

(a) Moves their permanent residence to a location outside Washington;

(b) Does not have need of the device; or

(c) Has been notified by ODS to return the device.

(3) A recipient, and/or his or her legal guardian, or legal custodian are liable for any damage to or loss of any device issued under these regulations.

(4) ODS shall establish policies for the sale of any device returned and no longer appropriate for reassignment.

[Statutory Authority: 1987 c 304. 88-04-090 (Order 2595), § 248-172-303, filed 2/3/88.]

**WAC 248-172-304 Out-of-state use.** (1) No person shall remove a TDD or other device from the state of Washington for a period longer than 90 days without the written permission of ODS.

(2) ODS may grant permission to remove a TDD or other device from the state for more than 90 days if ODS determines it is in the best interest of the recipient and the department.

[Statutory Authority: 1987 c 304. 88-04-090 (Order 2595), § 248-172-304, filed 2/3/88.]

**WAC 248-172-401 TDD advisory committee appointment.** (1) The DSHS advisory committee on deafness, with the assistance of ODS, shall establish a TDD advisory committee. The committee shall include representation from:

(a) Hearing-impaired communities in Washington state;

(b) The department;

(c) The Washington utilities and transportation commission;

(d) Local telephone exchange companies; and

(e) Agencies and services serving a hearing-impaired person.

(2) The term of office on the committee shall be three years with the possibility of reappointment for the second term.

(3) Members under WAC 248-172-401 (1)(a) shall have voting rights. The rest of the committee shall serve as ex-officio members.

(4) The committee shall determine the appointment of the chairperson for that committee by vote of the membership.

(5) The committee shall meet as necessary to fulfill the objectives of the committee and ODS.

(6) ODS shall arrange the site and make other arrangements for all committee meetings.

[Statutory Authority: 1987 c 304. 88-04-090 (Order 2595), § 248-172-401, filed 2/3/88.]

**WAC 248-172-402 Responsibilities of TDD advisory committee.** (1) The committee shall:

(a) Study the feasibility of implementing a statewide telecommunications relay system;

(b) Monitor, in conjunction with ODS, the activities and money being spent by the department for this program;

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(c) Establish criteria for and specify statewide organizations representing a hearing-impaired person, for purposes of these regulations; and

(d) Study and determine the number of hearing-impaired persons who have party lines and the costs of converting those lines to single lines. The committee shall report these study findings to the Washington utilities and transportation commission by no later than July 27, 1988.

(2) In order to carry out the above, the TDD advisory committee shall receive from ODS a semi-annual status report of activities and expenditures related to this program.

[Statutory Authority: 1987 c 304. 88-04-090 (Order 2595), § 248-172-402, filed 2/3/88.]

## Title 250 WAC

### HIGHER EDUCATION COORDINATING BOARD

(Formerly: Postsecondary Education, Council for)

#### Chapters

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#### Chapter 250-18 WAC

##### RESIDENCY STATUS FOR HIGHER EDUCATION

#### WAC

|            |                                     |
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| 250-18-020 | Student classification.             |
| 250-18-060 | Exemptions from nonresident status. |

**WAC 250-18-020 Student classification.** (1) For a student to be classified as a "resident" for tuition and fee purposes, he or she shall:

(a)(i) Have established a bona fide domicile in the state of Washington primarily for purposes other than educational for the period of one year immediately prior to commencement of the first day of the semester or quarter for which he or she has registered at any institution; and

(ii) Be financially independent; or

(b) Be a dependent student, one or both of whose parents or legal guardians have maintained a bona fide domicile in the state of Washington for at least one year immediately prior to commencement of the semester or quarter for which the student has registered at any institution; or

(c) Be a student who was classified as a resident, based upon domicile, by an institution on or before May 31, 1982, who was enrolled at a state institution during any term of the 1982-83 academic year, so long as such student's enrollment (excepting summer sessions) is continuous; or

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

(2) A student shall be classified as a "nonresident" for tuition and fee purposes if he or she:

(a) Will be financially dependent for the current year or was financially dependent for the calendar year prior to the year in which application is made and who does not have a parent or legally appointed guardian who has maintained a bona fide domicile in the state of Washington for one year immediately prior to the commencement of the semester or quarter for which the student has registered at an institution;

(b) Attends an institution with financial assistance provided by another state or governmental unit or agency thereof wherein residency in that state is a continuing qualification for such financial assistance, such nonresidency continuing for one year after the completion of the quarter or semester for which financial assistance is provided. Such financial assistance relates to that which is provided by another state, governmental unit or agency thereof for direct or indirect educational purposes and does not include retirements, pensions, or other noneducational related income. A student loan guaranteed by another state or governmental unit or agency thereof on the basis of eligibility as a resident of that state is included within the term "financial assistance";

(c) Is not a citizen of the United States of America, unless such person holds permanent or temporary resident immigration status, "refugee - parolee," or "conditional entrant" status or is not otherwise permanently residing in the United States under color of law and further meets and complies with all applicable requirements of WAC 250-18-030 and 250-18-035;

(d) Is not otherwise qualified as a "resident" under subsection (1)(c) of this section.

(3) A person does not lose a domicile in the state of Washington by reason of residency in any state or country while a member of the civil or military service of this

state or of the United States, nor while engaged in the navigation of the the waters of this state or of the United States or of the high seas if that person returns to the state of Washington within one year of discharge from said service with the intent to be domiciled in the state of Washington.

(4) Any resident dependent student who remains in this state when such student's parents or legal guardians, having theretofore, been domiciled in this state for a period of one year immediately prior to commencement of the first day of the semester or quarter for which the student has registered at any institution, move from this state, shall be entitled to continued classification as a resident student so long as such student is continuously enrolled during the academic year.

[Statutory Authority: Chapter 28B.15 RCW as amended by 1982 1st ex.s. c 37 § 4. 87-21-079 (Order 5-87, Resolution No. 87-60), § 250-18-020, filed 10/21/87; 87-16-048 (Order 3-87, Resolution No. 87-58), § 250-18-020, filed 7/29/87. Statutory Authority: 1982 1st ex.s. c 37 § 4. 83-13-092 (Order 2-83, Resolution No. 83-65), § 250-18-020, filed 6/17/83; 82-19-015 (Order 10-82, Resolution No. 83-1), § 250-18-020, filed 9/8/82.]

**WAC 250-18-060 Exemptions from nonresident status.** In accordance with RCW 28B.15.014, certain nonresidents shall be exempted from paying the nonresident tuition and fee differential. Exemption from the nonresident tuition and fee differential shall apply only during the term(s) such persons shall hold such appointments or be so employed. To be eligible for such an exemption, a nonresident student must provide documented evidence that he or she does reside in the state of Washington, and:

(1) Holds a graduate service appointment designated as such by an institution involving not less than twenty hours per week;

(2) Is employed for an academic department in support of the instructional or research programs involving not less than twenty hours per week;

(3) Is a faculty member, classified staff member, or administratively exempt employee holding not less than a half-time appointment, or the spouse or dependent child of such a person;

(4) Is an active duty military personnel stationed in the state of Washington or the spouse or dependent child of such person; or

(5) Is an immigrant having refugee classification from the U.S. Immigration and Naturalization Service or the spouse or dependent child of such refugee, if the refugee (a) is on parole status, or (b) has received an immigrant visa, or (c) has applied for United States citizenship.

[Statutory Authority: Chapter 28B.15 RCW as amended by 1982 1st ex.s. c 37 § 4. 87-21-079 (Order 5-87, Resolution No. 87-60), § 250-18-060, filed 10/21/87; 87-16-048 (Order 3-87, Resolution No. 87-58), § 250-18-060, filed 7/29/87. Statutory Authority: 1982 1st ex.s. c 37 § 4. 85-20-035 (Order 5-85, Resolution No. 86-2), § 250-18-060, filed 9/24/85; 84-14-024 (Order 3-84, Resolution No. 84-75), § 250-18-060, filed 6/26/84; 82-19-015 (Order 10-82, Resolution No. 83-1), § 250-18-060, filed 9/8/82.]

## Chapter 250-20 WAC

**STATE STUDENT FINANCIAL AID PROGRAM--  
NEED GRANT AND THE FEDERAL PROGRAM  
FOR STATE STUDENT INCENTIVE GRANT  
PROGRAM TITLE 45, CODE OF FEDERAL  
REGULATIONS CHAPTER 1, PART 192**

## WAC

|            |   |
|------------|---|
| 250-20-011 | Student eligibility.                                      |
| 250-20-015 | Agreement to participate.                                 |
| 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.   |
| 250-20-081 | Suspension or termination of institutional participation. |

**WAC 250-20-011 Student 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 higher education coordinating board in accordance with RCW 28B.10.802.

(b) Be a resident of the state of Washington.

(c) Be enrolled or accepted for enrollment as a full-time undergraduate student at a participating postsecondary institution 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 credits per quarter or semester or, in the case of institutions which do not use credit hours, 24 clock hours per week unless it is documented that "full time" for the particular course the student is pursuing is less than twelve credits per quarter or semester or 24 clock hours per week. Should a student be in such a course of study, he or she must be enrolled for the number of credit or 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. Correspondence courses may not be counted in the calculation of a full-time load.

(ii) In addition to enrolling full time, the student is also expected to satisfactorily complete twelve credit hours per quarter or semester or, in the case of institutions which do not use credit hours, 24 clock hours per week or the appropriate number of hours as documented.

Each institution must submit to the higher education coordinating board 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 reawarding 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 board 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) 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.

(f) Have made a bona fide application for a Pell grant.

(g) Certify that he or she does not owe a refund on a state need grant, a Pell grant or a supplemental educational opportunity grant, and is not in default on a loan made, insured, or guaranteed under the [Carl Perkins] National Direct Student Loan or Guaranteed Student Loan Programs.

(2) An otherwise eligible student may not be awarded a state need grant if receipt of the need grant will result in a reduction of basic maintenance allowances provided by another state agency.

[Statutory Authority: RCW 28B.10.806. 87-16-046 (Order 2/87, Resolution No. 87-59), § 250-20-011, filed 7/29/87. Statutory Authority: RCW 28B.10.822. 82-15-058 (Order 9-82, Resolution No. 82-52), § 250-20-011, filed 7/20/82. Statutory Authority: RCW 28B.10.806. 80-12-028 (Order 5-80, Resolution No. 82-4), § 250-20-011, filed 8/28/80; 80-05-025 (Order 3-80, Resolution No. 80-56), § 250-20-011, filed 4/14/80; 79-11-031 (Order 11-79, Resolution No. 80-18), § 250-20-011, filed 10/11/79; 79-07-021 (Order 5-79, Resolution No. 79-33), § 250-20-011, filed 6/15/79; 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.]

**Reviser's note:** RCW 34.04.058 requires the use of underlining and deletion marks to indicate amendments to existing rules, and deems ineffectual changes not filed by the agency in this manner. The bracketed material in the above section does not appear to conform to the statutory requirement.

**WAC 250-20-015 Agreement to participate.** In order to participate in the program a postsecondary institution must annually file an "agreement to participate" supplying the following information as appropriate: Name and address of school (including central office and all campus sites), name and address of owner(s), or if a corporation the name and addresses of stockholders holding more than twenty-five percent of the stock and percentage of stock held, the date on which the school officially began instruction if in the last five years, type and date of last accreditation, enrollment information (unless reported to the state of Washington or in the higher education general information survey) and such other information as may be required to assure proper administration of the program. In addition the "agreement to participate" will also indicate the institution's agreement to abide by all program rules, regulations,

and guidelines, to maintain and provide all pertinent information, records, and reports requested by the board, and to notify the board within thirty days of any change (other than student enrollment) to information reported on the agreement form.

[Statutory Authority: RCW 28B.10.806, 87-16-046 (Order 2/87, Resolution No. 87-59), § 250-20-015, filed 7/29/87; 79-11-031 (Order 11-79, Resolution No. 80-18), § 250-20-015, filed 10/11/79.]

**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 higher education coordinating board 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 qualifies 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 university, college, community college, or vocational-technical institute operated by the state of Washington political subdivision thereof, or any other university, college, school or institute in the state of Washington offering instruction beyond the high school level which is a member institution of one of the following accrediting associations: The Northwest Association of Schools and Colleges, the Association of Independent Colleges and Schools, the Cosmetology Accrediting Commission, or the National Association of Trade and Technical Schools, and if such institution agrees to participate in the program in accordance with all applicable rules and regulations. Any institution, branch, extension or facility operating within the state of Washington which is affiliated with an institution operating in another state must be a separately accredited member institution of one of the above named accrediting associations.

(4) "Washington resident" shall be defined as an individual who satisfies the requirements of RCW 28B.15.011 through 28B.15.013 and board-adopted rules and regulations pertaining to the determination of residency.

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

(6) "Independent student" shall mean any student who has either:

(a) Reached his or her twenty-fourth birthday before January 1st of the aid year; or,

(b) Is a veteran of the U.S. Armed Forces; or,

(c) Is an orphan or ward of the court; or,

(d) Has legal dependents other than a spouse; or,

(e) Is a married student or a graduate/professional student and will not be claimed by parents as a U.S. income tax exemption in 1988; or,

(f) Was not claimed by parents as a U.S. income tax exemption in either 1986 or 1987 and had a total income and benefits for those two years equal to or greater than \$4,000.

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

(8) "Budgetary cost" shall consist of that amount required to support an individual as a student for nine months and may take into consideration cost factors for maintaining the student's dependents. The higher education coordinating board 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 shall mean the sum of the assumed parents' contribution, contribution from student assets, and additional student resources. For independent students, "total family contribution" shall mean the sum of contribution from students' 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 assets" are comprised of those funds other than the student's expected summer savings and additional student resources as defined in 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.

(12) "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, CETA funds, spouses' academic year income, those portions of agency funds designated for expenses other than tuition and fees, etc.

Funds administered by the institution, Pell grants, BIA grants, those portions of agency funds designated for tuition and fees, and student employment are to be used as matching funds and as such are not included as "additional student resources."

(13) "State need index" is the difference between the appropriate ranking factor as identified in the following table and the student's total family contribution. Ranking factors: Students living with parents - 1970; single students living away from parents - 2770; married couple, one student - 4065; single parent with one child - 6750; married couple, both students - 5540. An additional 1000 may be added for the first dependent and 800 added for each subsequent dependent.

(14) "Academic year" is that nine-month period of time from September to June during which a full-time student would normally be expected to complete the equivalent of two semesters or three quarters of instruction.

(15) "Clock hours" means a period of time which is the equivalent of either:

- (a) A 50 to 60 minute class, lecture, or recitation, or
- (b) A 50 to 60 minute period of faculty-supervised laboratory shop training or internship.

[Statutory Authority: RCW 28B.10.806. 88-10-001 (Order 2/88, Resolution No. 88-11), § 250-20-021, filed 4/21/88; 87-16-046 (Order 2/87, Resolution No. 87-59), § 250-20-021, filed 7/29/87; 86-12-077 (Order 5/86), § 250-20-021, filed 6/4/86. Statutory Authority: RCW 28B.10.822. 82-15-058 (Order 9-82, Resolution No. 82-52), § 250-20-021, filed 7/20/82. Statutory Authority: RCW 28B.10.806. 81-13-038 (Order 2/81, Resolution No. 81-67), § 250-20-021, filed 6/16/81; 80-05-025 (Order 3-80, Resolution No. 80-56), § 250-20-021, filed 4/14/80; 79-11-031 (Order 11-79, Resolution No. 80-18), § 250-20-021, filed 10/11/79; 79-07-021 (Order 5-79, Resolution No. 79-33), § 250-20-021, filed 6/15/79; 78-05-063 (Order 2-78), § 250-20-021, filed 4/27/78, effective 6/1/78; 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 a student's application for admission to, and financial aid from, the institution of his or her choice, and nomination to the board by that institution.

