § 250-20-061, filed 4/9/74; Order 1-73, § 250-20-061, filed 7/2/73.]

**WAC 250-20-071 Appeal process.** (1) Should a student question his or her State Need Grant eligibility or nomination, the following procedures should be followed:

(a) The student should direct questions to the financial aid officer at the institution he or she attends.

(b) If the student is not satisfied with the response of the institutional financial aid officer, he or she should

assemble all relevant academic, financial, and personal data and forward it to the Council for Postsecondary Education for review.

(c) The Council's division of student financial aid will review all material submitted and, if possible, will resolve the problem, advising the student of his or her eligibility and generating an award or, if the student is not eligible for a State Need Grant, advising the student of the reason for denial.

(d) The Council for Postsecondary Education will convene its review committee to consider the situation of any student whose State Need Grant eligibility is questionable, or upon the request of the student. If the committee finds the student eligible for State Need Grant receipt, it will advise the financial aid officer at the institution the student attends and will recommend to the Council that the student's State Need Grant nomination be processed immediately. If the review committee finds the student not eligible for State Need Grant receipt, it will advise the student of the reason for denial.

(e) If the student is not satisfied with the resolve by the review committee, the student's final recourse is submission of his or her case to the Council for Postsecondary Education. [Order 2-77, § 250-20-071, filed 4/13/77; Order 3-75, § 250-20-071, filed 4/25/75.]

## Chapter 250-24 WAC

### RULES AND REGULATIONS ADMINISTERING THE STATE OF WASHINGTON TUITION SUPPLEMENT GRANT PROGRAM

#### WAC

250-24-010	Purpose of the tuition supplement grant program.
250-24-020	Statutory authorization.
250-24-030	General administration.
250-24-040	Grant determination.
250-24-050	Grant application and award.
250-24-060	Refund procedures.
250-24-070	Definitions.

**WAC 250-24-010 Purpose of the tuition supplement grant program.** Based upon the responsibility of this state to make ample provision for the education of all children residing within its borders, and recognizing the contributions made to the educational level of the citizens of this state by the independent and private institutions of higher education in Washington, the program provides a tuition supplement grant not to exceed \$100 per annum to each undergraduate resident attending accredited independent or private institutions of higher education within the state. [Order 1-71, § 250-24-010, filed 2/8/72.]

**WAC 250-24-020 Statutory authorization.** In accordance with Engrossed Senate Bill 419, chapter 56, Laws of 1971 ex. sess. of the Washington State Legislature, the Council on Higher Education is directed to develop and administer a State Plan to provide a tuition supplement program. [Order 1-71, § 250-24-020, filed 2/8/72.]

**WAC 250-24-030 General administration.** The name and address of the state agency responsible for the

administration of the program is: The Council on Higher Education, 1020 East Fifth Street, Olympia, Washington 98504.

Each institution enrolling students participating in this program is to submit to the State Council on Higher Education, each year on or before July 1, the name of the office and specific person to be the sole contact for administration of the tuition supplement program. [Order 1-71, § 250-24-030, filed 2/8/72.]

**WAC 250-24-040 Grant determination.** (1) The Council will determine the allocation of the appropriation for each year of the biennium, recognizing that the objective is to make substantially equal grants per student in each year of the biennium.

(2) The full amount of the grant will be disbursed in the fall term.

(3) Each institution will estimate the number of eligible Washington residents who will be attending fall term and submit that estimate by August 1st.

(4) The Council on Higher Education will then determine the amount of each grant to be awarded in that upcoming fall term, provided however, that the grant shall not exceed \$100 per student.

(5) The Council will then notify each institution on or before August 15 of the amount of the individual tuition supplement grant to be awarded for the ensuing year. This figure will then be utilized by the institutions in determining a tuition supplement credit for the student in the upcoming fall term. [Order 1-71, § 250-24-040, filed 2/8/72.]

**WAC 250-24-050 Grant application and award.** On or before November 1, each institution will submit to the Council on Higher Education a listing of confirmed, full-time enrolled eligible residents as of the 10th class day.

