
SENATE BILL 5280

State of Washington 55th Legislature 1997 Regular Session

By Senators Jacobsen, Heavey, Thibaudeau, Fraser and Patterson

Read first time 01/21/97. Referred to Committee on Higher Education.

1 AN ACT Relating to the office of student assistance; amending RCW
2 28B.04.020, 28B.04.030, 28B.04.040, 28B.04.060, 28B.04.070, 28B.04.080,
3 28B.04.085, 28B.04.110, 28B.10.215, 28B.10.220, 28B.10.792, 28B.10.802,
4 28B.10.804, 28B.10.806, 28B.10.808, 28B.10.810, 28B.10.818, 28B.10.820,
5 28B.10.821, 28B.10.822, 28B.12.030, 28B.12.040, 28B.12.050, 28B.12.060,
6 28B.12.070, 28B.15.760, 28B.15.762, 28B.15.764, 28B.80.240, 28B.80.245,
7 28B.80.360, 28B.101.030, 28B.102.020, 28B.102.030, 28B.102.040,
8 28B.102.045, 28B.102.050, 28B.102.060, 28B.102.070, 28B.103.010,
9 28B.108.010, 28B.108.020, 28B.108.030, 28B.108.040, 28B.108.050,
10 28B.108.060, 28B.108.070, 28B.109.010, 28B.109.020, 28B.109.030,
11 28B.109.040, 28B.109.050, 28B.109.060, 28B.109.070, 28B.109.080,
12 28B.115.020, 28B.115.030, 28B.115.050, 28B.115.070, 28B.115.080,
13 28B.115.090, 28B.115.100, 28B.115.120, 28B.115.130, 28B.115.140,
14 28A.600.120, 28A.600.130, 28A.600.140, and 28A.600.150; reenacting and
15 amending RCW 28B.115.110; adding a new section to chapter 41.06 RCW;
16 adding a new chapter to Title 28B RCW; creating a new section; and
17 recodifying RCW 28B.80.240, 28B.80.245, 28B.80.246, and 28B.80.360.

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

1 NEW SECTION. **Sec. 1.** (1) It is the purpose of this chapter to
2 establish the office of student assistance.

3 (2) The office shall administer the state's responsibilities for
4 federal student financial aid programs.

5 (3) The office, in consultation with students, the higher education
6 coordinating board, the work force training and education coordinating
7 board, the state board for community and technical colleges, the
8 council of presidents, public and private institutions of higher
9 education, and career schools and colleges has the following duties:

10 (a) To work collaboratively with organizations representing the
11 public, students, institutions of higher education, faculty, and
12 community scholarship groups and corporations;

13 (b) To provide objective and timely information to the governor,
14 legislature, public, institutions of higher education, and higher
15 education organizations;

16 (c) To be an advocate for the needs of financially needy students
17 to the public, the governor, the legislature, and congress;

18 (d) To ensure that public funds are effectively managed and that
19 the maximum amount possible of those funds are provided directly to
20 needy students;

21 (e) To the extent feasible, streamline distribution and
22 accountability processes to reduce the need for administrative staff at
23 the state and institutions of higher education;

24 (f) To the extent feasible, ensure that programs follow the
25 principle that funding follows resident students to their choice of
26 accredited in-state career schools and colleges; and

27 (g) To raise donations and matching grants from people and
28 organizations that wish to donate to state-wide financial aid programs.

29 NEW SECTION. **Sec. 2.** Unless the context clearly requires
30 otherwise, the definitions in this section apply throughout this
31 chapter.

32 (1) "Director" means the director of the office.

33 (2) "Office" means the office of student assistance.

34 NEW SECTION. **Sec. 3.** The office of student assistance is created.
35 The office is vested with all powers and duties transferred to it under
36 this chapter and such other powers and duties as may be authorized by
37 law.

1 NEW SECTION. **Sec. 4.** The executive head and appointing authority
2 of the office is the director. The director shall be appointed by the
3 governor, with the consent of the senate, and shall serve at the
4 pleasure of the governor. The director shall be paid a salary to be
5 fixed by the governor in accordance with RCW 43.03.040. If a vacancy
6 occurs in the position while the senate is not in session, the governor
7 shall make a temporary appointment until the next meeting of the
8 senate.

9 NEW SECTION. **Sec. 5.** It is the intent of the legislature wherever
10 possible to place the internal affairs of the office under the control
11 of the director in order that the director may institute therein the
12 flexible, alert, and intelligent management of its business that
13 changing contemporary circumstances require. Therefore, whenever the
14 director's authority is not specifically limited by law, the director
15 has complete charge and supervisory powers over the office. The
16 director may create such administrative structures as the director
17 considers appropriate, except as otherwise specified by law. The
18 director may employ such assistants and personnel as necessary for the
19 general administration of the office. This employment shall be in
20 accordance with the state civil service law, chapter 41.06 RCW, except
21 as otherwise provided.

22 NEW SECTION. **Sec. 6.** The director shall appoint a deputy
23 director, an office personnel director, and such assistant directors as
24 may be needed to administer the office. The deputy director shall have
25 charge and general supervision of the office in the absence or
26 disability of the director and, in case of a vacancy in the office of
27 director, shall continue in charge of the office until a successor is
28 appointed and qualified, or until the governor appoints an acting
29 director.

30 NEW SECTION. **Sec. 7.** Any power or duty vested in or transferred
31 to the director by law or executive order may be delegated by the
32 director to the deputy director or to any other assistant or
33 subordinate; but the director is responsible for the official acts of
34 the officers and employees of the office.

1 NEW SECTION. **Sec. 8.** The director may appoint such advisory
2 committees or councils as may be required by any federal legislation as
3 a condition to the receipt of federal funds by the office. The
4 director may also appoint state-wide committees or councils on such
5 subject matters as are or come within the office's responsibilities.
6 The state-wide committees and councils shall have representation from
7 both major political parties and shall have substantial consumer
8 representation.