(4) Financial data must be generated in accordance with the method set forth by the higher education coordinating board to assure that information will be consistent on a state-wide basis.

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

(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 board.

(7) The board shall establish annual application deadlines.

(8) Unless institutions are notified otherwise by the board, nominations on all eligible state need grant recipients should be submitted throughout the academic year in progress.

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

(10) 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.

[Statutory Authority: RCW 28B.10.806. 88-10-001 (Order 2/88, Resolution No. 88-11), § 250-20-031, filed 4/21/88; 87-16-046 (Order 2/87, Resolution No. 87-59), § 250-20-031, filed 7/29/87. Statutory Authority: RCW 28B.10.822. 82-15-058 (Order 9-82, Resolution No. 82-52), § 250-20-031, filed 7/20/82; 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 board shall annually determine recipients of Washington state need grants from among Washington residents who have applied for a state need grant by ranking them according to their state need indexes.

(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 state need index of the student.

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

(4) Students may receive the prorated portion of their state need grant for any academic period 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 board will notify the institution of the 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) All financial resources available to a state need grant recipient, when combined, may not exceed the amount computed as necessary for the student to attend a postsecondary institution. The student will not be considered overawarded if: (1) He or she receives additional funds after the institution awards aid, and the total resources exceed his or her financial need by \$200 or less by the end of the academic year, or (2) the student earns more money from employment than the institution anticipated when it awarded the state need grant and the excess is treated in accordance with the method specified in the state need grant operational guidelines.

(8) The institution will notify the student of receipt of the state need grant.

(9) Grant receipt for those students nominated after the initial closing date will be determined in the same manner as described in WAC 250-20-041 (1) and (2) above.

[Statutory Authority: RCW 28B.10.806. 87-16-046 (Order 2/87, Resolution No. 87-59), § 250-20-041, filed 7/29/87. Statutory Authority: RCW 28B.10.822. 82-15-058 (Order 9-82, Resolution No. 82-52), § 250-20-041, filed 7/20/82. Statutory Authority: RCW 28B.10.806. 80-05-025 (Order 3-80, Resolution No. 80-56), § 250-20-041, filed 4/14/80; 79-11-031 (Order 11-79, Resolution No. 80-18), § 250-20-041, filed 10/11/79; 79-07-021 (Order 5-79, Resolution No. 79-33), § 250-20-041, filed 6/15/79; 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) At intervals designated by the executive director, financial aid officers from participating institutions will submit the appropriate warrant order form to the higher education

coordinating board for each state need grant recipient certifying full-time enrollment and grant eligibility.

(2) Upon receipt of the warrant order forms, the higher education coordinating board 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 board, along with all unclaimed warrants on or before the date specified by the board 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, he or she shall be required to repay the appropriate amount to the board.

(a) Each institution must submit for board approval its policies and procedures for calculating the amount of state need grant funds to be returned to the board by students who withdraw from classes after having been awarded state need grants.

(b) The amount of state need grant funds to be returned to the board shall be determined by the institution in accordance with its board-approved policies and procedures.

(c) The institution shall advise the students and the board of amounts to be repaid.

(d) The board will advise the institution when the student has repaid the amount due.

[Statutory Authority: RCW 28B.10.806, 87-16-046 (Order 2/87, Resolution No. 87-59), § 250-20-051, filed 7/29/87; 79-11-031 (Order 11-79, Resolution No. 80-18), § 250-20-051, filed 10/11/79; 79-07-021 (Order 5-79, Resolution No. 79-33), § 250-20-051, filed 6/15/79; 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 higher education coordinating board under the direction of the executive director will manage the administrative functions relative to this program.

(2) The higher education coordinating board will review institutional administrative practices to determine institutional compliance with rules and regulations and program guidelines. If such a review determines that an institution has failed to comply with program rules and regulations or guidelines, the board pursuant to the procedures of WAC 250-20-081 may suspend, terminate or place conditions upon the institution's participation in the program and require reimbursement to the program for any funds lost or improperly expended.

(3) Any student who has obtained a state need grant through means of a willfully false statement or failure to reveal any material fact, condition, or circumstance affecting eligibility will be subject to applicable civil or criminal penalties.

[Statutory Authority: RCW 28B.10.806, 87-16-046 (Order 2/87, Resolution No. 87-59), § 250-20-061, filed 7/29/87; 79-11-031 (Order 11-79, Resolution No. 80-18), § 250-20-061, filed 10/11/79; 79-07-021 (Order 5-79, Resolution No. 79-33), § 250-20-061, filed 6/15/79; 79-02-066 (Order 1-79), § 250-20-061, filed 2/5/79; 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 higher education coordinating board for review.

(c) The board'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 higher education coordinating board 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 board 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 higher education coordinating board.

[Statutory Authority: RCW 28B.10.806, 87-16-046 (Order 2/87, Resolution No. 87-59), § 250-20-071, filed 7/29/87; Order 2-77, § 250-20-071, filed 4/13/77; Order 3-75, § 250-20-071, filed 4/25/75.]

**WAC 250-20-081 Suspension or termination of institutional participation.** Upon receipt of a complaint or other evidence that an institution has failed or is failing to comply with program rules and regulations, the board staff shall notify the institution by mail of the nature of such allegations and conduct a review of the alleged violations.

If preliminary findings indicate that a violation or violations may have occurred or are occurring, the board staff shall attempt, through mediation and conciliation, to effect corrections and/or secure reimbursement from the institution in event any funds were expended out of compliance with the provisions of WAC 250-20-061(2).

If no agreement is reached through the mediation and conciliation process, the executive director shall file a formal complaint with the board and notify the institution of the conduct which warrants the complaint. Based

upon a finding pursuant to RCW 34.04.170, the complaint may include an order for a summary suspension pending proceedings for termination, suspension, reimbursement or other action.

The executive director or a designated hearing officer shall conduct a hearing and make findings and conclusions in accordance with the Administrative Procedure Act, chapter 34.04 RCW. The findings, conclusions and any recommendations for action shall be submitted to the board for final action pursuant to RCW 34.04.110. The board may accept or reject, in whole or in part, any recommendations made by the hearing officer, may remand for further findings and/or take any other action the board deems appropriate under the circumstances.

[Statutory Authority: RCW 28B.10.806. 87-16-046 (Order 2/87, Resolution No. 87-59), § 250-20-081, filed 7/29/87; 79-11-031 (Order 11-79, Resolution No. 80-18), § 250-20-081, filed 10/11/79.]

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

#### WAC

|            |   |
|------------|---|
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| 250-40-050 | Restrictions on student placement and compensation. |
| 250-40-060 | Institutional application and allotment procedures. |
| 250-40-070 | Administration.                                     |

**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 may include the costs of 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, consistent with WAC 250-40-040 (2)(a).

(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 satisfies the requirements of RCW 28B.15.011 - 28B.15.013 and board-adopted rules and regulations pertaining to the determination of residency.

(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 employer producing a good or providing a service for sale or resale to others, can and agrees to provide employment of a demonstrable benefit related to the student's postsecondary educational pursuits and which conducts business within the state of Washington, or any other employer approved by the higher education coordinating board. In approving an employer as eligible, the board or an institution acting as its agent will consider at the minimum[[:]].]

(a) The relationship of the jobs to the students' educational objectives;

(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 subsection (8) of this section.

(8) "Self-supporting student" shall be one who has established a bona fide independent relationship and who demonstrates compliance with criteria for determining self-supporting status as contained in the program guidelines.

(9) "Half-time student" means any student enrolled in exactly one-half the credit hour or clock hour load defined by the institution as constituting expected full time progress toward the particular degree or certificate.

[Statutory Authority: RCW 28B.12.060. 88-10-002 (Order 3/88, Resolution No. 88-11), § 250-40-030, filed 4/21/88; 87-16-047 (Order 1-87, Resolution No. 87-59), § 250-40-030, filed 7/29/87; 82-15-054 (Order 5-82, Resolution No. 82-53), § 250-40-030, filed 7/20/82. Statutory Authority: RCW 28B.10.806. 81-13-037 (Order 3/81, Resolution No. 81-68), § 250-40-030, filed 6/16/81; 79-07-020 (Order 4-79, Resolution No. 79-33), § 250-40-030, filed 6/15/79; 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.]

**Reviser's note:** RCW 34.04.058 requires the use of underlining and deletion marks to indicate amendments to existing rules, and deems ineffectual changes not filed by the agency in this manner. The bracketed material in the above section does not appear to conform to the statutory requirement.

#### 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, and demonstrate satisfactory progress toward degree or certificate completion.

(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 higher education coordinating board. The advisory committee authorized by WAC 250-40-070(4) of these regulations will review each budget for reasonableness and make recommendations to the board for approval or disapproval.

(b) Total applicant resources shall be determined according to the congressional 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] [resident] 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 sum of the state share of the state work-study wages and a state need grant, if awarded, may not exceed the nontuition and required fee portion of the student's budgetary cost.

(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 satisfactory progress toward completion of his or her degree or program objective. The institution must submit its policy to the board annually for approval. The advisory committee authorized by WAC 250-40-070(4) will make recommendations to the board for approval or disapproval of each institution's policy.

(3) Priorities in placing students.

(a) The institution must, wherever possible, place students in positions which are related to their educational goals or career interests. At the time of job placement, the student who is able to obtain course- or career objective-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.

[Statutory Authority: RCW 28B.12.060. 88-10-002 (Order 3/88, Resolution No. 88-11), § 250-40-040, filed 4/21/88; 87-16-047 (Order 1-87, Resolution No. 87-59), § 250-40-040, filed 7/29/87. Statutory Authority: RCW 28B.10.806. 81-13-037 (Order 3/81, Resolution No. 81-68), § 250-40-040, filed 6/16/81; 80-05-024 (Order 2-80, Resolution No. 80-54), § 250-40-040, filed 4/14/80; Order 5-77, § 250-40-040, filed 5/11/77; Order 6-74, § 250-40-040, filed 9/17/74.]

**Reviser's note:** RCW 34.04.058 requires the use of underlining and deletion marks to indicate amendments to existing rules, and deems ineffectual changes not filed by the agency in this manner. The bracketed material in the above section does not appear to conform to the statutory requirement.

**WAC 250-40-050 Restrictions on student placement and compensation.** (1) Displacement of employees. Employment of state work-study students may not result in displacement of employed workers or impair existing contracts for services.

(a) State work-study students employed by public institutions of postsecondary education may not fill positions currently or formerly occupied by classified employees.

(b) In cases of governmental employment, state work-study students may fill positions which have been previously occupied but were vacated as a result of implementing previously adopted reduction in force policies in response to employment limitations imposed by federal, state or local governments.

(c) In all other cases, state work-study students may not fill positions which have been occupied by regular employees during the current or prior calendar or fiscal year.

(2) Rate of compensation. All work-study positions shall receive compensation equal to the entry level salary of comparable positions.

Students employed by public postsecondary educational institutions who are filling positions which are comparable to higher education personnel board classified positions must be paid entry level higher education personnel board wages for the position.

Determination of comparability must be made in accordance with state work-study program operational guidelines.

Documentation must be on file at the institution for each position filled by a state work-study student which is deemed by the institution as not comparable to a higher education personnel board position.

(3) 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 in accordance with congressional methodology. In the event that a student earns more money from employment than the institution anticipated when it awarded student financial aid, the excess is to be treated in accordance with the method specified in the state work-study operational guidelines.

(4) State share of student compensation. The state share of compensation paid students shall not exceed 80



percent of the student's gross compensation in the following cases: (a) When employed by state supported institutions of postsecondary education at which they are enrolled, (b) when employed as tutors by the state's common school districts which have entered into a special agreement with the higher education coordinating board for placement of students in an authorized program providing tutorial assistance, and (c) when employed in tutorial or other support staff positions by nonprofit adult literacy service providers in the state of Washington who meet guideline criteria for participation in the 1985-87 adult literacy pilot program. The state share of compensation paid students employed by all other employers shall not exceed 65 percent of the student's gross compensation.

(5) Employer share of student compensation. The employer shall pay a minimum of 20 percent or 35 percent of the student's gross compensation as specified in subsection (4) 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. The federally-funded college work-study program cannot be used to provide employer share of student compensation except when used for placement of students in tutorial or other support staff positions with adult literacy service providers in the state of Washington who meet guideline criteria for participation in the 1985-87 adult literacy pilot program.

(6) Academic credit for state work-study employment. Students may receive academic credit for experience gained through state work-study employment.

(7) 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.

A student may not be concurrently employed in the same position by the state work-study program and the federal college work-study program and exceed the 19 hours per week average.

Further, the student cannot accept other on-campus employment which results in a waiver of the nonresident tuition and fees differential under RCW 28B.15.014.

(8) Types of work prohibited. Work performed by a student under the state work-study program shall not be sectarian related and shall not involve any partisan or nonpartisan political activity.

(9) Relationship to formula staffing percentage. Placement of state work-study students in on-campus positions at public postsecondary educational institutions may not result in a level of employment in any budget program in excess of a formula staffing percentage specifically mandated by the legislature.

[Statutory Authority: RCW 28B.12.060. 88-10-002 (Order 3/88, Resolution No. 88-11), § 250-40-050, filed 4/21/88; 87-16-047 (Order 1-87, Resolution No. 87-59), § 250-40-050, filed 7/29/87; 86-10-014 (Order 4/86), § 250-40-050, filed 4/30/86; 82-15-054 (Order 5-82, Resolution No. 82-53), § 250-40-050, filed 7/20/82. Statutory Authority: RCW 28B.10.806. 81-13-037 (Order 3/81,

Resolution No. 81-68), § 250-40-050, filed 6/16/81; 80-05-024 (Order 2-80, Resolution No. 80-54), § 250-40-050, filed 4/14/80; 79-07-020 (Order 4-79, Resolution No. 79-33), § 250-40-050, filed 6/15/79; 78-08-007 (Order 3-78), § 250-40-050, filed 7/7/78; 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 board 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 board.

(3) Reallotments. If it is determined that an institution is unable to award all of the funds allotted it the board will reduce its allotment accordingly and will redistribute unutilized funds to other eligible institutions.

[Statutory Authority: RCW 28B.12.060. 87-16-047 (Order 1-87, Resolution No. 87-59), § 250-40-060, filed 7/29/87; 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 convening of a review committee]. The higher education coordinating board shall administer the work-study program. The staff of the higher education coordinating board under the direction of the executive director 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 board in contracting with eligible employers.

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

(4) Employer responsibilities:

(a) Before it may participate in the program, an eligible employer must enter into agreement with the higher education coordinating board or a public institution acting as its agent, thereby certifying its eligibility to participate and its willingness to comply with all program requirements.

(b) Certification of payment to students by the eligible organization shall be made under oath in accordance with RCW 9A.71.085 [9A.72.085].

(5) Advisory committee. The board will appoint an advisory committee composed of representatives of eligible institutions, employee 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 board 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.

(6) Institutional administrative allowance. Contingent upon funds being made available to the higher education coordinating board 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.

(7) 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.

(8) Reports. The higher education coordinating board 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.

(9) Agreement to participate. As a precedent to participating in the state work-study program, each institution must acknowledge its responsibility to administer the program according to prescribed rules and regulations and guidelines.