(1) Accompanying the list is to be an application for each student.

(a) The student application will be on a form designed and produced by the Council on Higher Education and obtained by the student from the institution.

(b) This application form will contain the student's request for receipt of the grant, his and the institution's attestation that he is a resident, a full-time undergraduate student, not pursuing a degree in theology.

(c) This form will also assign to the attending institution the authority to receive the grant and credit the student's account.

(d) This form will contain a self-explanatory definition of residency requirements which will then be completed by the student and audited by the Council.

(2) Upon confirming the residency of each applicant, the Council will then forward to each institution a single state warrant covering resident students in attendance. [Order 1-71, § 250-24-050, filed 2/8/72.]

**WAC 250-24-060 Refund procedures.** (1) On or before January 15 each institution will submit to the Council on Higher Education a reconciliation of records form.

(a) The purpose of this document is to make final accounting of students receiving a tuition supplement grant.

(b) The actual number of full-time enrolled students will be reported.

(c) Any tuition and fee refunds will be calculated and made to the state in a single warrant.

(2) Refunds of tuition supplements will be in accordance with each institution's policy as published in the official catalogue.

(a) The State of Washington will be reimbursed for that portion of the grant which is equal to the percentage of refund to general tuition and fees which is granted by the institution.

(b) Any grant monies not utilized the first year will be added to the second year's general fund grant allocation. [Order 1-71, § 250-24-060, filed 2/8/72.]

**WAC 250-24-070 Definitions.** Definitions used in relation to the program.

(1) Institution. An independent or private institution of higher education accredited by the Northwest Association of Secondary and Higher Schools.

(2) Washington resident (ESB 594), chapter 273, Laws of 1971 ex. sess. the term "resident student" shall mean a student who has had a domicile in the State of Washington for the period of time required for voting for state officials in this state at the time of commencement of the semester or quarter for which he has registered at any institution and has established an intention to become a bona fide domiciliary of this state for other than education purposes.

(3) An eligible full-time student. An undergraduate resident student pursuing a minimum of twelve credit hours, or the equivalent thereof, and not pursuing a degree in theology. For the purposes of this program, a degree in theology shall be a degree designated as a Bachelor of Religion, Bachelor of Theology, or Bachelor of Divinity. [Order 1-71, § 250-24-070, filed 2/8/72.]

### 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

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.

#### 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. [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 director of internal operations, division of student financial aid, council for postsecondary education. [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 contribution, as determined according to the uniform 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 parents contribution, expected student summer savings, contribution from student assets and additional student resources. For a self-supporting student, "total family contribution" shall mean the sum of the expected student summer savings, contribution from student assets and additional student 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. [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 participating optometry schools for admission.

(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) Ranking priorities. In the event funding is not sufficient to award all Washington applicants studying optometry at participating institutions, the following priorities, in the order listed, shall be used in determining recipients.

(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) Students entering their first year of optometry school will be supported in favor of those students presently enrolled who are not receiving support. In the event funding does not allow support of all eligible entering students, applicants will be placed in rank order according to their financial need as determined by the uniform methodology system of need analysis. Those students with greater financial need will be offered priority over those with lesser financial need.

(c) If funding remains available after satisfying subdivisions (a) and (b) above, first priority in this category will be given second year students, next priority will be given third year students, and fourth year students will be awarded if funds remain available. Eligible students in each class will be placed in rank order according to their financial need as determined by the uniform methodology system of need analysis. Those students with greater financial need in each class will be given priority over those with lesser financial need. [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.]

## Chapter 250-32 WAC

### FINANCIAL AID TO BLIND STUDENTS

#### WAC

250-32-020	Definitions.
250-32-030	Evidence of eligibility.
250-32-040	Benefits.

250-32-050 Allocations.  
 250-32-060 Institutional responsibilities.  
 250-32-070 Administration.

**WAC 250-32-020 Definitions.** (1) "Blind student" shall be defined as a person who (a) is unable to read because of defective eyesight and (b) is qualified for admission to an institution of postsecondary education within the state by reason of studies previously pursued.