9 Members of such state advisory committees or councils may be paid
10 their travel expenses in accordance with RCW 43.03.050 and 43.03.060.

11 NEW SECTION. **Sec. 9.** In furtherance of the policy of the state to
12 cooperate with the federal government in all of the programs under the
13 jurisdiction of the office, such rules as may become necessary to
14 entitle the state to participate in federal funds may be adopted,
15 unless expressly prohibited by law. Any internal reorganization
16 carried out under the terms of this chapter shall meet federal
17 requirements that are a necessary condition to state receipt of federal
18 funds. Any section or provision of law dealing with the office that
19 may be susceptible to more than one construction shall be interpreted
20 in favor of the construction most likely to comply with federal laws
21 entitling this state to receive federal funds for the various programs
22 of the office. If any law dealing with the office is ruled to be in
23 conflict with federal requirements that are a prescribed condition of
24 the allocation of federal funds to the state, or to any departments or
25 agencies thereof, the conflicting part is declared to be inoperative
26 solely to the extent of the conflict.

27 NEW SECTION. **Sec. 10.** A new section is added to chapter 41.06 RCW
28 to read as follows:

29 In addition to the exemptions under RCW 41.06.070, the provisions
30 of this chapter shall not apply in the office of student assistance to
31 the director, the director's personal secretary, the deputy director,
32 all division directors and assistant directors, and one confidential
33 secretary for each of these officers.

34 NEW SECTION. **Sec. 11.** (1) All powers, duties, and functions of
35 the higher education coordinating board and the office of the adjutant
36 general of the state military department pertaining to financial

1 assistance for students at institutions of higher education are
2 transferred to the office of student assistance.

3 (2)(a) All reports, documents, surveys, books, records, files,
4 papers, or written material in the possession of the higher education
5 coordinating board and the office of the adjutant general of the state
6 military department pertaining to the powers, functions, and duties
7 transferred shall be delivered to the custody of the office of student
8 assistance. All cabinets, furniture, office equipment, motor vehicles,
9 and other tangible property employed by the higher education
10 coordinating board and the office of the adjutant general of the state
11 military department in carrying out the powers, functions, and duties
12 transferred shall be made available to the office of student
13 assistance. All funds, credits, or other assets held in connection
14 with the powers, functions, and duties transferred shall be assigned to
15 the office of student assistance.

16 (b) Any appropriations made to the higher education coordinating
17 board and the office of the adjutant general of the state military
18 department for carrying out the powers, functions, and duties
19 transferred shall, on the effective date of this section, be
20 transferred and credited to the office of student assistance.

21 (c) Whenever any question arises as to the transfer of any
22 personnel, funds, books, documents, records, papers, files, equipment,
23 or other tangible property used or held in the exercise of the powers
24 and the performance of the duties and functions transferred, the
25 director of financial management shall make a determination as to the
26 proper allocation and certify the same to the state agencies concerned.

27 (3) All employees of the higher education coordinating board and
28 the office of the adjutant general of the state military department
29 engaged January 1, 1997, in performing the powers, functions, and
30 duties transferred are transferred to the jurisdiction of the office of
31 student assistance. All employees classified under chapter 41.06 RCW,
32 the state civil service law, are assigned to the office of student
33 assistance to perform their usual duties upon the same terms as
34 formerly, without any loss of rights, subject to any action that may be
35 appropriate thereafter in accordance with the laws and rules governing
36 state civil service.

37 (4) All rules and all pending business before the higher education
38 coordinating board and the office of the adjutant general of the state
39 military department pertaining to the powers, functions, and duties

1 transferred shall be continued and acted upon by the office of student
2 assistance. All existing contracts and obligations shall remain in
3 full force and shall be performed by the office of student assistance.

4 (5) The transfer of the powers, duties, functions, and personnel of
5 the higher education coordinating board and the office of the adjutant
6 general of the state military department shall not affect the validity
7 of any act performed before the effective date of this section.

8 (6) If apportionments of budgeted funds are required because of the
9 transfers directed by this section, the director of financial
10 management shall certify the apportionments to the agencies affected,
11 the state auditor, and the state treasurer. Each of these shall make
12 the appropriate transfer and adjustments in funds and appropriation
13 accounts and equipment records in accordance with the certification.

14 (7) Nothing contained in this section may be construed to alter any
15 existing collective bargaining unit or the provisions of any existing
16 collective bargaining agreement until the agreement has expired or
17 until the bargaining unit has been modified by action of the personnel
18 board as provided by law.

19 **Sec. 12.** RCW 28B.04.020 and 1985 c 370 s 36 are each amended to
20 read as follows:

21 The legislature finds that homemakers are an unrecognized part of
22 the work force who make an invaluable contribution to the strength,
23 durability, and purpose of our state.

24 The legislature further finds that there is an increasing number of
25 persons in this state who, having fulfilled a role as homemaker, find
26 themselves "displaced" in their middle years through divorce, death of
27 spouse, disability of spouse, or other loss of family income of a
28 spouse. As a consequence, displaced homemakers are very often left
29 with little or no income; they are ineligible for categorical welfare
30 assistance; they are subject to the highest rate of unemployment of any
31 sector of the work force; they face continuing discrimination in
32 employment because of their age and lack of recent paid work
33 experience; they are ineligible for unemployment insurance because they
34 have been engaged in unpaid labor in the home; they are ineligible for
35 social security benefits because they are too young, and many never
36 qualify because they have been divorced from the family wage earner;
37 they may have lost beneficiaries' rights under employer's pension and

1 health plans through divorce or death of spouse; and they are often
2 unacceptable to private health insurance plans because of their age.