(10) Appeals. If the board is notified of any possible violations of these rules and regulations, satisfactory resolution shall be attempted by board staff. If satisfactory resolution cannot be achieved by board staff, the advisory committee authorized by WAC 250-40-070(5) shall review the appeal and make a recommendation to board staff. If satisfactory resolution still cannot be achieved, the person or institution initiating the appeal

may request a hearing with the board, which shall take action on the appeal.

(11) Program reviews. The higher education coordinating board will review institutional administrative practices to determine institutional compliance with rules and regulations and program guidelines. If such a review determines that an institution has failed to comply with program rules and regulations and guidelines the institution will reimburse the students affected or the program in the appropriate amount.

[Statutory Authority: RCW 28B.12.060, 87-16-047 (Order 1-87, Resolution No. 87-59), § 250-40-070, filed 7/29/87; 85-20-034 (Order 4-85, Resolution No. 86-3), § 250-40-070, filed 9/24/85. Statutory Authority: RCW 28B.10.806, 81-13-037 (Order 3/81, Resolution No. 81-68), § 250-40-070, filed 6/16/81; 79-11-030 (Order 10-79, Resolution No. 80-19), § 250-40-070, filed 10/11/79; 79-02-088 (Order 2-79), § 250-40-070, filed 2/7/79; Order 5-77, § 250-40-070, filed 5/11/77; Order 6-74, § 250-40-070, filed 9/17/74.]

**Reviser's note:** RCW 34.04.058 requires the use of underlining and deletion marks to indicate amendments to existing rules, and deems ineffectual changes not filed by the agency in this manner. The bracketed material in the above section does not appear to conform to the statutory requirement.

## Chapter 250-44 WAC

### REGULATIONS FOR THE ADMINISTRATION OF THE DISPLACED HOMEMAKER PROGRAM

#### WAC

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**WAC 250-44-010 Purpose.** The Displaced Homemaker Act, chapter 28B.04 RCW establishes guidelines under which the higher education coordinating board shall contract to establish both multipurpose service centers and programs of service to provide necessary training opportunities, counseling and services for displaced homemakers so that they may enjoy the independence and economic security vital to a productive life. This chapter is promulgated by the board to establish necessary regulations for the operation of the displaced homemaker program.

[Statutory Authority: Chapter 28B.04 RCW, as amended. 87-16-061 (Order 4-87, Resolution No. 87-57), § 250-44-010, filed 7/31/87; 82-15-018 (Order 2-82, Resolution No. 82-54), § 250-44-010, filed

7/12/82. Statutory Authority: RCW 28B.10.806. 79-09-042 (Order 7-79, Resolution No. 80-4), § 250-44-010, filed 8/17/79.]

**WAC 250-44-020 Program administration.** Responsibility for all aspects of administration of the displaced homemaker program, subject to these regulations, shall be vested in the executive director of the board. The executive director shall provide progress reports to the board and to the governor and the appropriate committees of the legislature.

[Statutory Authority: Chapter 28B.04 RCW, as amended. 87-16-061 (Order 4-87, Resolution No. 87-57), § 250-44-020, filed 7/31/87; 82-15-018 (Order 2-82, Resolution No. 82-54), § 250-44-020, filed 7/12/82. Statutory Authority: RCW 28B.10.806. 79-09-042 (Order 7-79, Resolution No. 80-4), § 250-44-020, filed 8/17/79.]

**WAC 250-44-030 Advisory committee.** (1) The executive director shall establish an advisory committee, to be known as the displaced homemaker program advisory committee.

(2) The advisory committee shall be advisory to the executive director and staff of the board, and is intended to provide an effective and efficient means for the consultation required by sections 4 and 8 of the act.

(3) Members of the advisory committee shall include one person from each of the agencies listed in section 8 of the act, plus such other persons as the executive director deems necessary to provide adequate consultation and geographic and general public representation, but total advisory committee membership shall not exceed twenty-two persons. At least one member of the advisory committee shall either be or recently have been a displaced homemaker.

(4) Functions of the advisory committee shall be:

(a) To provide advice on all aspects of administration of the displaced homemaker program, including content of program rules, guidelines, and application procedures;

(b) To assist in coordination of activities under the act with related activities of other state and federal agencies, with particular emphasis on facilitation of coordinated funding.

[Statutory Authority: Chapter 28B.04 RCW, as amended. 87-16-061 (Order 4-87, Resolution No. 87-57), § 250-44-030, filed 7/31/87; 82-15-018 (Order 2-82, Resolution No. 82-54), § 250-44-030, filed 7/12/82. Statutory Authority: RCW 28B.10.806. 79-09-042 (Order 7-79, Resolution No. 80-4), § 250-44-030, filed 8/17/79.]

**WAC 250-44-040 Definitions.** Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) "Act" means the Displaced Homemaker Act, chapter 28B.04 RCW, as amended.

(2) "Advisory committee" means the advisory committee established pursuant to WAC 250-44-030.

(3) "Appropriate job opportunities" means opportunities to be gainfully employed, as defined in subsection (9) of this section, in jobs which build upon all relevant skills and potential skills of the individual displaced homemaker, including opportunities in jobs which in the past may not generally have been considered traditional for women.

(4) "Center" means a multipurpose service center as defined in subsection (10) of this section.

(5) "Board" means the higher education coordinating board.

(6) "Displaced homemaker" means an individual who:

(a) Has worked in the home for ten or more years providing unsalaried household services for family members on a full-time basis; and

(b) Is not gainfully employed;

(c) Needs assistance in securing employment; and

(d) Meets one of the following criteria;

(i) Has been dependent on the income of another family member but is no longer supported by that income; or

(ii) Has been dependent on federal assistance but is no longer eligible for that assistance; or

(iii) Is supported as the parent of minor children by public assistance or spousal support, but whose youngest child is within two years of reaching majority.

(7) "Executive director" means the executive director of the board.

(8) "Executive officer" of the sponsoring organization means the chief executive or senior officer of the organization.

(9) "Gainfully employed" means employed for salary or wages on a continuing basis and earning at least an amount equal to the standard of need established under RCW 74.04.770.

(10) "Multipurpose service center" means a center contracted for under the act, which either provides directly, or provides information about and referral to, each type of program of service as defined in subsection (14) of this section.

(11) "Objective" means a purpose of a program of service which can be quantified and for which objective measurements of performance can be established.

(12) "Displaced homemaker program" means the program of contracts for multipurpose service centers and programs of service for displaced homemakers authorized by the act.

(13) "Program" means a program of service as defined in subsection (14) of this section.

(14) "Program of service" means one of the specific services listed in subdivisions (a) through (g) of this subsection, and meeting the criteria set forth in the subdivision.

(a) Job counseling services, which shall:

(i) Be specifically designed for displaced homemakers;

(ii) Counsel displaced homemakers with respect to appropriate job opportunities (as defined in subsection (3) of this section); and

(iii) Take into account and build upon the skills and experience of a homemaker and emphasize job readiness as well as skill development.

(b) Job training and job placement services, which shall:

(i) Emphasize short-term training programs and programs which expand upon homemaking skills and volunteer experience and which prepare the displaced homemaker to be gainfully employed as defined in subsection (9) of this section;

(ii) Develop, through cooperation with state and local government agencies and private employers, model

training and placement programs for jobs in the public and private sectors;

(iii) Assist displaced homemakers in gaining admission to existing public and private job training programs and opportunities, including vocational education and apprenticeship training programs; and

(iv) Assist in identifying community needs and creating new jobs in the public and private sectors.

(c) Health counseling services, including referral to existing health programs, which shall:

(i) Include general principles of preventative health care;

(ii) Include health care consumer education, particularly in the selection of physicians and health care services, including, but not limited to, health maintenance organizations and health insurance;

(iii) Include family health care and nutrition;

(iv) Include alcohol and drug abuse; and

(v) Include other related health care matters as appropriate.

(d) Financial management services, which shall:

(i) Provide information and assistance with respect to insurance, taxes, estate and probate problems, mortgages, loans and other related financial matters; and

(ii) Include referral, wherever feasible and appropriate, to public legal assistance programs staffed by attorneys.

(e) Educational services, which shall:

(i) Include outreach and information about courses offering credit through secondary or postsecondary education programs, and other re-entry programs, including bilingual programming where appropriate; and

(ii) Include information about such other programs as the board may determine to be of interest and benefit to displaced homemakers, and for which appropriate informational materials have been provided by the board.

(f) Legal counseling and referral services, which shall:

(i) Be limited to matters directly related to problems of displaced homemakers;

(ii) Be supplemental to financial management services as defined in subdivision (d) of this subsection; and

(iii) Emphasize referral, wherever feasible and appropriate, to public legal assistance programs staffed by attorneys.

(g) General outreach and information services with respect to federal and state employment, education, health, public assistance, and unemployment assistance programs which the board may determine to be of interest and benefit to displaced homemakers, and for which the board distributes appropriate informational materials.

(15) "Reaching majority" means reaching age eighteen.

(16) "Sponsoring organization" means a public institution, agency or governmental entity, or a chartered private nonprofit institution or organization which has legal authority to submit an application, enter into a contract, and provide the programs of service covered by the application, and which agrees to provide supervision and financial management to ensure compliance with the terms and conditions of the contract.

(17) "Training for service providers" means activities which provide training for persons serving the needs of displaced homemakers.

(18) "State-wide outreach and information services" means activities designed to make general outreach and information services for displaced homemakers available throughout Washington including but limited to areas not directly served by multipurpose service centers or other programs of service under the displaced homemaker program.

[Statutory Authority: Chapter 28B.04 RCW, as amended. 87-16-061 (Order 4-87, Resolution No. 87-57), § 250-44-040, filed 7/31/87; 85-10-022 (Order 1/85, Resolution No. 85-44), § 250-44-040, filed 4/23/85; 82-15-018 (Order 2-82, Resolution No. 82-54), § 250-44-040, filed 7/12/82. Statutory Authority: RCW 28B.10.806. 79-09-042 (Order 7-79, Resolution No. 80-4), § 250-44-040, filed 8/17/79.]

**WAC 250-44-050 Utilization of available contract funds.** (1) Each biennium the executive director shall issue contract application guidelines which shall establish criteria for specific utilization of available contract funds. The guidelines shall set forth:

(a) The maximum contract amount for a multipurpose service center to be provided depending on available funds under the act during the 1987-89 biennium shall not exceed \$4,300 per month.

(b) The maximum contract amount for a contract for a program or programs of service depending on available funds under the act during the 1987-89 biennium shall not exceed \$2,900 per month.

(c) A reservation of funds for contracts to provide state-wide outreach and information services and/or training for service providers.

(2) At least two multipurpose service centers in major population centers will be supported under the displaced homemaker program, provided adequate funds have been appropriated.

(3) Remaining funds will be used for contracts selected to provide geographic dispersion of displaced homemaker multipurpose service centers and programs of service.

[Statutory Authority: Chapter 28B.04 RCW, as amended. 87-16-061 (Order 4-87, Resolution No. 87-57), § 250-44-050, filed 7/31/87; 85-10-022 (Order 1/85, Resolution No. 85-44), § 250-44-050, filed 4/23/85; 84-14-084 (Order 2/84, Resolution No. 84-76), § 250-44-050, filed 7/3/84; 83-14-041 (Order 3/83, Resolution No. 83-66), § 250-44-050, filed 6/30/83; 82-23-017 (Order 11/82, Resolution No. 83-21), § 250-44-050, filed 11/8/82; 82-15-018 (Order 2-82, Resolution No. 82-54), § 250-44-050, filed 7/12/82. Statutory Authority: RCW 28B.10.806. 79-09-042 (Order 7-79, Resolution No. 80-4), § 250-44-050, filed 8/17/79.]

**WAC 250-44-060 Eligibility to apply for contracts.** An application for a contract to provide either a multipurpose service center or one or more programs of service for displaced homemakers or training for service providers may be submitted by a sponsoring organization, as defined in WAC 250-44-040(16).

(1) The board will require appropriate documentation of the nonprofit status of an applicant which is nonpublic.

(2) Letters of intent, accompanied by the required documentation of nonprofit status will be required prior

to submission of an application, and will be screened by the staff of the board. Sponsoring organizations verified to be eligible will then be invited to submit applications.

(3) Consortiums of appropriate organizations are encouraged, but a single application by a single sponsoring organization, which will serve as fiscal agent for the consortium, is to be submitted for each proposed consortial center, program of service, or multiple programs of service to be operated by a consortium.

[Statutory Authority: Chapter 28B.04 RCW, as amended. 87-16-061 (Order 4-87, Resolution No. 87-57), § 250-44-060, filed 7/31/87; 84-14-084 (Order 2/84, Resolution No. 84-76), § 250-44-060, filed 7/3/84. Statutory Authority: RCW 28B.10.806. 79-09-042 (Order 7-79, Resolution No. 80-4), § 250-44-060, filed 8/17/79.]

**WAC 250-44-080 Eligible expenditures and matching requirements.** (1) Eligible expenditures. Expenditures eligible to be included in budgets under applications to provide multipurpose centers, programs of service or training for service providers, include all operating expenses needed to carry out the training, counseling, and referral services covered in the proposal, and to provide outreach activities related to the services, subject to the following limitations:

(a) No funds under the contract budgets may be utilized to provide subsistence or stipends for recipients of the services provided.

(b) No funds under the contract budgets may be utilized to pay for student tuition and fees for enrollment in education programs or courses except under specific prior approval by the executive director.

(c) Any out-of-state travel or any subcontracts with other agencies or organizations, to be paid for with funds under contract budgets, must be specifically approved in advance by the executive director or the director's designee; and

(d) Formula allocations of overhead or other expenses of the sponsoring organization not directly related to the provision of the services covered by the contract may not be included in the contract budget, but charges for direct services in support of the contract such as financial accounting services, printing services, transportation, etc., may be included.

(2) Although the contract budget may not support subsistence, stipends, or tuition and fee payments (unless approved in advance) for recipients of services under the contract, sponsoring organizations are encouraged wherever possible and appropriate to obtain and provide funds for such purposes from other sources (JTPA, for example) in cases of financial need.

(3) Matching requirements. At least thirty percent of the funding for each center or program supported by a contract under the act must be provided by the sponsoring agency.

(a) Validation of the provision of required matching support will be provided by detail in the budget proposed in each application.

(b) Matching may be provided either in the form of supplemental funds, from any source other than the contract under the act, to pay for services separately accounted for in carrying out the activities covered by the

contract, or in the form of contributed services or contributions in-kind also specifically and separately accounted for.

(c) Contributions in-kind may include materials, supplies, chargeable services such as printing services or transportation, salaries and fringe benefit costs for paid employees of the sponsoring organization to the extent such employees work directly in the provision of services under the contract or providing direct support such as secretarial or accounting support, and the equivalent value of contributed volunteer services on the same basis: *Provided*, That the dollar value of contributed volunteer services shall be calculated by determining the hourly rate for comparable paid positions for which the volunteer is fully qualified, and multiplying the hourly rate times the number of hours of service contributed.

[Statutory Authority: Chapter 28B.04 RCW, as amended. 87-16-061 (Order 4-87, Resolution No. 87-57), § 250-44-080, filed 7/31/87; 84-14-084 (Order 2/84, Resolution No. 84-76), § 250-44-080, filed 7/3/84. Statutory Authority: RCW 28B.10.806. 79-09-042 (Order 7-79, Resolution No. 80-4), § 250-44-080, filed 8/17/79.]