(2) The term "domicile" shall denote a person's true fixed and permanent home and place of habitation. It is the place where he or she intends to remain and to which he or she, upon leaving, expects to return without intending to establish a new domicile elsewhere. Determination of "domicile" shall be in accordance with RCW 28B.15.011 - RCW 28B.15.014.

(3) The term "institution of postsecondary education" shall mean any public college, university or community college in the state of Washington which is recognized by the Northwest Association of Secondary and Higher Schools. [Order 4-77, § 250-32-020, filed 5/11/77; Order 4-75, § 250-32-020, filed 8/18/75; Order 3-74, § 250-32-020, filed 9/6/74.]

**WAC 250-32-030 Evidence of eligibility.** (1) Benefits of this program shall be limited to blind students as defined in RCW 28B.10.210. So that eligibility may be determined in compliance with the provisions therein prescribed, the following evidence shall be required.

(a) Inability to read because of defective eyesight. An application for benefits under this program shall be supported by evidence of inability to read because of defective eyesight. Such evidence may be a report or letter from a physician skilled in treatment of the eye or a report or letter from the Services for the Blind (State Department of Social and Health Services).

(b) Domicile. The applicant must demonstrate to the satisfaction of the Council for Postsecondary Education and the postsecondary institution he or she attends that the requirement of domicile in the state of Washington has been met.

(c) Need for assistance. An application for benefits under this program shall be supported by evidence that the applicant does not have resources with which to totally finance his or her education. Applicants must supply information concerning their financial situation on the form specified by the Council for Postsecondary Education.

(d) Admission to a postsecondary institution. The applicant must be enrolled or accepted for enrollment as a student at a postsecondary institution within the state. An application for benefits under this program must be supported by a statement from the institution that the applicant has been admitted to that institution for purposes of pursuing a program of studies. [Order 4-77, § 250-32-030, filed 5/11/77; Order 3-74, § 250-32-030, filed 9/6/74.]

**WAC 250-32-040 Benefits.** (1) Tuition and laboratory fees exemption. A blind student who qualifies for benefits of this program shall be entitled to exemption from payment of tuition and laboratory fees.

(2) Financial assistance. A blind student who qualifies for benefits of this program shall be entitled to financial assistance in an amount not to exceed two hundred dollars per quarter, or so much thereof as may be necessary, the exact amount of the allocation to be determined in accordance with the regulations hereinafter set forth: *Provided*, That funds are appropriated to the Council for Postsecondary Education for such purpose: *Provided further*, That in the event the amount of funds applied for exceeds funds available, allocations to eligible applicants shall be made according to the order applications are received by the Council for Postsecondary Education. [Order 4-77, § 250-32-040, filed 5/11/77; Order 3-74, § 250-32-040, filed 9/6/74.]

**WAC 250-32-050 Allocations.** (1) Purpose. Funds appropriated to the Council for Postsecondary Education to carry out this program shall be allocated to eligible blind students for the purpose of providing said blind students with readers, books, recordings, recorders, or other means of reproducing and imparting ideas, while attending a postsecondary institution within the state of Washington, and for no other purpose.

(2) Determination of amount of allocation. The amount of an allocation shall be based on the number of credit hours for which the student registers for a designated quarter or semester in accordance with the allocation schedule shown in (3): *Provided*, That in the event the student fails to complete registration, or fails to register for the full number of credit hours specified for any period, or withdraws from a course or terminates his or her studies prior to the end of any period, the allocation shall be adjusted accordingly: *Provided further*, That any unexpended portion of an allocation for any period shall become available for reallocation.

(3) Allocation schedule. Allocations shall not exceed the amount determined in accordance with the schedule herein set forth: *Provided*, That in the event a student is in need of additional assistance due to extraordinary circumstances and such need is substantiated by the postsecondary institution, a reasonable increase in the allocation may be allowed, but in no instance shall any allocation exceed two hundred dollars per quarter or three hundred dollars per semester.