3 It is the purpose of this chapter to establish guidelines under
4 which the (~~higher education coordinating board~~) office of student
5 assistance shall contract to establish multipurpose service centers and
6 programs to provide necessary training opportunities, counseling, and
7 services for displaced homemakers so that they may enjoy the
8 independence and economic security vital to a productive life.

9 **Sec. 13.** RCW 28B.04.030 and 1985 c 370 s 37 are each amended to
10 read as follows:

11 Unless the context clearly requires otherwise, the definitions in
12 this section apply throughout this chapter.

13 (1) (~~"Board" means the higher education coordinating board.~~

14 ~~(2))~~ "Center" means a multipurpose service center for displaced
15 homemakers as described in RCW 28B.04.040.

16 (~~(3) "Program" means those programs described in RCW 28B.04.050~~
17 ~~which provide direct, outreach, and information and training services~~
18 ~~which serve the needs of displaced homemakers.~~

19 ~~(4))~~ (2) "Displaced homemaker" means an individual who:

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

23 (b) Is not gainfully employed;

24 (c) Needs assistance in securing employment; and

25 (d) Has been dependent on the income of another family member but
26 is no longer supported by that income, or has been dependent on federal
27 assistance but is no longer eligible for that assistance, or is
28 supported as the parent of minor children by public assistance or
29 spousal support but whose children are within two years of reaching
30 their majority.

31 (3) "Office" means the office of student assistance.

32 (4) "Program" means those programs described in RCW 28B.04.050
33 which provide direct, outreach, and information and training services
34 which serve the needs of displaced homemakers.

35 **Sec. 14.** RCW 28B.04.040 and 1985 c 370 s 38 are each amended to
36 read as follows:

1 (1) The ((board)) office, in consultation with state and local
2 governmental agencies, community groups, and local and national
3 organizations concerned with displaced homemakers, shall receive
4 applications and may contract with public or private nonprofit
5 organizations to establish multipurpose service centers for displaced
6 homemakers. In determining sites and administering agencies or
7 organizations for the centers, the ((board)) office shall consider the
8 experience and capabilities of the public or private nonprofit
9 organizations making application to provide services to a center.

10 (2) The ((board)) office shall issue rules prescribing the
11 standards to be met by each center in accordance with the policies set
12 forth in this chapter. Continuing funds for the maintenance of each
13 center shall be contingent upon the determination by the ((board))
14 office that the center is in compliance with the contractual conditions
15 and with the rules prescribed by the ((board)) office.

16 **Sec. 15.** RCW 28B.04.060 and 1985 c 370 s 40 are each amended to
17 read as follows:

18 The ((board)) office may contract, where appropriate, with public
19 or private nonprofit groups or organizations serving the needs of
20 displaced homemakers for programs designed to:

21 (1) Provide direct services to displaced homemakers, including job
22 counseling, job training and placement, health counseling, financial
23 management, educational counseling, legal counseling, and referral
24 services as described in RCW 28B.04.050;

25 (2) Provide state-wide outreach and information services for
26 displaced homemakers; and

27 (3) Provide training opportunities for persons serving the needs of
28 displaced homemakers, including those persons in areas not directly
29 served by programs and centers established under this chapter.

30 **Sec. 16.** RCW 28B.04.070 and 1987 c 505 s 10 are each amended to
31 read as follows:

32 Subject to RCW 40.07.040, the ((board)) office shall submit to the
33 legislature a biennial evaluation through 1990. The evaluations may
34 include recommendation for future programs as determined by the
35 ((board)) office.

1 **Sec. 17.** RCW 28B.04.080 and 1985 c 370 s 42 are each amended to
2 read as follows:

3 (1) The ~~((board))~~ office shall consult and cooperate with the
4 department of social and health services; the state board for community
5 and technical colleges ~~((education))~~; the superintendent of public
6 instruction; ~~((the commission for vocational education;))~~ the
7 employment security department; the department of labor and industries;
8 sponsoring agencies under the federal comprehensive employment and
9 training act (87 Stat. 839; 29 U.S.C. Sec. 801 et seq.), and any other
10 persons or agencies as the ~~((board))~~ office deems appropriate to
11 facilitate the coordination of centers established under this chapter
12 with existing programs of a similar nature.

13 (2) Annually on July 1st, each agency listed in subsection (1) of
14 this section shall submit a description of each service or program
15 under its jurisdiction which would support the programs and centers
16 established by this chapter and the funds available for such support.

17 (3) The ~~((board))~~ office shall serve as a clearinghouse for
18 displaced homemaker information and resources and shall compile and
19 disseminate state-wide information to the centers, related agencies,
20 and interested persons upon request.

21 **Sec. 18.** RCW 28B.04.085 and 1987 c 230 s 2 are each amended to
22 read as follows:

23 (1) The ~~((executive coordinator of the higher education~~
24 ~~coordinating board))~~ director of the office shall establish an advisory
25 committee, to be known as the displaced homemaker program advisory
26 committee.

27 (2) The advisory committee shall be advisory to the executive
28 coordinator and staff of the ~~((board))~~ office.

29 (3) Committee membership shall not exceed twenty-two persons and
30 shall be geographically and generally representative of the state. At
31 least one member of the advisory committee shall either be or recently
32 have been a displaced homemaker.

33 (4) Functions of the advisory committee shall be:

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

37 (b) To assist in coordination of activities under the displaced
38 homemaker program with related activities of other state and federal

1 agencies, with particular emphasis on facilitation of coordinated
2 funding.

3 **Sec. 19.** RCW 28B.04.110 and 1985 c 370 s 43 are each amended to
4 read as follows:

5 The ((board)) office may, in carrying out this chapter, accept,
6 use, and dispose of contributions of money, services, and property:
7 PROVIDED, That funds generated within individual centers may be
8 retained and utilized by those centers. All moneys received by the
9 ((board)) office or any employee thereof pursuant to this section shall
10 be deposited in a depository approved by the state treasurer.
11 Disbursements of such funds shall be on authorization of the ((board))
12 office or a duly authorized representative thereof. In order to
13 maintain an effective expenditure and revenue control such funds shall
14 be subject in all respects to chapter 43.88 RCW, but no appropriation
15 shall be required to permit expenditure of such funds.