**WAC 250-44-090 Required assurances.** No contract will be awarded unless the sponsoring organization includes in its application the following assurances:

(1) No person in this state, on the grounds of sex, age, race, color, religion, national origin, or the presence of any sensory, mental, or physical handicap, shall be excluded from participating in, be denied the benefits of, or be subjected to discrimination under, any program or activity funded in whole or in part with funds made available under the act;

(2) The sponsoring organization will actively seek to employ for all staff positions supported by funds provided under the act, and for all staff positions supported by matching funds under any contract, including supervisory, technical and administrative positions, persons who qualify as displaced homemakers;

(3) Services provided to displaced homemakers under the contract will be provided without payment of any fees for the services: *Provided*, That the executive director may approve exceptions to this requirement upon determining that such exceptions would be in the best interest of displaced homemaker program objectives;

(4) First priority for all services provided under the contract will be given to persons who qualify in all regards as displaced homemakers. Other persons in need of the services due to similar circumstances may be assisted if provision of such assistance will not in any way interfere with provision of services to displaced homemakers as defined in the act. The sponsoring organization will include in its reports separate and distinct accountability for services to displaced homemakers and to other persons in need of the services;

(5) The sponsoring organization agrees to comply in full with the accounting and reporting requirements set forth in WAC 250-44-100 and such other accounting and reporting requirements as may reasonably be established by the executive director.

(6) The sponsoring organization agrees to participate in evaluation procedures to be established pursuant to

WAC 250-44-210, including the use of a specified uniform intake classification form for persons to whom services are provided, and specified uniform evaluation questionnaires;

(7) The sponsoring organization will actively seek to coordinate activities under the contract with related activities and services provided by other organizations;

(8) The sponsoring organization understands and agrees that payments from the board under the contract will be provided monthly or quarterly upon submission and approval of payment requests in a form and containing information specified by the executive director of the board, and that approval of payments shall be conditioned upon the executive director's determination that the sponsoring organization is in compliance with the terms of the contract and this chapter;

(9) The executive officer of the sponsoring organization has reviewed the application, including all assurances contained therein, and authorized to submit the application and execute a contract in accordance with the application if it is approved by the board; and

(10) The executive director and staff of the board will be provided access to financial and other records pursuant to the contract.

[Statutory Authority: Chapter 28B.04 RCW, as amended. 87-16-061 (Order 4-87, Resolution No. 87-57), § 250-44-090, filed 7/31/87; 84-14-084 (Order 2/84, Resolution No. 84-76), § 250-44-090, filed 7/3/84; 82-15-018 (Order 2-82, Resolution No. 82-54), § 250-44-090, filed 7/12/82. Statutory Authority: RCW 28B.10.806. 79-09-042 (Order 7-79, Resolution No. 80-4), § 250-44-090, filed 8/17/79.]

**WAC 250-44-100 Accounting, reporting, and records retention requirements.** (1) Accounting. Sponsoring organizations shall maintain separate accounts for funds received under approved contracts and for matching funds expended and in-kind matching provided under such contracts. The accounting records shall include:

(a) Sufficient detail by object of expenditure to permit verification and reporting of expenditures according to object categories used in the budget format provided with the application; and

(b) Documentation of all expenditures charged to the contract or matching accounts, in the form of either:

(i) Direct charges supported by vouchers;

(ii) Journal vouchers for allocated portions of shared costs such as rental or communication costs, supported by explanations of allocation methods consistent with accounting practices generally used by the sponsoring organization; or

(iii) Records of actual time worked for persons not employed one hundred percent, but whose salary or wages are charged in part to the contract or matching account.

(2) Reporting. Sponsoring organizations shall:

(a) Provide quarterly reports to the executive director, in a format and containing information specified by the executive director, sufficient to provide:

(i) An evaluation of outreach and participation in the services provided under the contracts; and

(ii) An evaluation of performance under the contract.

(b) Maintain such records as are necessary to provide information contained in the reports.

(3) Records retention. Sponsoring organizations shall retain accounting and other supporting records until notified by the executive director of the completion of a program audit after the end of the contract period. This requirement is in addition to requirements of the state auditor's office applicable to public institutions and agencies.

[Statutory Authority: Chapter 28B.04 RCW, as amended. 87-16-061 (Order 4-87, Resolution No. 87-57), § 250-44-100, filed 7/31/87. Statutory Authority: RCW 28B.10.806. 79-09-042 (Order 7-79, Resolution No. 80-4), § 250-44-100, filed 8/17/79.]

**WAC 250-44-110 Length of contract periods.** Contract periods for contracts awarded under the act shall be in accordance with each application proposal, subject to contract application guidelines issued by the executive director.

(1) Contracts for operation of multipurpose service centers during the 1987-89 biennium may cover operations beginning as early as October 1, 1987, and ending June 30, 1989.

(2) Contracts for operation of programs of services during the 1987-89 biennium may cover operations beginning as early as October 1, 1987, and ending June 30, 1989.

[Statutory Authority: Chapter 28B.04 RCW, as amended. 87-16-061 (Order 4-87, Resolution No. 87-57), § 250-44-110, filed 7/31/87; 85-10-022 (Order 1/85, Resolution No. 85-44), § 250-44-110, filed 4/23/85; 84-14-084 (Order 2/84, Resolution No. 84-76), § 250-44-110, filed 7/3/84; 83-14-041 (Order 3/83, Resolution No. 83-66), § 250-44-110, filed 6/30/83; 82-23-017 (Order 11/82, Resolution No. 83-21), § 250-44-110, filed 11/8/82; 82-15-018 (Order 2-82, Resolution No. 82-54), § 250-44-110, filed 7/12/82. Statutory Authority: RCW 28B.10.806. 79-09-042 (Order 7-79, Resolution No. 80-4), § 250-44-110, filed 8/17/79.]

**WAC 250-44-120 Payments under approved contracts.** Payments to sponsoring organizations under approved contracts for multipurpose service centers, programs of service, and training for service providers shall be authorized and processed according to the following procedure:

(1) Payments will be made, one month at a time; unless less frequent payments are requested by the contractor.

(2) Sponsoring organizations will submit requests for payment on Invoice Voucher A 19-x form and to contain information specified by the executive director to include:

(a) Actual expenditures for request period;

(b) Expenditures listed by the following categories: Personnel, travel, facilities, advertising, supplies/materials, communications, and other.

(3) Upon approval of the request for payment, and receipt of the quarterly report for the most recent completed quarter under the contract, the executive director will authorize disbursement of the funds.

(4) Requests for payments must be received in the board office at least two weeks prior to the requested payment date.

[Statutory Authority: Chapter 28B.04 RCW, as amended. 87-16-061 (Order 4-87, Resolution No. 87-57), § 250-44-120, filed 7/31/87; 85-10-022 (Order 1/85, Resolution No. 85-44), § 250-44-120, filed 4/23/85; 82-15-018 (Order 2-82, Resolution No. 82-54), § 250-44-120, filed 7/12/82. Statutory Authority: RCW 28B.10.806. 79-09-042 (Order 7-79, Resolution 80-4), § 250-44-120, filed 8/17/79.]

**WAC 250-44-130 Calendar and closing dates for letters of intent, applications and awards.** (1) Sponsoring organizations wishing to apply for contracts to operate multipurpose service centers, shall submit to the executive director a letter of intent, accompanied by appropriate documentation of nonprofit status in the case of nonpublic applicants, by Friday, August 21, 1987, as specified in the contract application guidelines.

(2) The executive director or the director's designee will screen the letters of intent for multipurpose service centers, prepare a list of all eligible sponsoring organizations which filed letters of intent and distribute the list to all organizations on the list, by Friday, August 28, 1987, or seven days from the filing date for letters of intent as specified in the contract application guidelines.

(3) Applications for contracts for multipurpose service centers may be submitted by sponsoring organizations on the list pursuant to subsection (2) of this section. The closing dates for such applications by Friday, September 18, 1987, as specified in the contract application guidelines.

(4) Sponsoring organizations wishing to apply for contracts to operate programs of service and a state-wide outreach and information services program shall submit to the executive director a letter of intent, accompanied by appropriate documentation of nonprofit status in the case of nonpublic applicants, by Friday, August 21, 1987.

(5) The executive director or the director's designee will screen the letters of intent for programs of service and a state-wide outreach and information services program, prepare a list of all eligible sponsoring organizations which filed letters of intent, and distribute the list to all organizations on the list, by Friday, August 28, 1987, or seven days from the filing date for letters of intent as specified in the contract application guidelines.

(6) Applications for contracts for programs of service and a state-wide outreach and information services program may be submitted by sponsoring organizations on the list pursuant to subsection (5) of this section by Friday, September 18, 1987, as specified in the contract application guidelines.

(7) The executive director of the board will approve awards of contracts, provided qualifying applications were received by the closing dates specified in this section and in the guidelines.

(8) In the event that available funds for contracts under the act are not fully utilized after approval of contracts the executive director may either establish a new calendar for further consideration of applications and award of contracts or award supplemental funds to existing centers and programs by amendment of contracts in effect.

[Statutory Authority: Chapter 28B.04 RCW, as amended. 87-16-061 (Order 4-87, Resolution No. 87-57), § 250-44-130, filed 7/31/87;

85-10-022 (Order 1/85, Resolution No. 85-44), § 250-44-130, filed 4/23/85; 84-14-084 (Order 2/84, Resolution No. 84-76), § 250-44-130, filed 7/3/84; 83-14-041 (Order 3/83, Resolution No. 83-66), § 250-44-130, filed 6/30/83; 82-23-017 (Order 11/82, Resolution No. 83-21), § 250-44-130, filed 11/8/82; 82-15-018 (Order 2-82, Resolution No. 82-54), § 250-44-130, filed 7/12/82. Statutory Authority: RCW 28B.10.806. 79-09-042 (Order 7-79, Resolution No. 80-4), § 250-44-130, filed 8/17/79.]

**WAC 250-44-140 Form and content of application.**

(1) General Instructions. All forms and narrative material should be typed, narrative material double-spaced. Legibility, clarity, and completeness are essential. All sections of the application must be completed. Unnecessarily elaborate brochures or other presentations beyond those sufficient to present a complete and effective application should be avoided. Elaborate art work, expensive paper and bindings are not necessary and will not count in favor of the application.

(2) Number of copies. The contract application guidelines shall specify the number of copies of each application to be submitted to the executive director. Copies may be reproduced, but at least two copies submitted shall have the original signature of the executive officer of the sponsoring organization.

(3) Contents of each application. Each application is to be submitted using the format and forms prescribed in the contract application guidelines.

[Statutory Authority: Chapter 28B.04 RCW, as amended. 87-16-061 (Order 4-87, Resolution No. 87-57), § 250-44-140, filed 7/31/87; 82-15-018 (Order 2-82, Resolution No. 82-54), § 250-44-140, filed 7/12/82. Statutory Authority: RCW 28B.10.806. 79-09-042 (Order 7-79, Resolution No. 80-4), § 250-44-140, filed 8/17/79.]

**WAC 250-44-150 Criteria for selection of contracts to be awarded.** (1) For each closing date established as specified in WAC 250-44-130, applications will be ranked competitively according to their performance with respect to:

- (a) Size of the potential population to be served;
- (b) Demonstrated need for the proposed services;
- (c) Experience and capabilities of the sponsoring organization;
- (d) Provisions for coordination of services with other organizations providing related services in the geographic area;
- (e) Involvement of displaced homemakers in the planning and development of the proposal;
- (f) The quality of the proposed center or program.

(2) The executive director shall develop a system for evaluating applications with respect to the above-stated criteria, and make a description of the system available to sponsoring organizations which submit letters of intent to file applications.

(3) Final selection of applications to be approved will be based upon both relative ranking on factors listed in subsection (1) of this section and appropriate geographic distribution.

[Statutory Authority: Chapter 28B.04 RCW, as amended. 87-16-061 (Order 4-87, Resolution No. 87-57), § 250-44-150, filed 7/31/87; 82-15-018 (Order 2-82, Resolution No. 82-54), § 250-44-150, filed 7/12/82. Statutory Authority: RCW 28B.10.806. 79-09-042 (Order 7-79, Resolution No. 80-4), § 250-44-150, filed 8/17/79.]

**WAC 250-44-160 Procedure for selection of contracts to be awarded.** The following steps will be employed in screening and selection of applications to be approved:

(1) Applications will be screened for eligibility and completeness;

(2) A panel of application readers will be established, to consist of board staff members designated by the executive director, members of the advisory committee who are not members of the legislature or employees of sponsoring organizations, and such other persons as may be deemed appropriate by the executive director;

(3) Within each category of application as described in WAC 250-44-150(1), the panel of readers will evaluate and rank qualifying applications according to the system published in accordance with WAC 250-44-150(2);

(4) The executive director will consider evaluations prepared by the readers, and will develop a list of recommended approved applications to be awarded contracts;

(5) The list of recommended approved applications will be submitted to the executive director of the board for approval. Upon approval the executive director will award the contracts.

[Statutory Authority: Chapter 28B.04 RCW, as amended. 87-16-061 (Order 4-87, Resolution No. 87-57), § 250-44-160, filed 7/31/87; 82-15-018 (Order 2-82, Resolution No. 82-54), § 250-44-160, filed 7/12/82. Statutory Authority: RCW 28B.10.806. 79-09-042 (Order 7-79, Resolution No. 80-4), § 250-44-160, filed 8/17/79.]

**WAC 250-44-170 Incorporation of applications in contracts.** Each approved application will be incorporated into and made a part of the contract between the board and the sponsoring organization, to be signed by the executive director and the executive officer of the sponsoring organization.

[Statutory Authority: Chapter 28B.04 RCW, as amended. 87-16-061 (Order 4-87, Resolution No. 87-57), § 250-44-170, filed 7/31/87. Statutory Authority: RCW 28B.10.806. 79-09-042 (Order 7-79, Resolution No. 80-4), § 250-44-170, filed 8/17/79.]

**WAC 250-44-180 Amendment of contracts.** A contract may be amended by mutual agreement between the executive director and the executive officer of the sponsoring organization.

[Statutory Authority: Chapter 28B.04 RCW, as amended. 87-16-061 (Order 4-87, Resolution No. 87-57), § 250-44-180, filed 7/31/87; 82-15-018 (Order 2-82, Resolution No. 82-54), § 250-44-180, filed 7/12/82. Statutory Authority: RCW 28B.10.806. 79-09-042 (Order 7-79, Resolution No. 80-4), § 250-44-180, filed 8/17/79.]

**WAC 250-44-190 Withholding of contract payments.** If the executive director determines that a sponsoring organization is not in compliance with contract provisions of this chapter, the executive director shall suspend payments under the contract and shall file a report with the board and with the sponsoring organization of the reason for suspension of payments. The sponsoring organization may correct the state of noncompliance or may appeal the executive director's determination to the

board at its next regular meeting. If the executive director finds that any claimed expenditures under the contract are not eligible under this chapter, the executive director shall deduct such amounts from the next monthly advance payment. The sponsoring organization may, through the executive director, request a hearing on the executive director's decision before the board at its next regular meeting.

[Statutory Authority: Chapter 28B.04 RCW, as amended. 87-16-061 (Order 4-87, Resolution No. 87-57), § 250-44-190, filed 7/31/87. Statutory Authority: RCW 28B.10.806. 79-09-042 (Order 7-79, Resolution No. 80-4), § 250-44-190, filed 8/17/79.]