ALLOCATION SCHEDULE

	<u>Credit Hours</u>	<u>Maximum Per Quarter</u>	<u>Maximum Per Semester</u>
Undergraduate Work	14 or More	\$ 200.00	\$ 300.00
	11 to 13	175.00	262.50
	7 to 10	150.00	225.00
	6 or less	100.00	150.00
Graduate Work	9 or more	200.00	300.00
	7 to 8	175.00	262.50
	5 to 6	150.00	225.00
	4 or less	100.00	150.00

[Order 4-77, § 250-32-050, filed 5/11/77; Order 3-74, § 250-32-050, filed 9/6/74.]

**WAC 250-32-060 Institutional responsibilities.** (1) Before an application for benefits under this program is approved, the institution which the applicant attends must:

(a) notify the Council for Postsecondary Education that the applicant has been admitted to that institution for purposes of pursuing a program of studies for a stated period and that tuition and laboratory fees will be waived for that period of time;

(b) accept the responsibility to notify the Council for Postsecondary Education in the event the applicant fails to complete registration, fails to register for the number of credit hours specified for any period, or withdraws from a course or terminates his or her studies prior to the end of any period;

(c) agree to counsel and assist the applicant in the procurement of readers, books and/or equipment and to arrange for and approve payments for such reader services, books and/or equipment pending reimbursement by the Council for Postsecondary Education from state funds allocated for that purpose; and

(d) agree on behalf of disburse state warrants sent by the Council for Postsecondary Education on behalf of the student for approved expenditures. [Order 4-77, § 250-32-060, filed 5/11/77; Order 3-74, § 250-32-060, filed 9/6/74.]

**WAC 250-32-070 Administration.** (1) The Director of Internal Operations, Division of Student Financial Aid or his or her designee is authorized to act for the Council for Postsecondary Education in receiving, examining and approving applications consistent with statutory provisions, rules and regulations and such other requirements as the Director of Internal Operations, Division of Student Financial Aid may determine to be necessary.

(2) The Director of Internal Operations, Division of Student Financial Aid or his or her designee is authorized to administer the disbursement of funds allocated to blind students, such payments to be in accordance with pertinent statutory provisions, pertinent provisions of the regulations and such additional procedures and regulations as he or she may determine to be necessary. [Order 4-77, § 250-32-070, filed 5/11/77; Order 3-74, § 250-32-070, filed 9/6/74.]

### Chapter 250-36 WAC

#### HIGHER EDUCATION BENEFITS TO CHILDREN OF DECEASED OR INCAPACITATED VETERANS

##### WAC

250-36-020	Definitions.
250-36-030	Eligibility requirements.
250-36-040	Benefits.
250-36-050	Administration.
250-36-060	Application—Substantiating evidence.
250-36-070	Application—Approval of and certification.
250-36-080	Payments from appropriated funds.

**WAC 250-36-020 Definitions.** (1) The term "domicile" shall denote a person's true fixed and permanent home and place of habitation. It is the place where he or she intends to remain and to which he or she, upon

leaving, expects to return without intending to establish a new domicile elsewhere. The applicant must demonstrate to the satisfaction of the institution of postsecondary education that he or she meets the requirement of domicile in the state of Washington. Determination of "domicile" shall be in accordance with RCW 28B.15.011 – RCW 28B.15.014.

(2) The term "institution of postsecondary education" shall mean any public college, university or community college in the state of Washington which is recognized by the Northwest Association of Secondary and Higher Schools. [Order 3-77, § 250-36-020, filed 5/11/77; Order 5-75, § 250-36-020, filed 8/18/75; Order 4-74, § 250-36-020, filed 9/6/74.]

**WAC 250-36-030 Eligibility requirements.** (1) Eligibility is limited to persons:

(a) who are not under sixteen and not over twenty-two years of age;

(b) who have for twelve months had their domicile in the state of Washington;

(c) who are in need of the assistance;

(d) whose parents or one of them was killed or totally incapacitated from engaging in any normal employment by reason of service in the armed forces of the United States. [Order 3-77, § 250-36-030, filed 5/11/77; Order 4-74, § 250-36-030, filed 9/6/74.]