16 **Sec. 20.** RCW 28B.10.215 and 1985 c 370 s 51 are each amended to
17 read as follows:

18 There is allocated to each and every blind student attending any
19 institution of higher education within the state a sum not to exceed
20 two hundred dollars per quarter, or so much thereof as may be necessary
21 in the opinion of the ((higher education coordinating board in the
22 state of Washington)) office of student assistance, to provide said
23 blind student with readers, books, recordings, recorders, or other
24 means of reproducing and imparting ideas, while attending said
25 institution of higher education: PROVIDED, That said allocation shall
26 be made out of any moneys in the general fund not otherwise
27 appropriated.

28 **Sec. 21.** RCW 28B.10.220 and 1985 c 370 s 52 are each amended to
29 read as follows:

30 All blind student assistance shall be distributed under the
31 supervision of the ((higher education coordinating board in the state
32 of Washington)) office of student assistance. The moneys or any part
33 thereof allocated in the manner referred to in RCW 28B.10.215 shall,
34 for furnishing said books or equipment or supplying said services, be
35 paid by ((said board)) the office of student assistance directly to the
36 state institution of higher education, directly to such blind student,

1 heretofore mentioned, or to the student's parents, guardian, or some
2 adult person, if the blind student is a minor, designated by said blind
3 student to act as trustee of said funds, as shall be determined by the
4 (~~board~~) office of student assistance.

5 The (~~board~~) office of student assistance shall have power to
6 prescribe and enforce all rules (~~and regulations~~) necessary to carry
7 out the provisions of this section and RCW 28B.10.215.

8 **Sec. 22.** RCW 28B.10.792 and 1985 c 370 s 55 are each amended to
9 read as follows:

10 The (~~higher education coordinating board~~) office of student
11 assistance shall develop guidelines for determining the conditions
12 under which an institution can be determined to be directly affected by
13 a reciprocity agreement for the purposes of RCW 28B.10.790: PROVIDED,
14 That no institution shall be determined to be directly affected unless
15 students from the county in which the institution is located are
16 provided, pursuant to a reciprocity agreement, access to Washington
17 institutions at resident tuition and fee rates to the extent authorized
18 by Washington law.

19 **Sec. 23.** RCW 28B.10.802 and 1989 c 254 s 2 are each amended to
20 read as follows:

21 As used in RCW 28B.10.800 through 28B.10.824:

22 (1) "Institutions of higher education" shall mean (1) any public
23 university, college, community college, or vocational-technical
24 institute operated by the state of Washington or any political
25 subdivision thereof or (2) any other university, college, school, or
26 institute in the state of Washington offering instruction beyond the
27 high school level which is a member institution of an accrediting
28 association recognized by rule of the board for the purposes of this
29 section: PROVIDED, That any institution, branch, extension or facility
30 operating within the state of Washington which is affiliated with an
31 institution operating in another state must be a separately accredited
32 member institution of any such accrediting association: PROVIDED
33 FURTHER, That no institution of higher education shall be eligible to
34 participate in a student financial aid program unless it agrees to and
35 complies with program rules (~~and regulations~~) adopted pursuant to RCW
36 28B.10.822.

1 (2) The term "financial aid" shall mean loans and/or grants to
2 needy students enrolled or accepted for enrollment as a student at
3 institutions of higher education.

4 (3) The term "needy student" shall mean a post high school student
5 of an institution of higher learning as defined in subsection (1) of
6 this section who demonstrates to the ((board)) office the financial
7 inability, either through the student's parents, family and/or
8 personally, to meet the total cost of board, room, books, and tuition
9 and incidental fees for any semester or quarter.

10 (4) The term "disadvantaged student" shall mean a post high school
11 student who by reason of adverse cultural, educational, environmental,
12 experiential, familial or other circumstances is unable to qualify for
13 enrollment as a full time student in an institution of higher learning,
14 who would otherwise qualify as a needy student, and who is attending an
15 institution of higher learning under an established program designed to
16 qualify the student for enrollment as a full time student.

17 (5) "Commission" or "board" shall mean the higher education
18 coordinating board.

19 (6) "Office" means the office of student assistance.

20 **Sec. 24.** RCW 28B.10.804 and 1995 c 269 s 801 are each amended to
21 read as follows:

22 The ((commission)) office shall be cognizant of the following
23 guidelines in the performance of its duties:

24 (1) The ((commission)) office shall be research oriented, not only
25 at its inception but continually through its existence.

26 (2) The ((commission)) office shall coordinate all existing
27 programs of financial aid except those specifically dedicated to a
28 particular institution by the donor.

29 (3) The ((commission)) office shall take the initiative and
30 responsibility for coordinating all federal student financial aid
31 programs to insure that the state recognizes the maximum potential
32 effect of these programs, and shall design the state program which
33 complements existing federal, state, and institutional programs.

34 (4) Counseling is a paramount function of student financial aid,
35 and in most cases could only be properly implemented at the
36 institutional levels; therefore, state student financial aid programs
37 shall be concerned with the attainment of those goals which, in the
38 judgment of the ((commission)) office, are the reasons for the

1 existence of a student financial aid program, and not solely with
2 administration of the program on an individual basis.

3 (5) The "package" approach of combining loans, grants and
4 employment for student financial aid shall be the conceptional element
5 of the state's involvement.

6 **Sec. 25.** RCW 28B.10.806 and 1989 c 254 s 3 are each amended to
7 read as follows:

8 The (~~commission~~) office shall have the following powers and
9 duties:

10 (1) Conduct a full analysis of student financial aid as a means of:

11 (a) Fulfilling educational aspirations of students of the state of
12 Washington(~~(-)~~)i and

13 (b) Improving the general, social, cultural, and economic character
14 of the state.