**WAC 250-44-200 Program audits.** The executive director may arrange for a program audit, including review of accounts for expenditures under the contract, upon completion of the contract period. If any claimed expenditures are determined to be ineligible, the sponsoring organization shall be required to repay the amount of such ineligible expenditures.

[Statutory Authority: Chapter 28B.04 RCW, as amended. 87-16-061 (Order 4-87, Resolution No. 87-57), § 250-44-200, filed 7/31/87; 82-15-018 (Order 2-82, Resolution No. 82-54), § 250-44-200, filed 7/12/82. Statutory Authority: RCW 28B.10.806. 79-09-042 (Order 7-79, Resolution No. 80-4), § 250-44-200, filed 8/17/79.]

**WAC 250-44-210 Evaluation reports.** The executive director will prepare an evaluation report regarding the displaced homemaker program at the end of the first two years, and a biennial evaluation beginning in January 1984. Such reports shall be reviewed with the board prior to official submission to the governor and the legislature.

[Statutory Authority: Chapter 28B.04 RCW, as amended. 87-16-061 (Order 4-87, Resolution No. 87-57), § 250-44-210, filed 7/31/87; 82-15-018 (Order 2-82, Resolution No. 82-54), § 250-44-210, filed 7/12/82. Statutory Authority: RCW 28B.10.806. 79-09-042 (Order 7-79, Resolution No. 80-4), § 250-44-210, filed 8/17/79.]

**Chapter 250-60 WAC**

**STATE OF WASHINGTON TEACHER INCENTIVE  
LOAN PROGRAM FOR TEACHERS OF  
MATHEMATICS AND SCIENCE--CHAPTER  
28B.15 RCW**

**WAC**

**RULES AND REGULATIONS**

- 250-60-020 Administration of program.
- 250-60-030 Student eligibility.
- 250-60-040 Institutional eligibility.
- 250-60-050 Agreement to participate.
- 250-60-060 Program definitions.
- 250-60-070 Application procedure and selection.
- 250-60-080 Control of funds.
- 250-60-090 Loan collection.
- 250-60-100 Criteria for obtaining forgiveness based on qualifying teacher service.
- 250-60-110 Program administration and audits.
- 250-60-120 Suspension or termination of institutional participation.

**WAC 250-60-020 Administration of program.** The higher education coordinating board (HECB) is charged with the administration of the teacher incentive loan



program for teachers of mathematics and science. When a responsibility of the HECB or board is referenced in these regulations, the authority needed to discharge that responsibility lies with the executive director or his or her designee.

[Statutory Authority: RCW 28B.15.760. 88-10-003 (Order 4/88, Resolution No. 88-11), § 250-60-020, filed 4/21/88. Statutory Authority: 1983 1st ex.s. c 74. 83-24-078 (Order 6-83, Resolution No. 84-9), § 250-60-020, filed 12/7/83.]

**WAC 250-60-030 Student eligibility.** (1) Initial eligibility. For a student to receive a mathematics/science loan, he or she must:

(a) Be a "needy student" as defined by the higher education coordinating board;

(b) Be a resident of Washington [as defined in WAC 250-18-010 through 250-18-060];

(c) Be enrolled or accepted for enrollment as a student at a participating institution;

(d) Be registered for at least ten credit hours or the equivalent for each term in which a loan is received;

(e) Have satisfied the institution's requirements for formal acceptance as a declared major in a program of teacher education in a field of mathematics or science leading to a degree, certificate, or primary endorsement;

(f) Demonstrate the capability of maintaining a 3.0 grade point average (on a 4.0 scale);

(g) Certify that he or she does not owe a refund on a state need grant, a Pell grant or a supplemental educational opportunity grant, and is not in default on a loan made, insured, or guaranteed under the national direct student loan, guaranteed student loan [programs], or mathematics/science loan program[s];

(h) [Have attained junior status or higher; or]

[(i)] Be a certificated teacher who satisfies (a), (b), (c), (d), and (g) of this subsection and has been formally accepted into a program in teacher education leading to a degree, certificate[,], or primary endorsement in a field of science or mathematics.

(2) Continuing eligibility. For a student to maintain continuing eligibility for additional mathematics/science loans, he or she must:

(a) Continue to meet the basic eligibility requirements listed under subsection (1) of this section;

(b) Not have reached the ten thousand dollar cumulative borrowing limit of the program; and

(c) Satisfy academic progress requirements of the program by maintaining a 3.0 grade point average (on a 4.0 scale) for the time period the loan was received and successfully complete the required number of credit hours.

[Statutory Authority: RCW 28B.15.760. 88-10-003 (Order 4/88, Resolution No. 88-11), § 250-60-030, filed 4/21/88. Statutory Authority: 1983 1st ex.s. c 74. 83-24-078 (Order 6-83, Resolution No. 84-9), § 250-60-030, filed 12/7/83.]

**Reviser's note:** RCW 34.04.058 requires the use of underlining and deletion marks to indicate amendments to existing rules, and deems ineffectual changes not filed by the agency in this manner. The bracketed material in the above section does not appear to conform to the statutory requirement.

**WAC 250-60-040 Institutional eligibility.** For an institution of higher education to be eligible to participate in the mathematics/science loan program, the institution must:

(1) Be a college or university in the state of Washington which is a member institution of an accrediting association recognized as such by rule of the higher education coordinating board; and

(2) Be approved by the state board of education for offering an academic program leading to a teacher's certificate with an endorsement in a field of science or mathematics or be participating in a cooperative or joint teacher education program with another accredited institution that meets the requirements of this section.

[Statutory Authority: RCW 28B.15.760. 88-10-003 (Order 4/88, Resolution No. 88-11), § 250-60-040, filed 4/21/88. Statutory Authority: 1983 1st ex.s. c 74. 83-24-078 (Order 6-83, Resolution No. 84-9), § 250-60-040, filed 12/7/83.]

**WAC 250-60-050 Agreement to participate.** In order to participate in the program a postsecondary institution must annually file an "agreement to participate" [supplying the following information: Name and address of school (including central office and all campus sites), the date on which the school officially began instruction if in the last five years, type and date of last accreditation, enrollment information (unless reported to the state of Washington or in the higher education general information survey) and such other information as may be required to assure proper administration of the program. In addition the "agreement to participate" will also] [to] indicate the institution's agreement to abide by all program rules, regulations, and guidelines, to maintain and provide all pertinent information, records, and reports requested by the board, and to notify the board within thirty days of any change [(other than student enrollment)] to information reported on the agreement form.

[Statutory Authority: RCW 28B.15.760. 88-10-003 (Order 4/88, Resolution No. 88-11), § 250-60-050, filed 4/21/88. Statutory Authority: 1983 1st ex.s. c 74. 83-24-078 (Order 6-83, Resolution No. 84-9), § 250-60-050, filed 12/7/83.]

**Reviser's note:** RCW 34.04.058 requires the use of underlining and deletion marks to indicate amendments to existing rules, and deems ineffectual changes not filed by the agency in this manner. The bracketed material in the above section does not appear to conform to the statutory requirement.

**WAC 250-60-060 Program definitions.** (1) Financial aid terms:

(a) "Needy student" shall mean a post-high school student of an institution of postsecondary education who demonstrates to the board the financial inability, either parental, familial, or personal, to bear the total cost of education for any semester or quarter.

(b) "Financial need" shall be the difference between the budgetary cost to the student attending [an] [the] 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.

(c) "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 other cost factors deemed necessary for consideration[, consistent with WAC 250-40-040 (2)(a)].

(d) "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 parent(s) 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 parent(s) 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.

(e) "Washington resident" shall be defined as an individual who satisfies the requirements of WAC 250-18-010 through 250-18-060 pertaining to the determination of residency.

(f) "Dependent student" shall mean any post-high school student attending an eligible institution of post-secondary education who does not qualify as an independent student in accordance with (g) of this subsection.

(g) [has established a bona fide independent relationship and who demonstrates compliance with criteria for determining self-supporting status as contained in the program guidelines for the state work-study program.] "Independent student" shall mean any student who has either:

(i) Reached his or her twenty-fourth birthday before January 1st of the aid year; or,

(ii) Is a veteran of the United States armed forces; or,

(iii) Is an orphan or ward of the court; or,

(iv) Has legal dependents other than a spouse; or,

(v) Is a married student or a graduate/professional student and will not be claimed by parents as a U.S. income tax exemption in 1988; or,

(vi) Was not claimed by parents as a U.S. income tax exemption in either 1986 or 1987 and had a total income and benefits for those two years equal to or greater than \$4,000.

(2) Academic and program requirements:

(a) Minimum credit hour requirement[s]:

(i) Normal progress. Students receiving mathematics/science loans must be registered for a minimum of ten credit hours (per term) or the equivalent for each academic year for which a loan is received except as specified in [(a)](iii) of this subsection.

(ii) Calculation of equivalency. In recognition of the fact that participating institutions have different academic calendars and apply different full-time enrollment definitions to graduate and undergraduate students, the 10 credit hour equivalent standard is defined as follows: As 10 credit hours is 5/6ths (10/12) of the minimum 12 credit hours required for full-time undergraduate enrollment, a course load that by institutional standard is the equivalent of 5/6ths of a minimum full-time graduate course load satisfies the threshold course load requirement of the mathematics/science loan program.

(iii) Exceptions: Institutions may grant a one-year exception to the requirement for successful completion of 10 credit hours or equivalent per term of mathematics/science loan recipients when, in the institution's evaluation, special circumstances prevented the student from completing the required number of courses.

Each institution must send the board a copy of its policy for reawarding aid to mathematics/science loan recipients who have not satisfactorily completed the required number of credit hours the prior payment period. Each institution's policy must be approved by board staff before warrants will be sent to the institution.

If a student is reawarded a mathematics/science loan after having not completed a full-time course load the prior term, documentation must be maintained by the institution indicating that its [CPE] board-approved policy has been followed.

(b) Grade point average requirement[s]:

(i) Initial loans:

(A) General. First-time borrowers must demonstrate the capacity for academic achievement at a 3.0 or better grade point average in the qualifying program.

(B) Prior achievement of a 3.0 cumulative grade point average is considered to be a demonstration of capacity.

(C) Absence of a 3.0 grade point average. Institutions may certify applicants as meeting the demonstrated academic achievement criteria if, in the institution's judgment, additional factors, e.g., current academic average, faculty evaluation, test scores, job related success, etc., indicate the probability of a student meeting the 3.0 standard. Institutions must place a statement in the loan applicant's file specifying the basis for their judgment.

(D) Subsections (A) through [(C)][(D)] above do not apply to first-time borrowers who are currently certificated to teach in Washington state.

(ii) Subsequent loans. All borrowers are expected to earn a 3.0 or equivalent grade point average for those academic years for which they have received a mathematics/science loan. A one-year exception may be granted to an otherwise eligible borrower when, in the evaluation of the institution, the grade point average earned was due to special circumstances and is not indicative of the borrower's academic capability. Such an exception must be based on criteria no less stringent than the institution would apply to institutionally controlled aid awards with similar academic standards. A borrower must maintain an on-going 3.0 average for all terms completed during the exception year. Successful maintenance of the 3.0 average must be demonstrated for each term before funds for the following term can be released.

(c) Approved academic program:

Approved mathematics and science programs for the sole purpose of loan eligibility will be established by the higher education coordinating board with the advice of the mathematics/science loan advisory committee, and in accordance with the state board of education regulations and guidelines concerning subject field teacher endorsements.

(3) Technical provisions:

General. In the drafting of specific loan definitions reference has been made to the Federal Guaranteed Student Loan Program (20 USC Sec. 1701 et.seq.) in order to establish consistency between programs and follow accepted loan program standards.

(a) In-school period. The period of time during which a student continues enrollment on at least a half-time basis at a school satisfying guaranteed student loan school eligibility requirements. Where a break in such enrollment is shorter than the length of the grace period stipulated in [a] [the] student's promissory note, the student remains in the in-school period upon return to half-time status at a school participating in the guaranteed student loan program.

(b) Grace period. The nine-month period of time between the end of the in-school period and the beginning of the repayment period. The grace period begins on the first day of the month following the month in which the borrower leaves school or drops below half-time status. The grace period ends on the *last* day of the ninth month as written on the promissory note.

(c) Default. The failure of a borrower to make an installment payment when due, or to meet other terms of the promissory note under circumstances where the board finds it reasonable to conclude that the borrower no longer intends to honor the obligation to repay, provided that this failure persists for one hundred eighty days.

(d) Capitalization of interest. Capitalization means increasing the principal of a loan through the addition of accrued interest to the unpaid principal balance. Only interest which accrued during a period of time between the date the *first* repayment installment was due and the date it was made, when the borrower was late in beginning to repay the loan, may be capitalized on mathematics/science loans. The board may add the interest which accrued during a period of forbearance to the principal no earlier than the date repayment of principal is required to resume, and may add the interest which accrued due to late commencement of repayment to the principal no earlier than the date repayment of principal actually begins.

(e) Totally and permanently disabled. Inability to engage in any substantial gainful activity because of a medically determinable impairment that is expected to continue for a long and indefinite period of time or to result in death.

(f) "Public school" means a middle school, junior high school, or high school within the public school system referred to in Article IX of the state Constitution.

(g) "Forgiven" [or] [to] "to forgive" means to collect service as a teacher in a field of science or mathematics at a public school in the state of Washington in lieu of monetary payment.

(h) "Satisfied" means paid-in-full.

(i) Borrowing limits:

(i) Annual. The amount of any mathematics/science loan shall not exceed the demonstrated financial need of the student or two thousand five hundred dollars for each [nine month] academic year, whichever is less.

Cost effective annual minimum loan limits may be set by the higher education coordinating board.

(ii) Summer session eligibility. The \$2,500 annual loan limit applies to a normal nine month academic year. An otherwise eligible borrower may also receive a mathematics/science loan for summer term attendance provided that the borrower will be registered for sufficient credit hours during the summer session to at least equal the 5/6ths of a full-time [academic] course load requirement for a regular [academic] term.

The higher education coordinating board will determine the availability of summer session loans and the maximum and minimum amount of said loans based upon available appropriations.

(iii) Cumulative. The total amount of such loans to an eligible student shall not exceed ten thousand dollars.

(j) Interest rate. The interest rate for the mathematics/science loan program shall be nine percent per annum on the unpaid balance of the loan.

(k) Repayment period. The period for repaying the loan principal and interest shall be ten years with payments accruing quarterly [beginning] nine months from the date the borrower graduated or failed to re-enroll as at least a half-time student in accordance with the provisions [established for the guaranteed student loan program]. However, where the borrower has received an authorized deferment or has been granted forbearance, the periods of deferment and/or forbearance are excluded from determination of the ten year repayment period.

(l) Forgiveness. Payments of loan principal and interest will be forgiven for any repayment period in which the borrower documents qualifying service as a teacher in a field of science or mathematics at a public school in the state of Washington in accordance with WAC 250-60-010.

(m) Loan cancellation. Where the borrower has died or become totally and permanently disabled, the loan is cancelled and the higher education coordinating board terminates all collection activity against the borrower or [his] [the] estate.

(n) Prepayment. A borrower may prepay the whole or any part of a loan at any time without penalty.

(o) Late charges. The higher education coordinating board may require that the borrower pay a late charge if the borrower fails to pay any or all of a required installment payment within thirty days after its due date or fails to provide written evidence that verifies eligibility for authorized deferment of the payment. A late charge may not exceed five cents for each dollar [or] [of] each installment [due or five dollars for each installment], whichever is less.

(p) Collection charges:

Permissible charges. The board may also require that the borrower pay for certain reasonable costs incurred by the board or its agent in collecting any installment not paid when due. These costs may include attorney's fees, court costs, and long-distance phone calls.

