

WSR 21-12-023
EXPEDITED RULES
STATE BOARD FOR COMMUNITY
AND TECHNICAL COLLEGES
[Filed May 24, 2021, 11:31 a.m.]

Title of Rule and Other Identifying Information: Chapter 131-36 WAC, Institutional financial aid fund.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: Amends to meet financial aid terminology changes as a result of ESSHB [E2SHB] 2158 (2019 session). No anticipated effects to rules, other than terminology changes.

Reasons Supporting Proposal: Aligns rules with amended statutory terminology changes.

Statutory Authority for Adoption: Chapter 28.50 [28B.50] RCW.

Statute Being Implemented: RCW 28B.92.030(2).

Rule is not necessitated by federal law, federal or state court decision.

Name of Proponent: Washington state board for community and technical colleges, public.

Name of Agency Personnel Responsible for Drafting, Implementation, and Enforcement: Scott Copeland, 1300 Quince Street S.E., Olympia, WA 98504, 360-704-4397.

Agency Comments or Recommendations, if any, as to Statutory Language, Implementation, Enforcement, and Fiscal Matters: Changes to match statute language attached.

This notice meets the following criteria to use the expedited adoption process for these rules:

Adopts or incorporates by reference without material change federal statutes or regulations, Washington state statutes, rules of other Washington state agencies, shoreline master programs other than those programs governing shorelines of statewide significance, or, as referenced by Washington state law, national consensus codes that generally establish industry standards, if the material adopted or incorporated regulates the same subject matter and conduct as the adopting or incorporating rule.

Content is explicitly and specifically dictated by statute.

Explanation of the Reason the Agency Believes the Expedited Rule-Making Process is Appropriate: Rules terminology changes to match statutory terminology changes as a result of ESSHB [E2SHB] 2158.

NOTICE

THIS RULE IS BEING PROPOSED UNDER AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRITERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THIS USE OF THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO Beth Gordon, Washington State Board for Community and Technical Colleges, P.O. Box 42495, Olympia, WA 98504-2495, phone 360-704-4400, fax 360-704-4415, email bgordon@sbctc.edu, AND RECEIVED BY August 2, 2021.

May 19, 2021
Beth Gordon
Executive Assistant

OTS-3084.1

AMENDATORY SECTION (Amending WSR 16-11-016, filed 5/6/16, effective 6/6/16)

WAC 131-36-050 Definitions. For the purposes of chapter 131-36 WAC, the following definitions shall apply:

(1) "Fund" shall mean the institutional financial aid fund established by RCW 28B.15.820.

(2) "Current federal methodology" shall mean the method of determining financial need as prescribed by the United States Department of Education.

(3) "Loan guarantor" shall mean the Washington student loan guaranty association or its successor agency authorized to guarantee educational loans in Washington granted pursuant to 20 U.S. Code Section 1071.

(4) "Operational" shall mean that the institution has been approved as a lender and is eligible to provide loans guaranteed by the Washington student loan guaranty association successor agency.

(5) "~~((Needy))~~ Eligible student" is defined in RCW 28B.92.030(3).

(6) "Other institutional financial aid" shall be defined as locally administered, need-based institutional employment, tuition and fee scholarships, or grants.

[Statutory Authority: RCW 28B.15.820. WSR 16-11-016, § 131-36-050, filed 5/6/16, effective 6/6/16; WSR 09-06-046, § 131-36-050, filed 2/25/09, effective 3/28/09. Statutory Authority: Chapter 28B.50 RCW. WSR 98-15-012, § 131-36-050, filed 7/2/98, effective 8/2/98. Statutory Authority: 1981 c 257. WSR 81-19-113 (Order 90, Resolution 81-66), § 131-36-050, filed 9/23/81.]

AMENDATORY SECTION (Amending WSR 16-11-016, filed 5/6/16, effective 6/6/16)

WAC 131-36-055 Use of fund. Moneys in this fund shall be used for student financial aid:

(1) Long-term loans;

(2) Short-term loans; or

(3) Locally administered need-based grants, tuition scholarships and institutional employment programs for ~~((needy,))~~ resident students who demonstrate financial need, or a financial aid program for high school students enrolled in a dual credit program to cover expenses including, but not limited to, tuition, fees, course materials, and transportation. The moneys in this fund shall not be used for college operating expenses.

[Statutory Authority: RCW 28B.15.820. WSR 16-11-016, § 131-36-055, filed 5/6/16, effective 6/6/16; WSR 09-06-046, § 131-36-055, filed 2/25/09, effective 3/28/09. Statutory Authority: Chapter 28B.50 RCW. WSR 98-15-012, § 131-36-055, filed 7/2/98, effective 8/2/98.]

AMENDATORY SECTION (Amending WSR 16-11-016, filed 5/6/16, effective 6/6/16)

WAC 131-36-100 Eligibility. (1) Long-term loans and other institutional financial aid to ~~((needy))~~ students who demonstrate financial need shall be made only to students who qualify as residents for tuition purposes under RCW 28B.15.012 (2) (a) through (e) or to align with federal guidelines and are enrolled for at least three credit hours of instruction or the equivalent.

(2) Priorities for use of other institutional financial aid shall be given to:

(a) ~~((Needy))~~ Students who have accumulated excessive educational loan burdens;

(b) ~~((Needy))~~ Single parents who are students with demonstrated financial need for educational expenses, including child care and transportation;

(c) Other eligible ~~((needy))~~ students who demonstrate financial need; and

(d) ~~((Needy dual credit))~~ Enrolled dual credit students who demonstrate financial need for tuition, fees, course materials, and transportation.

(3) Short-term loans may be made to any student enrolled in the institution.

(4) For long-term and short-term loans, institutions must have ample evidence that students have the capability of repaying the loan within the time frame specified by the institution.

(5) No individual shall be eligible for long-term loans, short-term loans or other institutional financial aid for ~~((needy))~~ students who demonstrate financial need if currently in default or delinquent in the payment on any educational loan or who owes a repayment on any federal or state grant.

[Statutory Authority: RCW 28B.15.820. WSR 16-11-016, § 131-36-100, filed 5/6/16, effective 6/6/16; WSR 09-06-046, § 131-36-100, filed 2/25/09, effective 3/28/09. Statutory Authority: Chapter 28B.50 RCW. WSR 98-15-012, § 131-36-100, filed 7/2/98, effective 8/2/98. Statutory Authority: 1981 c 257. WSR 81-19-113 (Order 90, Resolution 81-66), § 131-36-100, filed 9/23/81.]