15 Such an analysis will be a continuous one and will yield current
16 information relevant to needed improvements in the state program of
17 student financial aid. The (~~commission~~) office will disseminate the
18 information yielded by their analyses to all appropriate individuals
19 and agents.

20 (c) This study should include information on the following:

21 (i) All programs and sources of available student financial
22 aid(~~(-)~~)i

23 (ii) Distribution of Washington citizens by socio-economic
24 class(~~(-)~~)i

25 (iii) Data from federal and state studies useful in identifying:

26 (A) Demands of students for specific educational goals in
27 colleges(~~(-)~~)i and

28 (B) The discrepancy between high school students' preferences and
29 the colleges they actually selected(~~(-)~~)i

30 (2) Design a state program of student financial aid based on the
31 data of the study referred to in this section. The state program will
32 supplement available federal and local aid programs. The state program
33 of student financial aid will not exceed the difference between the
34 budgetary costs of attending an institution of higher learning and the
35 student's total resources, including family support, personal savings,
36 employment, and federal and local aid programs(~~(-)~~)i

37 (3) Determine and establish criteria for financial need of the
38 individual applicant based upon the consideration of that particular

1 applicant. In making this determination the (~~commission~~) office
2 shall consider the following:

3 (a) Assets and income of the student(~~(-)~~)i

4 (b) Assets and income of the parents, or the individuals legally
5 responsible for the care and maintenance of the student(~~(-)~~)i

6 (c) The cost of attending the institution the student is attending
7 or planning to attend(~~(-)~~)i

8 (d) Any other criteria deemed relevant to the (~~commission~~)
9 officei

10 (4) Set the amount of financial aid to be awarded to any individual
11 needy or disadvantaged student in any school year(~~(-)~~)i

12 (5) Award financial aid to needy or disadvantaged students for a
13 school year based upon only that amount necessary to fill the financial
14 gap between the budgetary cost of attending an institution of higher
15 education and the family and student contribution(~~(-)~~)i and

16 (6) Review the need and eligibility of all applications on an
17 annual basis and adjust financial aid to reflect changes in the
18 financial need of the recipients and the cost of attending the
19 institution of higher education.

20 **Sec. 26.** RCW 28B.10.808 and 1991 c 164 s 4 are each amended to
21 read as follows:

22 In awarding grants, the (~~commission~~) office shall proceed
23 substantially as follows: PROVIDED, That nothing contained herein
24 shall be construed to prevent the (~~commission~~) office, in the
25 exercise of its sound discretion, from following another procedure when
26 the best interest of the program so dictates:

27 (1) The (~~commission~~) office shall annually select the financial
28 aid award winners from among Washington residents applying for student
29 financial aid who have been ranked according to financial need as
30 determined by the amount of the family contribution and other
31 considerations brought to the (~~commission's~~) office's attention.

32 (2) The financial need of the highest ranked students shall be met
33 by grants depending upon the evaluation of financial need until the
34 total allocation has been disbursed. Funds from grants which are
35 declined, forfeited or otherwise unused shall be reawarded until
36 dispersed.

37 (3) A grant may be renewed until the course of study is completed,
38 but not for more than an additional four academic years beyond the

1 first year of the award. These shall not be required to be consecutive
2 years. Qualifications for renewal will include maintaining
3 satisfactory academic standing toward completion of the course of
4 study, and continued eligibility as determined by the (~~commission~~)
5 office. Should the recipient terminate his or her enrollment for any
6 reason during the academic year, the unused portion of the grant shall
7 be returned to the state educational grant fund by the institution
8 according to the institution's own policy for issuing refunds, except
9 as provided in RCW 28B.10.8081.

10 (4) In computing financial need the (~~commission~~) board shall
11 determine a maximum student expense budget allowance, not to exceed an
12 amount equal to the total maximum student expense budget at the public
13 institutions plus the current average state appropriation per student
14 for operating expense in the public institutions.

15 **Sec. 27.** RCW 28B.10.810 and 1989 c 254 s 5 are each amended to
16 read as follows:

17 For a student to be eligible for financial aid the student must:

18 (1) Be a "needy student" or "disadvantaged student" as determined
19 by the (~~commission~~) office in accordance with RCW 28B.10.802 (3) and
20 (4).

21 (2) Have been domiciled within the state of Washington for at least
22 one year.

23 (3) Be enrolled or accepted for enrollment on at least a half-time
24 basis at an institution of higher education in Washington.

25 (4) Have complied with all the rules (~~and regulations~~) adopted by
26 the (~~commission~~) office for the administration of RCW 28B.10.800
27 through 28B.10.824.

28 **Sec. 28.** RCW 28B.10.818 and 1969 ex.s. c 222 s 17 are each amended
29 to read as follows:

30 Funds appropriated for student financial assistance to be granted
31 pursuant to RCW 28B.10.800 through 28B.10.824 shall be disbursed as
32 determined by the (~~commission~~) office.

33 **Sec. 29.** RCW 28B.10.820 and 1969 ex.s. c 222 s 18 are each amended
34 to read as follows:

35 The (~~commission~~) office shall be authorized to accept grants,
36 gifts, bequests, and devises of real and personal property from any

1 source for the purpose of granting financial aid in addition to that
2 funded by the state.

3 **Sec. 30.** RCW 28B.10.821 and 1996 c 107 s 1 are each amended to
4 read as follows:

5 The state educational trust fund is hereby established in the state
6 treasury. The primary purpose of the trust is to pledge state-wide
7 available college student assistance to needy or disadvantaged
8 students, especially middle and high school youth, considered at-risk
9 of dropping out of secondary education who participate in (~~board-~~
10 ~~approved~~) office-approved early awareness and outreach programs and
11 who enter any accredited Washington institution of postsecondary
12 education within two years of high school graduation.