(q) Deferments. For reasons of public policy and congruence with federal student aid program provisions, a

borrower is entitled to have scheduled payments of principal deferred when engaged in certain activities during the repayment period. Interest shall not accrue during periods of deferment officially granted by the board or its agent. Should a borrower enter a status which normally entitles him/her to a deferment of repayment, prior to the expiration of the grace period (e.g., he/she serves in the armed forces or an action program, or is unemployed), the deferment period will not commence until the expiration of the grace period. Repayment of the loan resumes immediately after the deferment period is over without any additional grace period.

Deferment is authorized during periods when a borrower is engaged in at least one of the following activities:

(i) Full-time study at a school participating in the federal guaranteed student loan program.

(ii) Full-time study at a school which meets the definition of an institution of higher education or a vocational school and is operated by an agency of the federal government (e.g., the service academies).

(iii) Study under an eligible graduate fellowship program approved by the United States secretary of education.

(iv) Study under a rehabilitation training program approved by the secretary for disabled individuals.

(v) For a period not in excess of three years during which the borrower is a member of the armed forces of the United States, or is an officer in the commissioned corps of the United States Public Health Service.

(vi) For a period not in excess of three years during which the borrower serves as a volunteer under the Peace Corps Act.

(vii) For a period not in excess of three years during which the borrower serves as a full-time volunteer under Title I of the Domestic Volunteer Service Act of 1973 (ACTION programs).

(viii) For a period not in excess of three years during which the borrower is in service comparable to the service referred to in (q)(vi) and (vii) of this subsection as a full-time volunteer for an organization which is exempt from taxation under Section 501(c)(3) of the Internal Revenue Code of 1954.

(ix) For a period not in excess of three years during which the borrower is temporarily totally disabled, or during which the borrower is unable to secure employment because he or she is caring for a spouse who is temporarily totally disabled.

(x) For a period not in excess of two years during which the borrower is serving an internship, the successful completion of which is required in order to receive recognition required to begin professional practice or service.

(xi) For a period not in excess of twelve months during which the borrower is conscientiously seeking and is unable to find full-time employment.

(r) Forbearance. A forbearance is a flexible, limited type of deferment or postponement granted by the board for the benefit of a borrower in order to prevent a default on a loan when the borrower is willing but temporarily unable to make scheduled payments or where the

forgiveness provisions of the mathematics/science loan program would be ill served by requiring scheduled repayments. A forbearance postpones principal payments but does not stop the accruing of interest. The board may require the borrower to pay the interest which will accrue on the loan during a period of forbearance prior to approving the forbearance; or the board may add the interest which accrued during the period of forbearance to the principal amount of the loan on the date that repayment is required to resume.

A forbearance may, at the board's discretion, be granted when the borrower's economic circumstances demonstrate a current inability to make scheduled repayments if the board believes that the borrower is willing to and will be more able to resume repayment in the future. Forbearances may also be granted to those borrowers who though teaching in eligible Washington public schools, are temporarily unable to meet the course load or subject matter criteria for loan forgiveness.

A cumulative maximum for all forbearances is set at two years or eight quarterly repayments.

(s) Repayment of loans. Commencement of the repayment period:

(i) The repayment period begins [on the day following the day the grace period ends] [the first day of the full repayment quarter following the grace period]. Interest accrues from the first day of the first scheduled repayment period.

[Borrowers who have been granted deferments or forbearances will also reenter the repayment cycle on the same basis.]

(ii) Scheduling of repayments. In order to implement the forgiveness provisions of the mathematics/science loan program, standardized loan repayment quarterly schedules are established for all borrowers as follows:

January 1 – March 31  
 April 1 – June 30  
 July 1 – September 30  
 October 1 – December [30] [31]

The borrower will be placed in the repayment cycle starting with the first day of the first full repayment quarter following the commencement of his/her repayment period. Borrowers who have been granted deferments or forbearances will also reenter the repayment cycle on the same basis.

[Statutory Authority: RCW 28B.15.760. 88-10-003 (Order 4/88, Resolution No. 88-11), § 250-60-060, filed 4/21/88. Statutory Authority: 1983 1st ex.s. c 74. 83-24-078 (Order 6-83, Resolution No. 84-9), § 250-60-060, filed 12/7/83.]

**Reviser's note:** RCW 34.04.058 requires the use of underlining and deletion marks to indicate amendments to existing rules, and deems ineffectual changes not filed by the agency in this manner. The bracketed material in the above section does not appear to conform to the statutory requirement.

**WAC 250-60-070 Application procedure and selection.** (1) Student. In order to be eligible for a mathematics/science loan, a student must:

(a) Meet all program eligibility requirements as established by program regulations and guidelines.

(b) Submit annually, in accordance with institutional and board deadlines, a completed mathematics/science loan application form.

(c) Meet institutional requirements for the submission of a financial aid form or comparable financial aid status documents.

(2) Academic certification:

(a) The designated academic official must certify that the applicant satisfies the grade point average and approved academic program requirements of the mathematics/science loan program.

(b) The institution may prioritize eligible applicants in terms of academic [success] [achievement], degree of financial need, appropriateness of educational program, and/or promise of teaching success as demonstrated by successful completion of objective institutional teacher education requirements.

(c) Notwithstanding financial need ranking criteria, otherwise eligible renewal loan applicants may be awarded subsequent mathematics/science loans up to their demonstrated financial need (within program limits).

(3) 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 higher education coordinating board. [In view of the self-help nature of this program, the state work-study advisory committee 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 congressional 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 mathematics/science loan 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.

(d) In the case of students attending private institutions, all state funds, when combined, may not exceed the nontuition and required fees portion of the student's budgetary cost.

(4) Impact of student withdrawal:

(a) Should a student recipient leave school by reason of failure or withdrawal at the end of the grading period, the unused portion of the loan will remain with the state [where it will be credited to borrower's account as a prepayment].

(b) Should a student totally withdraw from school during a term in which a mathematics/science loan had been disbursed, the following rules shall prevail:

(i) The student's eligibility for the mathematics/science loan program is terminated and no further disbursements under the program may be made without written approval of the higher education coordinating board.

(ii) If the student is entitled to a refund from the institution, that portion of the refund attributable (on a proportionate basis) to the mathematics/science loan program will be refunded to the higher education coordinating board where it will be credited to the borrower's loan account as an early repayment.

(iii) A student may regain eligibility by [repaying the loan amount owed for the academic term (of withdrawal) or by] special appeal for reinstatement to the [post secondary] institution with the concurrence of the board.

[Statutory Authority: RCW 28B.15.760. 88-10-003 (Order 4/88, Resolution No. 88-11), § 250-60-070, filed 4/21/88. Statutory Authority: 1983 1st ex.s. c 74. 83-24-078 (Order 6-83, Resolution No. 84-9), § 250-60-070, filed 12/7/83.]

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**WAC 250-60-080 Control of funds.** (1) General. The higher education coordinating board is responsible for the disbursement of loan funds to individual students under the mathematics/science loan program. As warrants will be made payable to the individual students, no transfer of funds to participating postsecondary institutions will be made. [However,] Institutions will be allocated a commitment funding level that establishes the annual aggregate loan dollars available for award to their students.

(2) Institutional funding request. Each eligible institution desiring to participate in the mathematics/science loan program must apply annually to the higher education coordinating board's financial aid section for an allocation of funds. The institutional request must be submitted by the appropriate deadline and contain any information requested by the board.

(3) If an institution can utilize more funds than were allocated for the fiscal year, it should apply for supplemental funds. A request for supplemental funds should be filed as soon as the need is known and may be filed at any time throughout the fiscal year. Such requests must be in writing and must include justification regarding the need for additional funds. Supplemental awards may be made periodically throughout the year on a funds available basis.

(4) If an institution is unable to expend its full allocation, it must deobligate that portion of funds which will be unutilized. Written notification of deobligation must be submitted to the board as soon as the institution has determined its inability to fully expend its mathematics/science loan program funds.

[Statutory Authority: RCW 28B.15.760. 88-10-003 (Order 4/88, Resolution No. 88-11), § 250-60-080, filed 4/21/88. Statutory Authority: 1983 1st ex.s. c 74. 83-24-078 (Order 6-83, Resolution No. 84-9), § 250-60-080, filed 12/7/83.]

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**WAC 250-60-090 Loan collection.** The board is responsible for collection of loans made and shall exercise due diligence in such collection to ensure that maximum repayments are made. The board is responsible to forgive all or parts of such loans under the criteria established in these rules and regulations.

Receipts from the payment of principal or interest or any other subsidies to which the board as lender is entitled, which are paid by or on behalf of borrowers, shall be deposited with the higher education coordinating board and shall be used to cover the costs of making the loans, maintaining necessary records and making collections. All receipts beyond those necessary to pay such costs shall be used to make loans to eligible students.

[Statutory Authority: RCW 28B.15.760. 88-10-003 (Order 4/88, Resolution No. 88-11), § 250-60-090, filed 4/21/88. Statutory Authority: 1983 1st ex.s. c 74. 83-24-078 (Order 6-83, Resolution No. 84-9), § 250-60-090, filed 12/7/83.]

**WAC 250-60-100 Criteria for obtaining forgiveness based on qualifying teacher service.** (1) General. In order to be granted loan forgiveness in lieu of repayment, a borrower, for each repayment period for which forgiveness is sought, must:

(a) Be teaching in an eligible Washington public school.

(b) Be teaching qualifying mathematics/science courses equal to at least one-half of a full-time teaching assignment as defined by the employing school district.

(c) Complete and submit, in a timely manner, the documentation necessary to support the forgiveness request.

(2) Identification of qualifying mathematics and science courses:

Subordinate to specific regulations, determination of qualifying courses is the responsibility of the employing school district. The superintendent of schools of the employing district or his/her designee(s) is responsible for certifying qualifying courses.

(a) Supplementary criteria for qualifying courses will be issued as necessary by the higher education coordinating board after consultation with the mathematics/science loan advisory committee.

(b) At the secondary school level, courses which satisfy state graduation requirements in mathematics or science are eligible courses.

(c) At the middle school and junior high level, courses which have been traditionally viewed as science or mathematics foundation[s] courses are eligible.

(3) Calculating qualifying teacher service under the mathematics/science loan program:

The superintendent of schools of the employing district or his/her designee(s) is responsible for calculating qualifying teacher service.

(a) General. In order to obtain forgiveness of scheduled repayments, a borrower must, for the repayment

period, be employed at least half-time as a teacher of qualifying mathematics or science courses.

A borrower may be employed in any status half-time or greater so long as the number of qualifying mathematics or science courses taught are themselves equal to a half-time assignment.

In calculating teaching days, paid sick leave covered under a teacher's contract are considered as teaching days.

(b) Calculation of eligibility. The following formula shall be used to determine teacher eligibility for forgiveness:

(i) Calculate the number of teaching days in the repayment quarter (x).

(ii) Determine the average number of hours per day required for full-time teaching status (y).

(iii) Multiply (x) time[s] (y) to establish a full teaching load for the repayment period; fifty percent of that total establishes the qualifying teaching load.

(iv) Calculate the number of class hours taught in the repayment period in qualifying mathematics or science courses. If it equals or exceeds the qualifying teaching load (iii) of this subsection), the borrower can be certified for forgiveness.

(c) Exceptions. In the case of schools that because of size or geography are restricted to limited course offerings that make it a practical impossibility for a borrower to obtain a teaching assignment that qualifies for forgiveness, an appeal process is available. The higher education coordinating board may grant forgiveness in those individual cases where the borrower is teaching a fair share of the available qualifying courses even if the total qualifying hours fall below the half-time standard.

[Statutory Authority: RCW 28B.15.760. 88-10-003 (Order 4/88, Resolution No. 88-11), § 250-60-100, filed 4/21/88. Statutory Authority: 1983 1st ex.s. c 74. 83-24-078 (Order 6-83, Resolution No. 84-9), § 250-60-100, filed 12/7/83.]

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**WAC 250-60-110 Program administration and audits.** (1) The staff of the higher education coordinating board, under the direction of the executive director, will manage the administrative functions relative to this program.

(2) The board shall appoint an advisory committee comprised of representatives of eligible institutions and of other professionals in the field of education with the interest and expertise to assist board staff:

(a) In the drafting of program rules and guidelines;

(b) In the establishment of student award priorities;

(c) In setting criteria for the allotment of funds to participating institutions; and

(d) In general program oversight and administration.

(3) The higher education coordinating board will review institutional administrative practices to determine institutional compliance with rules and regulations and program guidelines. If such a review determines that an institution has failed to comply with program rules and

regulations or guidelines, the board may suspend, terminate, or place conditions upon the institution's participation in the program and/or require reimbursement to the program for any funds lost or improperly expended.

(4) Any student who has obtained a mathematics/science loan through means of a wilfully false statement or failure to reveal any material fact, condition, or circumstance affecting eligibility will be subject to applicable civil or criminal penalties.

[Statutory Authority: RCW 28B.15.760. 88-10-003 (Order 4/88, Resolution No. 88-11), § 250-60-110, filed 4/21/88. Statutory Authority: 1983 1st ex.s. c 74. 83-24-078 (Order 6-83, Resolution No. 84-9), § 250-60-110, filed 12/7/83.]

**WAC 250-60-120 Suspension or termination of institutional participation.** Upon receipt of a complaint or other evidence that an institution has failed or is failing to comply with program rules and regulations, the board staff shall notify the institution by mail of the nature of such allegations and conduct a review of the alleged violations.

If preliminary findings indicate that a violation or violations may have occurred or are occurring, the board staff shall attempt, through mediation and conciliation, to effect corrections and/or secure reimbursement from the institution in the event any funds were expended out of compliance with the provisions of WAC 250-60-030 through 250-60-080.

If no agreement is reached through the mediation and conciliation process, the executive director shall file a formal complaint with the [council] board and notify the institution of the conduct which warrants the complaint. Based upon a finding pursuant to RCW 34.04.170, the complaint may include an order for a summary suspension pending proceedings for termination, suspension, reimbursement[,] or other action.

The executive director or a designated hearing officer shall conduct a hearing and make findings and conclusions in accordance with the Administrative Procedure Act, chapter 34.04 RCW. The findings, conclusions[,] and any recommendations for action shall be submitted to the board for final action pursuant to RCW 34.04.110. The board may accept or reject, in whole or in part, any recommendations made by the hearing officer, may remand for further findings and/or take any other action the board deems appropriate under the circumstances.

[Statutory Authority: RCW 28B.15.760. 88-10-003 (Order 4/88, Resolution No. 88-11), § 250-60-120, filed 4/21/88. Statutory Authority: 1983 1st ex.s. c 74. 83-24-078 (Order 6-83, Resolution No. 84-9), § 250-60-120, filed 12/7/83.]

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**Chapter 250-65 WAC**  
**FUTURE TEACHER CONDITIONAL**  
**SCHOLARSHIP PROGRAM CHAPTER 28B.102**  
**RCW**

**WAC**

|            |  |
|------------|--|
| 250-65-010 | Purpose.                               |
| 250-65-020 | Program definitions.                   |
| 250-65-030 | Eligibility criteria.                  |
| 250-65-040 | Screening and selection of recipients. |
| 250-65-050 | Administration.                        |
| 250-65-060 | Control of funds.                      |

**WAC 250-65-010 Purpose.** The purpose of this act is to encourage students with outstanding academic records to enter the teaching profession; and, further, to recruit students who can act as role models for children including those from targeted ethnic minorities.