**WAC 250-36-040 Benefits.** (1) A person who has been determined eligible for the benefits of this program shall be entitled to:

(a) exemption from payment of tuition fees at a state supported institution of postsecondary education and

(b) payments for other expenses as specified in RCW 28B.10.250: *Provided*, That funds are appropriated to the Council for Postsecondary Education for such purpose. [Order 3-77, § 250-36-040, filed 5/11/77; Order 4-74, § 250-36-040, filed 9/6/74.]

**WAC 250-36-050 Administration.** The Director of Internal Operations for the Council's Division of Student Financial Aid or his or her designee is hereby authorized to act for the Council for Postsecondary Education in receiving, examining and approving applications consistent with statutory provisions and the regulations herein prescribed. [Order 3-77, § 250-36-050, filed 5/11/77; Order 4-74, § 250-36-050, filed 9/6/74.]

**WAC 250-36-060 Application—Substantiating evidence.** (1) Substantiating evidence to be required of the applicant in support of his or her application shall include but not be limited to the following:

(a) a notarized copy of applicant's birth certificate; or a statement of applicant's age by the school principal or other officer of a school which the applicant attended; or a statement of the applicant's age by an authorized agent of the Veterans Administration;

(b) a certified copy of adoption papers or other official documentation of adoption when the applicant is not the natural child of the deceased or incapacitated veteran;

(c) a statement bearing the signature of an official of one of the branches of the United States military service, or of the Veterans Administration, certifying that the death or total incapacitation of the applicant's parent was by reason of service in the armed forces of the United States. In the case of total incapacitation, the certification shall include a statement that the veteran is unable to engage in any normal employment. [Order 3-77, § 250-36-060, filed 5/11/77; Order 4-74, § 250-36-060, filed 9/6/74.]

**WAC 250-36-070 Application approval of and certification.** (1) Upon determination that an applicant meets all eligibility requirements, the Director of Internal Operations for the Council's Division of Student Financial Aid or his or her designee shall certify to the state institution of postsecondary education that the applicant is eligible for

- (a) exemption from payment of tuition, and
- (b) other benefits under this program: *Provided*, That funds have been appropriated and are available to the Council for Postsecondary Education for such purpose. [Order 3-77, § 250-36-070, filed 5/11/77; Order 4-74, § 250-36-070, filed 9/6/74.]

**WAC 250-36-080 Payments from appropriated funds.** Funds appropriated by the legislature for payments for registration fees and other special fees other than tuition, and board and room, rent and books and supplies, to the extent of the appropriation therefore and subject to the limitation set forth in RCW 28B.10.260 shall be paid by the Director of Internal Operations, for the Council's Division of Student Financial Aid or his or her designee to the institution(s) of postsecondary education on behalf of eligible students certified, such payments to be in accordance with pertinent procedures to be prescribed by the Director of Internal Operations for the Council's Division of Student Financial Aid. [Order 3-77, § 250-36-080, filed 5/11/77; Order 4-74, § 250-36-080, filed 9/6/74.]

## Chapter 250-40 WAC COLLEGE WORK-STUDY PROGRAM

WAC	Purpose.
250-40-020	Purpose.
250-40-030	Definitions.
250-40-040	Student eligibility and selection.
250-40-050	Restrictions on student placement and compensation.
250-40-060	Institutional application and allotment procedures.
250-40-070	Administration.

**WAC 250-40-020 Purpose.** The purpose of this act is to provide financial assistance to needy students attending eligible postsecondary institutions in the state of Washington by stimulating and promoting their employment; and to provide such needy students, wherever possible, with employment related to their academic pursuits. [Order 6-74, § 250-40-020, filed 9/17/74.]

**WAC 250-40-030 Definitions.** (1) "Financial need" shall be the difference between the budgetary cost to the

student attending an institution of postsecondary education and the total applicant resources which the institutional financial aid officer determines can reasonably be expected to be available to the student for meeting such costs.