13 The (~~board~~) office shall deposit refunds and recoveries of
14 student financial aid funds expended in prior biennia in such account.
15 The (~~board~~) office may also deposit moneys that have been contributed
16 from other state, federal, or private sources.

17 Expenditures from the fund shall be for financial aid to needy or
18 disadvantaged students. The (~~board~~) office may annually expend such
19 sums from the fund as may be necessary to fulfill the purposes of this
20 section, including not more than three percent for the costs to
21 administer aid programs supported by the fund. All earnings of
22 investments of balances in the state educational trust fund shall be
23 credited to the trust fund. Expenditures from the fund shall not be
24 subject to appropriation but are subject to allotment procedures under
25 chapter 43.88 RCW.

26 **Sec. 31.** RCW 28B.10.822 and 1973 c 62 s 4 are each amended to read
27 as follows:

28 The (~~commission~~) office shall adopt rules (~~and regulations~~) as
29 may be necessary or appropriate for effecting the provisions of RCW
30 28B.10.800 through 28B.10.824, and not in conflict with RCW 28B.10.800
31 through 28B.10.824, in accordance with the provisions of chapter 34.05
32 RCW, the (~~state higher education~~) administrative procedure act.

33 **Sec. 32.** RCW 28B.12.030 and 1994 c 130 s 3 are each amended to
34 read as follows:

1 As used in this chapter, the following words and terms shall have
2 the following meanings, unless the context shall clearly indicate
3 another or different meaning or intent:

4 (1) The term "needy student" shall mean a student enrolled or
5 accepted for enrollment at a post-secondary institution who, according
6 to a system of need analysis approved by the (~~higher education~~
7 ~~coordinating board~~) office of student assistance, demonstrates a
8 financial inability, either parental, familial, or personal, to bear
9 the total cost of education for any semester or quarter.

10 (2) The term "eligible institution" shall mean any post-secondary
11 institution in this state accredited by the Northwest Association of
12 Schools and Colleges or any public technical college in the state.

13 **Sec. 33.** RCW 28B.12.040 and 1994 c 130 s 4 are each amended to
14 read as follows:

15 With the assistance of an advisory committee, the (~~higher~~
16 ~~education coordinating board~~) office of student assistance shall
17 develop and administer the state work-study program. The (~~board~~)
18 office of student assistance shall be authorized to enter into
19 agreements with employers and eligible institutions for the operation
20 of the program. These agreements shall include such provisions as the
21 (~~higher education coordinating board~~) office of student assistance
22 may deem necessary or appropriate to carry out the purposes of this
23 chapter.

24 The members of the work-study advisory committee may include, but
25 need not be limited to representatives of public and private community
26 colleges, technical colleges, and four-year institutions of higher
27 education; vocational schools; students; community service
28 organizations; public schools; business; and labor. When selecting
29 members of the advisory committee, the (~~board~~) office of student
30 assistance shall consult with institutions of higher education, the
31 state board for community and technical colleges, the work force
32 training and education coordinating board, and appropriate associations
33 and organizations. With the exception of off-campus community service
34 placements, the share from moneys disbursed under the state work-study
35 program of the compensation of students employed under such program in
36 accordance with such agreements shall not exceed eighty percent of the
37 total such compensation paid such students.

1 By rule, the (~~board~~) office of student assistance shall define
2 community service placements and may determine any salary matching
3 requirements for any community service employers.

4 **Sec. 34.** RCW 28B.12.050 and 1994 c 130 s 5 are each amended to
5 read as follows:

6 The (~~higher education coordinating board~~) office of student
7 assistance shall disburse state work-study funds. In performing its
8 duties under this section, the (~~board~~) office of student assistance
9 shall consult eligible institutions and post-secondary education
10 advisory and governing bodies. The (~~board~~) office of student
11 assistance shall establish criteria designed to achieve such
12 distribution of assistance under this chapter among students attending
13 eligible institutions as will most effectively carry out the purposes
14 of this chapter.

15 **Sec. 35.** RCW 28B.12.060 and 1994 c 130 s 6 are each amended to
16 read as follows:

17 The (~~higher education coordinating board~~) office of student
18 assistance shall adopt rules as may be necessary or appropriate for
19 effecting the provisions of this chapter, and not in conflict with this
20 chapter, in accordance with the provisions of chapter 34.05 RCW, the
21 (~~state higher education~~) administrative procedure act. Such rules
22 shall include provisions designed to make employment under the work-
23 study program reasonably available, to the extent of available funds,
24 to all eligible students in eligible post-secondary institutions in
25 need thereof. The rules shall include:

26 (1) Providing work under the state work-study program that will not
27 result in the displacement of employed workers or impair existing
28 contracts for services;

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

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

33 (b) Has been accepted for enrollment as at least a half-time
34 student at the eligible institution or, in the case of a student
35 already enrolled in and attending the eligible institution, is in good
36 standing and in at least half-time attendance there either as an
37 undergraduate, graduate or professional student; and

1 (c) Is not pursuing a degree in theology;

2 (3) Placing priority on providing:

3 (a) Work opportunities for students who are residents of the state
4 of Washington as defined in RCW 28B.15.012 and 28B.15.013 except
5 resident students defined in RCW 28B.15.012(2)(e);

6 (b) Job placements in fields related to each student's academic or
7 vocational pursuits, with an emphasis on off-campus job placements
8 whenever appropriate; and

9 (c) Off-campus community service placements;

10 (4) Provisions to assure that in the state institutions of higher
11 education, utilization of this work-study program:

12 (a) Shall only supplement and not supplant classified positions
13 under jurisdiction of chapter 41.06 RCW;

14 (b) That all positions established which are comparable shall be
15 identified to a job classification under the Washington personnel
16 resources board's classification plan and shall receive equal
17 compensation;

18 (c) Shall not take place in any manner that would replace
19 classified positions reduced due to lack of funds or work; and

20 (d) That work study positions shall only be established at entry
21 level positions of the classified service unless the overall scope and
22 responsibilities of the position indicate a higher level; and

23 (5) Provisions to encourage job placements in occupations that meet
24 Washington's economic development goals, especially those in
25 international trade and international relations. The ~~((board))~~ office
26 of student assistance shall permit appropriate job placements in other
27 states and other countries.