[Statutory Authority: Chapter 28B.102 RCW. 88-03-008 (Order 1/88, Resolution No. 87-81), § 250-65-010, filed 1/8/88.]

**WAC 250-65-020 Program definitions.** (1) "Conditional scholarship" means a loan that is forgiven in whole or in part if the recipient renders service as a teacher in the public schools of this state. A student's acceptance of one or more disbursements of a scholarship, regardless of its value, creates a contractual obligation on the part of the student to teach for a period of ten years in a qualifying school, or incur an obligation to repay all or part of the scholarship.

(2) "Institution of higher education" or "institution" shall mean any public university, college, community college, or vocational-technical institute operated by the state of Washington political subdivision thereof, or any other university, college, school or institute in the state of Washington offering instruction beyond the high school level which is a member institution of the Northwest Association of Schools and Colleges and, if such institution agrees to participate in the program in accordance with all applicable rules and regulations. Any institution, branch, extension or facility operating within the state of Washington which is affiliated with an institution operating in another state must be a separately accredited member institution of the above named accrediting association.

(3) "Board" means the higher education coordinating board. When a duty or responsibility of the board is referenced in these regulations, the authority needed to discharge that responsibility lies with the executive director or his or her designee.

(4) "Public school" means an elementary school, a middle school, junior high school, or high school within the public school system referred to in Article IX of the state constitution.

(5) "Forgiven" or "to forgive" or "forgiveness" means that a portion of the student's loan is reduced through the rendering of service as a teacher at a public school in the state of Washington in lieu of monetary repayment.

(6) "Satisfied" means paid-in-full either through the rendering of service or monetary repayment in fulfillment of the student's contractual obligation.

(7) "Participant" means an eligible student who has received one or more disbursements under this program.

(8) "Targeted ethnic minority" means a group of Americans with a common ethnic or racial heritage selected by the board for program consideration due to societal concerns such as high drop out rates or low rates of college participation by members of this group. Wherever possible students selected for participation in the conditional scholarship program should be able to serve as role models for children and youth from targeted ethnic minorities.

(9) "Washington resident" or "resident student" means an individual who satisfies the requirements of RCW 28B.15.012 through 28B.15.015 and board-adopted rules and regulations pertaining to the determination of residency.

(10) "Needy student" shall mean a post-high school student of an institution of higher learning as defined in RCW 28B.10.802(1) who demonstrates to the board the financial inability, either through the student's parents, family and/or personally, to meet the total cost of board, room, books and tuition and incidental fees for any semester or quarter.

(11) "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.

(12) "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 other cost factors deemed necessary for consideration, consistent with WAC 250-65-040 (3)(a).

(13) "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.

(14) "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 subsection (15) of this section.

(15) "Self-supporting student" shall be one who has established a bona fide independent relationship and who demonstrates compliance with criteria for determining self-supporting status as contained in the program guidelines.

**WAC 250-65-030 Eligibility criteria.** (1) Student eligibility. In order to be eligible for a conditional scholarship under this program the student must:

(a) Be registered for a minimum of ten credit hours or the equivalent, at the time of disbursement, during any term for which a scholarship disbursement is issued.

(i) Calculation of equivalency. In recognition of the fact that participating institutions have different academic calendars and apply different full-time enrollment definitions, the ten credit hour equivalent standard is defined as follows: As ten credit hours is 5/6's (10/12) of the minimum twelve credit hours required for full-time undergraduate enrollment, a course load that by institutional standard is the equivalent of 5/6's of a minimum full-time course load satisfies the threshold course load requirement of the future teacher conditional scholarship program.

(b) Demonstrate achievement of at least a 3.30 cumulative grade point average for students entering an eligible institution of higher education directly from high school; or maintain at least a 3.00 grade point average or the equivalent for each academic year in an institution of higher education, calculated at the end of each academic year. In the case of extenuating circumstances, the board may waive the grade point average requirement, with cause.

(c) Be classified as a resident student of the state of Washington for tuition and fee purposes.

(d) Be capable, in the opinion of the institution, of maintaining good standing in a course of study while funded by the program, and demonstrate satisfactory progress toward degree or certificate completion.

(e) Have declared an intention to complete an approved preparation program as determined by the institution leading to initial teacher certification or required for earning an additional endorsement, or a college or university graduate who is registered for at least ten credit hours per term, or the equivalent, and is seeking an additional teaching endorsement or initial teaching certification.

(f) Not be pursuing a degree in theology.

(2) While evidence of documented financial need is not a prerequisite for program participation, the board may include need as an element of the criteria for the screening and selection of recipients for approximately half of the program's recipients.

(3) 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 higher education coordinating board.

(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.

[Statutory Authority: Chapter 28B.102 RCW. 88-03-008 (Order 1/88, Resolution No. 87-81), § 250-65-020, filed 1/8/88.]



(c) The conditional scholarship, when offered in conjunction with other forms of governmentally provided student financial assistance, 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.

(2) Institutional eligibility criteria.

(a) 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 satisfactory progress toward completion of his or her degree or program objective. The institution must submit its policy to the board annually for approval.

[Statutory Authority: Chapter 28B.102 RCW. 88-03-008 (Order 1/88, Resolution No. 87-81), § 250-65-030, filed 1/8/88.]

**WAC 250-65-040 Screening and selection of recipients.** Whenever possible in selecting conditional scholarship recipients, the board will give preference to qualified candidates who wish to become future teachers who fulfill both purposes of the statute: (1) Recruitment of students who have distinguished themselves through outstanding academic achievement and (2) students who can act as role models for children and youth including those from targeted ethnic minorities.

(1) Program advisory and screening committee. The board will annually appoint an advisory committee to advise the board on matters of program administration including, but not limited to, scholarship screening and selection criteria and procedures, fund raising, program publicity, and efforts to recruit minority students. The advisory committee shall also serve as a screening committee in assisting the board in selecting the students to receive conditional scholarships.

(2) Selection of recipients.

(a) Assuming program eligibility criteria is met, the following additional selection criteria will be employed by the board in ranking candidates and awarding conditional scholarships:

(i) Superior scholastic achievement.

(ii) Leadership ability.

(iii) Community contributions.

(iv) Ability to act as a role model for targeted ethnic minority students.

(v) Brief statement evidencing the student's commitment to teaching and evidence of promise as a future teacher.

(vi) Financial need (may be considered for approximately half of the recipients).

(vii) Eligibility for renewal of conditional scholarship.

(3) Renewal scholarships. As a priority in awarding conditional scholarships, the board may continue to make awards to an eligible recipient for a maximum of five academic years.

[Statutory Authority: Chapter 28B.102 RCW. 88-03-008 (Order 1/88, Resolution No. 87-81), § 250-65-040, filed 1/8/88.]

**WAC 250-65-050 Administration.** (1) Administering agency. The higher education coordinating board

shall administer the future teacher conditional scholarship program. The staff of the higher education coordinating board, under the direction of the executive director, will manage the administrative functions relative to the program. The board shall have the following administrative responsibilities, encompassed within the board's enumerated powers and duties:

(a) Enter into agreements with participating institutions, and billing and collection agencies as may be necessary.

(b) Select students to receive conditional scholarships, with the assistance of a screening committee composed of teachers and leaders in government, business, and education.

(c) Adopt necessary rules and guidelines.

(d) Publicize the program.

(e) Collect and manage repayments from students who do not meet their teaching obligations.

(f) Solicit and accept grants and donations from public and private sources for the program.

[Statutory Authority: Chapter 28B.102 RCW. 88-03-008 (Order 1/88, Resolution No. 87-81), § 250-65-050, filed 1/8/88.]

**WAC 250-65-060 Control of funds.** The higher education coordinating board may award conditional scholarships to eligible students from the funds appropriated to the board for this purpose, or from any private donations, or any funds given to the board for this program.

(1) Scholarship amounts:

(a) The amount of the conditional scholarship awarded an individual shall not exceed three thousand dollars per academic year. Students are eligible to receive conditional scholarships for a maximum of five years. The total amount of such scholarships to an eligible student shall not exceed fifteen thousand dollars. The duration of service obligation does not vary with the value of the scholarship(s).

(2) The scholarship recipient shall enter into an agreement with the higher education coordinating board agreeing to comply with the rules, regulations, and guidelines of the conditional scholarship program. The agreement shall serve as the legal document verifying the recipient's understanding of the obligation to repay the conditional scholarship if teaching service is not fulfilled.

(3) Repayment terms:

(a) Participants in the conditional scholarship program incur an obligation to repay the conditional scholarship, with interest, unless they teach for ten years in the public schools of the state of Washington, under rules adopted by the board.

(b) The terms of the repayment, including deferral of the interest, shall be consistent with the terms of the federal guaranteed loan program.

(c) The period for repayment shall be ten years, with payments accruing quarterly commencing nine months from the date the participant completes or discontinues the course of study.

(d) The entire principal and interest of each payment shall be forgiven for each payment period in which the

participant teaches in a public school until the entire repayment obligation is satisfied or the borrower ceases to teach at a public school in this state. Should the participant cease to teach at a public school in this state before the participant's repayment obligation is completed, payments on the unsatisfied portion of the principal and interest shall begin the next payment period and continue until the remainder of the participant's repayment obligation is satisfied.

(3) Collection of repayments:

(a) The board is responsible for collection of repayments made and shall exercise due diligence in such collection, maintaining all necessary records to ensure that maximum repayments are made.

(b) The board is responsible to forgive all or parts of such repayments under the criteria established by the board and shall maintain all necessary records of forgiven payments.

(4) Receipts:

(a) Receipts from the payment of the principal or interest or any other subsidies to which the board as administrator is entitled, which are paid by or on behalf of participants under this section, shall be deposited with the board and shall be used to cover the costs of granting the conditional scholarships, maintaining necessary records and making collections. The board shall maintain accurate records of these costs, and all receipts beyond those necessary to pay such costs shall be used to grant conditional scholarships to eligible students.

[Statutory Authority: Chapter 28B.102 RCW, 88-03-008 (Order 1/88, Resolution No. 87-81), § 250-65-060, filed 1/8/88.]

### Chapter 250-66 WAC

#### WASHINGTON STATE SCHOLARS PROGRAM-- RULES AND REGULATIONS

WAC

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**WAC 250-66-010 Purpose.** The purpose of this act is to establish a consistent and uniform program which will recognize and honor the accomplishments of selected Washington high school graduates who have distinguished themselves through outstanding academic achievement; encourage and facilitate privately funded scholarship awards among them; stimulate the recruitment of these outstanding students to Washington public and private colleges and universities; and allow educational and legislative leaders, as well as the governor, to reaffirm the importance of educational excellence to the future of the state of Washington.

[Statutory Authority: 1988 c 210, 88-14-088 (Order 5-88, Resolution No. 88-13), § 250-66-010, filed 7/5/88.]

**WAC 250-66-020 Program definitions.** (1) "Public institution of higher education" shall mean all Washington state-operated, public, four-year universities, the evergreen state college, and community colleges.

(2) "Independent college or university" shall mean any private, nonprofit educational institution, the main campus of which is permanently situated in the state, open to residents of the state, providing programs of education beyond the high school level leading at least to the baccalaureate degree, and accredited by the northwest association of schools and colleges and other institutions as may be developed that are approved by the higher education coordinating board as meeting equivalent standards as those institutions accredited by the northwest association of schools and colleges.

(3) "State-funded research universities" shall mean the university of Washington and Washington state university.

(4) "Board" means the higher education coordinating board. When a duty or responsibility of the board is referenced in these regulations, the authority needed to discharge that responsibility lies with the executive director or his or her designee.

(5) "Washington resident" shall mean any individual who satisfies the requirements of WAC 250-18-020 through 250-18-060 and any board-adopted rules and regulations pertaining to the determination of residency.

(6) "Waiver of tuition and service and activities fees." Students selected as Washington state scholars choosing to attend a public institution of higher education, as defined in subsection (1) of this section, and who meet all other eligibility requirements, shall be eligible for a full waiver of tuition and service and activities fees at any Washington public institution of higher education.

(7) "Grant(s)." Students selected as Washington state scholars choosing to attend an independent college or university, as defined in subsection (2) of this section, and who meet all other eligibility requirements, shall be eligible to receive grants from the state of Washington, if funds are available for this purpose. Grants shall not exceed, on an annual basis, the yearly, full-time, resident undergraduate tuition and service and activities fees in effect at the state-funded research universities. These grants shall also be contingent upon the independent college or university matching, on at least a dollar-for-dollar basis, either with actual institutional monies or a waiver of tuition and fees, the amount the student receives from the state.

[Statutory Authority: 1988 c 210, 88-14-088 (Order 5-88, Resolution No. 88-13), § 250-66-020, filed 7/5/88.]

**WAC 250-66-030 Nomination and selection of Washington state scholars.** (1) Number of students to be nominated.

Each principal of a public or private approved Washington high school is encouraged to nominate one percent of the senior class (twelfth grade) based on the October 1 enrollment count of the previous year.

(2) Selection committee. Following the receipt of all nomination forms, the higher education coordinating board shall convene a selection committee which shall

have members representing public and private secondary and postsecondary education institutions, state agencies, and private sector associations. This selection committee shall review all nominations based upon selection criteria which shall include, but not be limited to, academic excellence, leadership ability, and community contributions.

(3) Selection. The Washington state scholar selection committee will then select the top three graduating seniors from high schools in each legislative district to be designated as Washington state scholars.

(4) Notification. After the final selections have been made, the higher education coordinating board shall notify the students so designated, their high school principals, the legislators of their respective districts, and the governor.

(5) Certificates and awards ceremony. The board, in conjunction with the governor's office, shall prepare appropriate certificates of recognition to be presented to the Washington state scholars recipients. An awards ceremony at an appropriate time and place shall be planned by the board in cooperation with the Washington association of secondary school principals.

[Statutory Authority: 1988 c 210. 88-14-088 (Order 5-88, Resolution No. 88-13), § 250-66-030, filed 7/5/88.]

**WAC 250-66-040 Recipient eligibility.** (1) Eligibility criteria. In order to be eligible to receive a waiver of tuition and service and activities fees at public institutions of higher education or a grant at independent colleges or universities, the student must meet the following requirements. The student must:

- (a) Be a resident of the state of Washington.
- (b) Have attended high school in the state of Washington.
- (c) Be a designated and fully recognized recipient of the Washington state scholars award.
- (d) Have entered a public institution of higher education or independent college or university in the state of Washington within three years of high school graduation.
- (e) Be a student enrolled in undergraduate studies.
- (f) Maintain a minimum cumulative grade point average of 3.30 on a 4.0 scale, or the equivalent, at a public institution of higher education or independent college or university.
- (g) If the student's cumulative grade point average falls below 3.30 during the first three quarters or two semesters, that student may petition the higher education coordinating board which shall have the authority to establish a probationary period until such time as the student's grade point average meets required standards. A student who has received probationary status from the higher education coordinating board shall remain eligible to receive a waiver or grant during such probationary period.
- (h) Not be pursuing a degree in theology.

(2) Duration of eligibility. Recipients of the Washington state scholars award shall be eligible to receive tuition and service and activities fees at public institutions of higher education or grants at independent colleges or universities for a maximum total of eight semesters or twelve quarters.

(3) Transferability. Recipients of the Washington state scholars award may transfer between public institutions of higher education and independent colleges and universities in the state of Washington provided that the maximum waivers of tuition and service and activities fees and grants do not exceed eight semesters or twelve quarters.