(2) "Budgetary cost" of attending an institution shall consist of that amount required to support the individual and his or her dependents during the period in which that individual is enrolled as a student. Budgets will reflect the latest recognized cost levels for room and board, transportation, books, supplies, personal expenses, and any other cost factors deemed necessary for consideration.

(3) "Total applicant resources" for the dependent student shall mean the sum of the amounts which reasonably may be expected from the student and his or her spouse inclusive of expected summer savings to meet the student's cost of education, and the amount which reasonably may be expected to be made available to the student by his or her parents for such purpose. For the self-supporting student total applicant resources shall mean the amount which reasonably may be expected from the student and his or her spouse inclusive of expected summer savings to meet the student's cost of education.

(4) "Washington resident" shall be defined as an individual who has been domiciled within the state of Washington for at least one year. Domicile shall denote a person's true fixed and permanent home and place of habitation. It is the place where he or she intends to remain and to which he or she upon leaving, expects to return without intending to establish a new domicile elsewhere. Determination of domicile shall be in accordance with RCW 28B.15.011 - RCW 28B.15.014.

(5) "Eligible institution of postsecondary education" shall mean any postsecondary educational institution in the state of Washington accredited by the Northwest Association of Secondary and Higher Schools, or any public vocational-technical institute in the state of Washington.

(6) "Eligible employer" shall be defined as any eligible public institution of postsecondary education, any other nonprofit organization which is nonsectarian, or any profit-making nonsectarian organization which can and agrees to provide employment of a demonstrable benefit related to the student's postsecondary educational pursuits and which has been approved by the Council for Postsecondary Education for participation in the Work-Study Program. In approving an employer as eligible, the council will consider at the minimum:

(a) The relationship of the job to the student's educational objective;

(b) The potential for displacement of regular employees;

(c) The rate of pay as compared to salaries and wages provided other employees engaged in similar work.

(d) The employer's compliance with appropriate federal and state civil rights laws.

(7) "Dependent student" shall mean any post-high school student attending an eligible institution of postsecondary education who does not qualify as a self-supporting student in accordance with (8).

(8) "Self-supporting student" shall be one who demonstrates compliance with all of the following criteria:

(a) The student will not be and has not been claimed as an exemption for federal income tax purposes by any person except his or her spouse for the calendar year(s) in which a Work-Study award is received and the prior calendar year.

(b) The student will not receive and has not received financial assistance of more than \$600 in cash or kind from his or her parent(s) in the calendar year(s) in which a Work-Study award is received and the prior calendar year.

(c) The student will not live and has not lived in the home(s) of his or her parent(s) except during limited vacation periods during the calendar year(s) in which an award is received and the prior calendar year unless the student reimburses the parent(s) for at least the value of the student's room and board and personal benefits. Vacation periods will not include summer vacation unless such vacation is for a limited time between the end of spring term and the beginning of summer term or summer employment, or the end of summer term or summer employment and the beginning of fall term. As a general rule, vacation periods should not exceed the length of break period between academic terms. Any individual variance from this guideline which would warrant special classification of the student as self-supporting must be approved by the Council for Postsecondary Education.

(9) "Half-time-student" means any student enrolled in exactly one-half of the credit hour or clock hour load defined by the institution as constituting expected full time progress toward the particular degree or certificate. [Order 5-77, § 250-40-030, filed 5/11/77; Order 6-75, § 250-40-030, filed 8/18/75; Order 6-74, § 250-40-030, filed 9/17/74.]

#### **WAC 250-40-040 Student eligibility and selection.**

(1) Eligibility Criteria. In order to be eligible for employment under this program the student must:

(a) Demonstrate financial need.

(b) Be enrolled or accepted for enrollment as at least a half-time undergraduate, graduate or professional student or be a student under an established program designed to qualify him or her for enrollment as at least a half-time student at an eligible institution of postsecondary education.

(c) Be capable, in the opinion of the institution, of maintaining good standing in a course of study while employed under the program.

(d) Not be pursuing a degree in theology.

(2) Criteria for institutional determination of financial need and the making of awards.