28 **Sec. 36.** RCW 28B.12.070 and 1994 c 130 s 7 are each amended to
29 read as follows:

30 Each eligible institution shall submit to the ~~((higher education~~
31 ~~coordinating board))~~ office of student assistance an annual report in
32 accordance with such requirements as are adopted by the ~~((board))~~
33 office.

34 **Sec. 37.** RCW 28B.15.760 and 1985 c 370 s 79 are each amended to
35 read as follows:

36 Unless the context clearly requires otherwise, the definitions in
37 this section apply throughout RCW 28B.15.762 and 28B.15.764.

1 (1) "Institution of higher education" or "institution" means a
2 college or university in the state of Washington which is a member
3 institution of an accrediting association recognized as such by rule of
4 the higher education coordinating board.

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

6 (3) "Eligible student" means a student registered for at least ten
7 credit hours or the equivalent and demonstrates achievement of a 3.00
8 grade point average for each academic year, who is a resident student
9 as defined by RCW 28B.15.012 through 28B.15.015, who is a "needy
10 student" as defined in RCW 28B.10.802, and who has a declared major in
11 a program leading to a degree in teacher education in a field of
12 science or mathematics, or a certificated teacher who meets the same
13 credit hour and "needy student" requirements and is seeking an
14 additional degree in science or mathematics.

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

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

21 (6) "Satisfied" means paid-in-full.

22 (7) "Borrower" means an eligible student who has received a loan
23 under RCW 28B.15.762.

24 (8) "Office" means the office of student assistance.

25 **Sec. 38.** RCW 28B.15.762 and 1996 c 107 s 2 are each amended to
26 read as follows:

27 (1) The ((board)) office may make long-term loans to eligible
28 students at institutions of higher education from the funds
29 appropriated to the ((board)) office for this purpose. The amount of
30 any such loan shall not exceed the demonstrated financial need of the
31 student or two thousand five hundred dollars for each academic year
32 whichever is less, and the total amount of such loans to an eligible
33 student shall not exceed ten thousand dollars. The interest rates and
34 terms of deferral of such loans shall be consistent with the terms of
35 the guaranteed loan program established by 20 U.S.C. Sec. 1701 et seq.
36 The period for repaying the loan principal and interest shall be ten
37 years with payments accruing quarterly commencing nine months from the
38 date the borrower graduated. The entire principal and interest of each

1 loan payment shall be forgiven for each payment period in which the
2 borrower teaches science or mathematics in a public school in this
3 state until the entire loan is satisfied or the borrower ceases to
4 teach science or mathematics at a public school in this state. Should
5 the borrower cease to teach science or mathematics at a public school
6 in this state before the time in which the principal and interest on
7 the loan are satisfied, payments on the unsatisfied portion of the
8 principal and interest on the loan shall begin the next payment period
9 and continue until the remainder of the loan is paid.

10 (2) The ((~~board~~)) office is responsible for collection of loans
11 made under subsection (1) of this section and shall exercise due
12 diligence in such collection, maintaining all necessary records to
13 insure that maximum repayments are made. Collection and servicing of
14 loans under subsection (1) of this section shall be pursued using the
15 full extent of the law, including wage garnishment if necessary, and
16 shall be performed by entities approved for such servicing by the
17 Washington student loan guaranty association or its successor agency.
18 The ((~~board~~)) office is responsible to forgive all or parts of such
19 loans under the criteria established in subsection (1) of this section
20 and shall maintain all necessary records of forgiven payments.

21 (3) Receipts from the payment of principal or interest or any other
22 subsidies to which the ((~~board~~)) office as lender is entitled, which
23 are paid by or on behalf of borrowers under subsection (1) of this
24 section, shall be deposited with the ((~~higher education coordinating~~
25 ~~board~~)) office and shall be used to cover the costs of making the loans
26 under subsection (1) of this section, maintaining necessary records,
27 and making collections under subsection (2) of this section. The
28 ((~~board~~)) office shall maintain accurate records of these costs, and
29 all receipts beyond those necessary to pay such costs shall be used to
30 make loans to eligible students.

31 (4) Any funds not used to make loans, or to cover the cost of
32 making loans or making collections, shall be placed in the state
33 educational trust fund for needy or disadvantaged students.

34 (5) The ((~~board~~)) office shall adopt necessary rules to implement
35 this section.

36 **Sec. 39.** RCW 28B.15.764 and 1985 c 370 s 81 are each amended to
37 read as follows:

1 The (~~board~~) office and institutions of higher education shall
2 work cooperatively to implement RCW 28B.15.762 and to publicize this
3 program to eligible students.

4 **Sec. 40.** RCW 28B.80.240 and 1985 c 370 s 23 are each amended to
5 read as follows:

6 The (~~board~~) office shall administer any state program or state-
7 administered federal program of student financial aid now or hereafter
8 established.