[Statutory Authority: 1988 c 210. 88-14-088 (Order 5-88, Resolution No. 88-13), § 250-66-040, filed 7/5/88.]

**WAC 250-66-050 Administration.** (1) Administering agency. The higher education coordinating board, with cooperation from the Washington association of secondary school principals, shall administer the Washington state scholars program. The staff of the higher education coordinating board, under the direction of the executive director, will manage the administrative functions relative to the program. The board shall have the following administrative responsibilities, encompassed within the board's enumerated powers and duties:

- (a) Select students to receive the Washington state scholars award, with the assistance of the selection committee created by WAC 250-66-030(3) of this act.
- (b) Enter into agreements with participating independent institutions.
- (c) Adopt all necessary rules and guidelines.
- (d) Send program information and nomination materials to the principal of each Washington public and private school that has a twelfth grade.
- (e) Publish a directory of all Washington state scholars selected and distribute it to all public institutions of higher education and independent colleges and universities, legislators, and participating high schools.
- (f) Maintain records on all Washington state scholar award recipients.
- (g) Publicize the program.
- (h) Solicit and accept grants and donations from public and private sources for the program.
- (i) Authorize probationary periods for Washington state scholar recipients whose cumulative grade point average falls below the minimum grade point average under WAC 250-66-040 (1)(f).

[Statutory Authority: 1988 c 210. 88-14-088 (Order 5-88, Resolution No. 88-13), § 250-66-050, filed 7/5/88.]

**WAC 250-66-060 Control of funds.** The higher education coordinating board may award grants to eligible students from the funds appropriated the board for this purpose, or from any private donations, or any other funds given to the board for this program.

[Statutory Authority: 1988 c 210. 88-14-088 (Order 5-88, Resolution No. 88-13), § 250-66-060, filed 7/5/88.]

**Chapter 250-67 WAC**  
**NURSES CONDITIONAL SCHOLARSHIP**  
**PROGRAM—RULES AND REGULATIONS**

**WAC**

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**WAC 250-67-010 Purpose.** The purpose of this act is to encourage qualified individuals with a declared intention to serve in a nurse shortage area.

[Statutory Authority: 1988 c 242, 88-14-089 (Order 6-88, Resolution No. 88-14), § 250-67-010, filed 7/5/88.]

**WAC 250-67-020 Program definitions.** (1) "Conditional scholarship" means a loan that is forgiven in whole or in part if the recipient renders service as a nurse serving in a nurse shortage area, as defined by the state health coordinating council.

(2) "Institution of higher education" or "institution" means a community college, vocational-technical school, or university in the state of Washington which is accredited by an accrediting association recognized as such by rule of the higher education coordinating board.

(3) "Board" means the higher education coordinating board. When a duty or responsibility of the board is referenced in these regulations, the authority needed to discharge that responsibility lies with the executive director or his or her designee.

(4) "Eligible student" means a student who: (a) has been officially accepted by the school into a program leading to eligibility for licensure as a licensed practical nurse or to a program leading to an associate, baccalaureate, or higher degree in nursing; (b) continues to make satisfactory progress within the program; and (c) has a declared intention to serve in a nurse shortage area upon completion of the educational program.

(5) "Nurse shortage area": Means those areas where nurses are in short supply as a result of geographic maldistribution or specialty areas of nursing as determined by the state health coordinating council.

(6) "Forgiven" or "to forgive" or "forgiveness" means to render nursing service in a nurse shortage area in the state of Washington in lieu of monetary repayment.

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

(8) "Participant" means an eligible student who has received a conditional scholarship.

(9) "Washington resident" or "resident student" means an individual who satisfies the requirements of WAC 250-18-020 through 060 and board-adopted rules and regulations pertaining to the determination of residency.

(10) "Needy student" shall mean a post-high school student of an institution of higher education as defined in RCW 28B.10.802(1) who demonstrates to the board the financial inability, either through the student's parents, family and/or personally, to meet the total cost of

board, room, books, and tuition and incidental fees for any semester or quarter.

(11) "Financial need" shall be the difference between the budgetary cost to the student attending an institution of higher 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.

(12) "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 student is enrolled as a student.

(13) "Total applicant resources" must be computed according to the congressional methodology system of need analysis for the academic year. Total applicant resources for a dependent student consist of the sum of the expected parent contribution and the student's contribution from income, assets, and summer savings. For an independent student, total applicant resources are the sum of the student's and spouse's contribution from income, assets, and summer savings.

(14) "Dependent student" shall mean any post-high school student attending an eligible institution of higher education who does not qualify as an independent student in accordance with subsection (15) of this section.

(15) "Independent student" shall mean any student who has either: (a) reached his or her twenty-fourth birthday before January 1 of the aid year; (b) is a veteran of the United States Armed Forces; (c) is an orphan or ward of the court; (d) has legal dependents other than a spouse; (e) is a married student or a graduate/professional student; (f) will not be claimed by parents as a U.S. income tax exemption; or (g) was not claimed by parents as an income tax exemption during the past two years and had a total income and benefits for those two years equal to or greater than \$4,000.

[Statutory Authority: 1988 c 242, 88-14-089 (Order 6-88, Resolution No. 88-14), § 250-67-020, filed 7/5/88.]

**WAC 250-67-030 Student eligibility.** (1) Eligibility criteria. In order to be eligible for a conditional scholarship under this program the student must:

(a) Be officially accepted by the school into a program leading to eligibility for licensure as a licensed practical nurse or to a program leading to an associate, baccalaureate, or higher degree in nursing.

(b) Have a declared intention to serve in a nurse shortage area upon completion of the education program.

(c) Continue making satisfactory progress as determined by the institution.

(d) Be classified as a resident student of the state of Washington for tuition and fee purposes.

(2) While evidence of documented financial need is not a prerequisite for program participation, the board may include need as an element of the criteria for the screening and selection of recipients for approximately one-half of the program's recipients.

(3) 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 higher education coordinating board.

(b) Total applicant resources shall be determined according to the congressional 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.

(c) The conditional scholarship, when offered in conjunction with other forms of governmentally provided student financial assistance, shall be designed in such a manner that the sum total of financial assistance awarded any one student will not exceed the difference between the total applicant's resources and the budgetary cost of education.

[Statutory Authority: 1988 c 242, 88-14-089 (Order 6-88, Resolution No. 88-14), § 250-67-030, filed 7/5/88.]

**WAC 250-67-040 Selection of recipients.** (1) Program planning and screening committee. The board shall establish a planning committee to advise the board on matters of program administration including, but not limited to, developing criteria for the screening and selection of scholarship recipients, procedures and program publicity. The planning committee shall also serve as a screening committee in assisting the board in selecting the students to receive conditional scholarships.

(2) Selection of recipients. Assuming program eligibility criteria is met, the following additional selection criteria may be employed by the board in ranking candidates and awarding conditional scholarships:

- (a) Superior scholastic achievement.
- (b) Nursing specialty.
- (c) Geographic need.
- (d) Financial need, which may be considered for approximately one-half of the scholarships.
- (e) Eligibility for renewal of conditional scholarship.

(3) Renewal scholarships. As a priority in awarding conditional scholarships, the board may continue to make awards for a maximum of five years to an eligible recipient continually enrolled in an approved program.

[Statutory Authority: 1988 c 242, 88-14-089 (Order 6-88, Resolution No. 88-14), § 250-67-040, filed 7/5/88.]

**WAC 250-67-050 Administration.** The higher education coordinating board shall administer the conditional scholarship program for nurses. The staff of the higher education coordinating board, under the direction of the executive director, and in consultation with the state board for community college education and the superintendent of public instruction for vocational education, will manage the administrative functions relative to the program. The board shall have the following administrative responsibilities, encompassed within the board's enumerated powers and duties:

(1) Enter into agreements with participating institutions and billing and collection agencies as may be necessary.

(2) Select students to receive conditional scholarships with the assistance of a screening committee.

(3) Adopt necessary rules and guidelines.

(4) Publicize the program, including the use of existing offices established for recruitment of minorities in institutions of higher education.

(5) Collect and manage repayments from students who do not meet their nursing service obligations.

(6) Solicit and accept grants and donations from public and private sources for the program.

(7) Establish a planning committee.

(8) Develop criteria for a contract for service in a nursing shortage area in lieu of repayment over a five year repayment period.

[Statutory Authority: 1988 c 242, 88-14-089 (Order 6-88, Resolution No. 88-14), § 250-67-050, filed 7/5/88.]

**WAC 250-67-060 Control of funds.** The higher education coordinating board may award conditional scholarships to eligible students from the funds appropriated to the board for this purpose, or from any private donations or funds given to the board for this program.

(1) Scholarship amounts. The amount of the conditional scholarship awarded an individual shall not exceed three thousand dollars per academic year. Students are eligible to receive conditional scholarships for a maximum of five years. The total amount of such scholarships to an eligible student shall not exceed fifteen thousand dollars. The duration of service obligation does not vary with the value of the scholarship(s).

(2) The scholarship recipient shall enter into a contract with the higher education coordinating board agreeing to comply with the rules, regulations, and guidelines of the conditional scholarship program. The contract shall serve as the legal document verifying the recipient's understanding of the obligation to repay the conditional scholarship if nursing service is not fulfilled.

(3) Repayment terms. Participants in the conditional scholarship program incur an obligation to repay the conditional scholarship, with interest, unless they serve for five years in nurse shortage areas of the state of Washington.

(4) The terms of the repayment, including deferral and rate of interest, shall be consistent with the terms of the federal guaranteed loan program.

(5) The period for repayment shall be five years, with payments accruing quarterly, commencing nine months from the date the scholarship recipient completes or discontinues the course of study.

(6) The entire principal and interest of each payment shall be forgiven for each payment period in which the scholarship recipient serves in a nurse shortage area, as determined by the state health coordinating council, until the entire repayment obligation is satisfied or the recipient ceases to so serve. Should the recipient cease to serve in this state before the participant's repayment obligation is completed, payments on the unsatisfied portion of the principal and interest shall begin the next

payment period and continue until the remainder of the repayment obligation is satisfied.

(7) Collection of repayments. The board is responsible for collection of repayments made under this section and shall exercise due diligence in such collection, maintaining all necessary records to ensure that maximum repayments are made.

(a) The board is responsible to forgive all or parts of such repayments under the criteria established by the board and shall maintain all necessary records of forgiven payments.

(8) Receipts from the payment of principal or interest or any other subsidies to which the board as administrator is entitled, which are aid [paid] by or on behalf of participants under this section, shall be deposited with the higher education coordinating board and shall be used to cover the costs of granting the conditional scholarships, maintaining necessary records, and making collections. All receipts beyond those necessary to pay such costs shall be used to grant conditional scholarships to eligible students.

[Statutory Authority: 1988 c 242. 88-14-089 (Order 6-88, Resolution No. 88-14), § 250-67-060, filed 7/5/88.]

**Title 251 WAC  
HIGHER EDUCATION PERSONNEL  
BOARD**

**Chapters**

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| <b>251-04</b> | <b>General provisions.</b>                |
| <b>251-05</b> | <b>Public records.</b>                    |
| <b>251-06</b> | <b>Classification.</b>                    |
| <b>251-07</b> | <b>Personnel files.</b>                   |
| <b>251-08</b> | <b>Compensation.</b>                      |
| <b>251-10</b> | <b>Resignation and layoff.</b>            |
| <b>251-11</b> | <b>Discipline.</b>                        |
| <b>251-12</b> | <b>Appeals.</b>                           |
| <b>251-14</b> | <b>Collective bargaining.</b>             |
| <b>251-17</b> | <b>Recruitment--Examination.</b>          |
| <b>251-18</b> | <b>Certification.</b>                     |
| <b>251-19</b> | <b>Appointment.</b>                       |
| <b>251-22</b> | <b>Holidays--Leave.</b>                   |
| <b>251-23</b> | <b>Affirmative action.</b>                |
| <b>251-24</b> | <b>Employee development and training.</b> |

**Chapter 251-01 WAC  
DEFINITIONS**

|                   |   |
|-------------------|---|
| <b>WAC</b>        |   |
| <b>251-01-028</b> | <b>Anniversary date.</b>                      |
| <b>251-01-040</b> | <b>Availability.</b>                          |
| <b>251-01-057</b> | <b>Child care emergency.</b>                  |
| <b>251-01-072</b> | <b>Comparable worth adjustment indicator.</b> |
| <b>251-01-110</b> | <b>Director.</b>                              |
| <b>251-01-172</b> | <b>Family members.</b>                        |
| <b>251-01-175</b> | <b>Final examination score.</b>               |
| <b>251-01-190</b> | <b>Goals.</b>                                 |
| <b>251-01-255</b> | <b>Lead.</b>                                  |
| <b>251-01-258</b> | <b>Nonassociation fee.</b>                    |

|                   |                                    |
|-------------------|------------------------------------|
| <b>251-01-300</b> | <b>Position.</b>                   |
| <b>251-01-335</b> | <b>Provisional appointment.</b>    |
| <b>251-01-367</b> | <b>Representation fee.</b>         |
| <b>251-01-382</b> | <b>Salary range.</b>               |
| <b>251-01-392</b> | <b>Standard range.</b>             |
| <b>251-01-400</b> | <b>Supplemental certification.</b> |
| <b>251-01-415</b> | <b>Temporary appointment.</b>      |
| <b>251-01-435</b> | <b>Trial service.</b>              |
| <b>251-01-445</b> | <b>Union shop.</b>                 |
| <b>251-01-455</b> | <b>Repealed.</b>                   |

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

|                   |  |
|-------------------|--|
| <b>251-01-455</b> | <b>Union shop representation fee. [Statutory Authority: RCW 28B.16.100. 86-09-078 (Order 147), § 251-01-455, filed 4/22/86.] Repealed by 88-18-018 (Order 172), filed 8/29/88, effective 10/1/88. Statutory Authority: RCW 28B.16.100.</b> |
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**WAC 251-01-028 Anniversary date.** The most recent date of hire into state service which is used in determining if vacation leave in excess of two hundred forty hours is to be extinguished.

[Statutory Authority: RCW 28B.16.100. 88-13-018 (Order 169), § 251-01-028, filed 6/6/88, effective 8/1/88.]

**WAC 251-01-040 Availability.** An estimate, based on the best data available, of the number of women, racial/ethnic minorities, persons in the protected age category, Vietnam-era and disabled veterans, and persons of disability who have the skills and abilities required for employment in a particular job group as determined from an analysis of relevant data. The determination of the availability of protected group members shall be based on consideration of the following factors:

- (1) The protected group population of the relevant labor market.
- (2) The size of the protected group unemployment force in the relevant labor market.
- (3) The percentage of the protected group work force as compared with the total work force in the relevant labor market.
- (4) The general availability of protected group members having requisite skills in the relevant labor market.
- (5) The availability of protected group members having requisite skills in an area in which the institution can reasonably recruit.
- (6) The availability of promotable and transferable protected group members within the institution.
- (7) The existence of training institutions capable of training persons in the requisite skills.
- (8) The degree of training which the institution is reasonably able to undertake as a means of making all job classes available to protected group members.

The availability estimates shall be based upon an analysis of the factors determined to be relevant to the particular job class/category.

[Statutory Authority: RCW 28B.16.100. 87-16-045 (Order 158), § 251-01-040, filed 7/29/87, effective 9/1/87; 86-09-078 (Order 147), § 251-01-040, filed 4/22/86.]

**WAC 251-01-057 Child care emergency.** A situation causing an employee's inability to report for or continue scheduled work because of emergency child care