(a) Budgetary costs will be determined by the institution subject to approval by the Council for Postsecondary Education. The advisory committee authorized by WAC 250-40-070(6) of these regulations will review each budget for reasonableness and make recommendations to the council for approval or disapproval.

(b) Total applicant resources shall be determined according to the uniform methodology system of need analysis. Institutional financial aid officers may make

reasonable adjustments to the computed total applicant resources if individual circumstances warrant such adjustments. In addition, nonliquid assets in the form of equity in the primary residence and net worth of business or farm may be disregarded in the computation of total applicant resources.

Any adjustments must be documented and placed in the student's financial aid file.

(c) The Work-Study award shall be designed in such a manner that the sum total of financial aid awarded any one student will not exceed the difference between the total applicant's resources and the budgetary cost of education. In the case of students attending participating private institutions, the combination of the state share of the State Work-Study award and a State Need Grant may not exceed the difference between the student's budgetary cost minus tuition and fees and the student's total resources.

(d) Each institution must have a policy relating to the continuance of aid for students who enroll in but do not complete the number of credit or clock hours required to maintain at least half-time status. The institution must submit its policy to the council for approval. The advisory committee authorized by WAC 250-40-070(6) will make recommendations to the Council for approval or disapproval of each institution's policy.

(3) Priorities in placing students. (a) The institution should make every effort to provide opportunities for student employment in an area related to the student's course of study. At the time of job placement, the student who is able to obtain course related employment shall be awarded in favor of one who is not able to obtain such employment.

(b) At the time of job placement, and after consideration of (a) above, no eligible Washington resident shall be excluded in favor of a nonresident.

(c) It is the intent of the Work-Study Program to assist those students from moderate income family backgrounds whose total applicant resources are insufficient to cover the total budgetary costs of education; and, who but for this program would normally be forced to rely heavily on loans. [Order 5-77, § 250-40-040, filed 5/11/77; Order 6-74, § 250-40-040, filed 9/17/74.]

#### **WAC 250-40-050 Restrictions on student placement and compensation.**

(1) Displacement of employees. Employment of students shall not result in displacement of classified or regular full-time positions reduced due to lack of funds or work, or impair existing contracts for services.

(2) Rate of compensation. All Work-Study positions shall receive compensation equal to the entry level salary of comparable positions. Any salaries for which a lower entry pay scale might be justified must be outlined in an apprenticeship-type agreement struck prior to a student's employment.

(3) Appeals. The council shall be notified of any violation of the requirements under (1) and (2) above. If satisfactory resolution cannot be made by the council, the advisory committee authorized by WAC 250-40-070(6) shall review the appeal and make a recommendation to the council on the disposition of the appeal.



(4) Maximum total compensation. Earnings beyond the student's State Work-Study eligibility must be reported to the financial aid officer, and resulting adjustments made in the financial aid package. However, if necessary to complete a special State Work-Study assignment, or to continue employment to the end of an academic term, the student may be allowed, upon agreement of the financial aid officer, to earn up to \$200 beyond the State Work-Study award without penalty.

(5) State share of student compensation. The state share of compensation paid students employed by state supported institutions of postsecondary education shall not exceed 80 percent of the student's gross compensation. The state share of compensation paid students employed by all other employers shall not exceed 65 percent of the student's gross compensation.

(6) Employer share of student compensation. The employer shall pay a minimum of 20% or 35% of the student's gross compensation as specified in section 5 above, plus the costs of any employee benefits including all payments due as an employer's contribution under the state Workman's Compensation laws, federal social security laws, and other applicable laws.

(7) Academic credit for state Work-Study employment. Students may receive academic credit for experience gained through State Work-Study employment.

(8) Maximum hours worked. Employment of a student in excess of an average of 19 hours per week over the period of enrollment for which the student has received an award or maximum of 40 hours per week during vacation periods will not be eligible for reimbursement from state funds.

(9) Types of work prohibited. Work performed by a student under the State College Work-Study Program shall not be sectarian related and shall not involve any partisan or nonpartisan political activity. [Order 5-77, § 250-40-050, filed 5/11/77; Order 6-75, § 250-40-050, filed 8/18/75; Order 6-74, § 250-40-050, filed 9/17/74.]

**WAC 250-40-060 Institutional application and allotment procedures.** (1) The convening of a review committee. The council staff will convene its advisory committee in accordance with WAC 250-40-070(6) to act as a review committee for the purpose of recommending the allotment of funds to students by institution. Beginning with 1975-76 awards, institutions will be notified of funds available for their students by May 1 of the year prior to the academic year in which awards will be given, or whenever the legislative appropriation becomes known, whichever is later.

(2) Information to be used in review process. In its deliberations, the panel will make use of information available from the institution's application for federal funds, supplemented by any other relevant information made available to the council.

(3) Reallotments. If it is determined that an institution is unable to award all of the funds allotted it the council will reduce its allotment accordingly and will redistribute unutilized funds to other eligible institutions. [Order 5-77, § 250-40-060, filed 5/11/77; Order 6-74, § 250-40-060, filed 9/17/74.]

**WAC 250-40-070 Administration.** (1) Administering agency. The Council for Postsecondary Education shall administer the Work-Study Program. The staff of the Council for Postsecondary Education under the direction of the executive coordinator will manage the administrative functions relative to the program and shall be authorized to enter into agreement with:

(a) Eligible public institutions for the placement of students and the reimbursement of employers for the state share of the student's compensation.

(b) Eligible private institutions for the placement of students.

(c) Employers of students attending eligible private institutions for the reimbursement of the state share of the student's compensation. Such agreements shall be written to ensure employer compliance with the rules and regulations governing the Work-Study Program.

(2) Responsibility of eligible public institutions. The institution will:

(a) Enter into contract with eligible organizations for employment of students under the Work-Study Program. Such agreements shall be written to ensure employer compliance with the rules and regulations governing the Work-Study Program.

(b) Determine student eligibility and arrange for placement.

(c) Arrange for payment of the state share of the student's compensation.

(3) Responsibility of eligible private institutions. The institution will:

(a) Assist the council in contracting with eligible employers.

(b) Determine student eligibility, arrange for placement with employers, and notify the council of such placement.

(4) Responsibility of eligible employers. The employer will:

(a) Arrange for payment of the student's compensation and benefits and request reimbursement of the state share from the institution or the Council for Postsecondary Education.

(b) In the case of the federal government as employer, reimburse the institution or the Council for Postsecondary Education for the employer's share of the student's compensation.

(5) Responsibility of the Council for Postsecondary Education. The council will, for those students attending private institutions:

(a) Reimburse the employer for the state share of the student's wages; or

(b) In the case of the federal government as employer, arrange for the payment of the student's compensation and benefits and request reimbursement of the employer's share.

(6) Advisory committee. The council will appoint an advisory committee composed of representatives of eligible institutions, employer organizations having membership in the classified service of the state's institutions of postsecondary education, a student and persons as may be necessary to advise the council staff on matters pertaining to the administration of the Work-Study Program. In addition, representatives from postsecondary

educational advisory and governing bodies will be invited to participate in advisory committee meetings when annual institutional allocations are being determined.

(7) Institutional administrative allowance. Contingent upon funds being made available to the Council for Postsecondary Education for the operation of the Work-Study Program, the public institutions will be provided an administrative expense allowance. In order to qualify for the allowance, the institution must demonstrate that financial support for student financial aid administration, exclusive of the administrative allowance, is at least equal to the level of support provided during the previous fiscal year.

(8) Institutional maintenance of effort. State funds provided under this program are not to be used to replace institutional funds which would otherwise be used to support student employment.

(9) Reports. The Council for Postsecondary Education will obtain periodic reports on the balance of each institution's Work-Study funds to ensure a proper distribution of funds among institutions. In addition, information will be gathered subsequent to the end of the academic year, describing the population served and the modes of packaging used.

(10) Program reviews. Council for Postsecondary Education will conduct program reviews to ensure compliance with rules and regulations and program guidelines. [Order 5-77, § 250-40-070, filed 5/11/77; Order 6-74, § 250-40-070, filed 9/17/74.]