9 **Sec. 41.** RCW 28B.80.245 and 1995 1st sp.s. c 5 s 3 are each
10 amended to read as follows:

11 (1) Recipients of the Washington scholars award under RCW
12 28A.600.100 through 28A.600.150 who choose to attend an independent
13 college or university in this state, as defined in subsection (4) of
14 this section, and recipients of the award named after June 30, 1994,
15 who choose to attend a public college or university in the state may
16 receive grants under this section if moneys are available. The
17 (~~higher education coordinating board~~) office shall distribute grants
18 to eligible students under this section from moneys appropriated for
19 this purpose. The individual grants shall not exceed, on a yearly
20 basis, the yearly, full-time, resident, undergraduate tuition and
21 service and activities fees in effect at the state-funded research
22 universities. Grants to recipients attending an independent
23 institution shall be contingent upon the institution matching on at
24 least a dollar-for-dollar basis, either with actual money or by a
25 waiver of fees, the amount of the grant received by the student from
26 the state. The (~~higher education coordinating board~~) office shall
27 establish procedures, by rule, to disburse the awards as direct grants
28 to the students.

29 (2) To qualify for the grant, recipients shall enter the in-state
30 college or university within three years of high school graduation and
31 maintain a minimum grade point average at the college or university
32 equivalent to 3.30. Students shall be eligible to receive a maximum of
33 twelve quarters or eight semesters of grants for undergraduate study
34 and may transfer among in-state public and independent colleges and
35 universities during that period and continue to receive the grant as
36 provided under RCW 28B.80.246 (as recodified by this act). If the
37 student's cumulative grade point average falls below 3.30 during the

1 first three quarters or two semesters, that student may petition the
2 ((higher education coordinating board)) office which shall have the
3 authority to establish a probationary period until such time as the
4 student's grade point average meets required standards.

5 (3) No grant shall be awarded to any student who is pursuing a
6 degree in theology.

7 (4) As used in this section, "independent college or university"
8 means a private, nonprofit educational institution, the main campus of
9 which is permanently situated in the state, open to residents of the
10 state, providing programs of education beyond the high school level
11 leading at least to the baccalaureate degree, and accredited by the
12 northwest association of schools and colleges as of June 9, 1988, and
13 other institutions as may be developed that are approved by the higher
14 education coordinating board as meeting equivalent standards as those
15 institutions accredited under this section.

16 (5) As used in this section, "public college or university" means
17 an institution of higher education as defined in RCW 28B.10.016.

18 **Sec. 42.** RCW 28B.80.360 and 1995 1st sp.s. c 9 s 12 are each
19 amended to read as follows:

20 The ((board)) office shall perform the following administrative
21 responsibilities:

22 (1) Administer the programs set forth in the following statutes:
23 RCW 28A.600.100 through 28A.600.150 (Washington scholars); chapter
24 28B.04 RCW (displaced homemakers); chapter 28B.85 RCW (degree-granting
25 institutions); RCW 28B.10.210 through 28B.10.220 (blind students
26 subsidy); RCW 28B.10.800 through 28B.10.824 (student financial aid
27 program); chapter 28B.12 RCW (work study); RCW 28B.15.067 (establishing
28 tuition and fees); RCW 28B.15.543 (tuition waivers for Washington
29 scholars); RCW 28B.15.760 through 28B.15.766 (math and science loans);
30 RCW 28B.80.150 through 28B.80.170 (student exchange compact); RCW
31 28B.80.240 (as recodified by this act) (student aid programs); and RCW
32 28B.80.210 (federal programs).

33 (2) Study the delegation of the administration of the following:
34 RCW 28B.65.040 through 28B.65.060 (high-technology board); chapter
35 28B.85 RCW (degree-granting institutions); RCW 28B.80.150 through
36 28B.80.170 (student exchange compact programs); RCW 28B.80.200 (state
37 commission for federal law purposes); RCW 28B.80.210 (enumerated
38 federal programs); RCW 28B.80.230 (receipt of federal funds); RCW

1 28B.80.240 (as recodified by this act) (student financial aid
2 programs); RCW 28A.600.120 through 28A.600.150 (Washington scholars);
3 RCW 28B.15.543 (Washington scholars); RCW 28B.04.020 through 28B.04.110
4 (displaced homemakers); RCW 28B.10.215 and 28B.10.220 (blind students);
5 RCW 28B.10.790, 28B.10.792, and 28B.10.802 through 28B.10.844 (student
6 financial aid); RCW 28B.12.040 through 28B.12.070 (student work study);
7 RCW 28B.15.100 (reciprocity agreement); RCW 28B.15.730 through
8 28B.15.736 (Oregon reciprocity); RCW 28B.15.750 through 28B.15.754
9 (Idaho reciprocity); RCW 28B.15.756 and 28B.15.758 (British Columbia
10 reciprocity); and RCW 28B.15.760 through 28B.15.764 (math/science
11 loans). The (~~board~~) office shall report the results of its study and
12 recommendations to the legislature.

13 **Sec. 43.** RCW 28B.101.030 and 1990 c 288 s 5 are each amended to
14 read as follows:

15 The (~~higher education coordinating board~~) office of student
16 assistance shall develop and administer the educational opportunity
17 grant program. The (~~board~~) office shall adopt necessary rules and
18 guidelines and develop criteria and procedures to select eligible
19 participants in the program. Payment shall be made directly to the
20 eligible participant periodically upon verification of enrollment and
21 satisfactory progress towards degree completion.

22 **Sec. 44.** RCW 28B.102.020 and 1996 c 53 s 1 are each amended to
23 read as follows:

24 Unless the context clearly requires otherwise, the definitions in
25 this section apply throughout this chapter.

26 (1) "Conditional scholarship" means a loan that is forgiven in
27 whole or in part if the recipient renders service as a teacher in an
28 approved education program in this state.

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

33 (3) (~~"Board" means the higher education coordinating board~~)
34 "Office" means the office of financial assistance.

35 (4) "Eligible student" means a student who is registered for at
36 least ten credit hours or the equivalent, demonstrates achievement of
37 at least a 3.30 grade point average for students entering an

1 institution of higher education directly from high school or maintains
2 at least a 3.00 grade point average or the equivalent for each academic
3 year in an institution of higher education, is a resident student as
4 defined by RCW 28B.15.012 and 28B.15.013, and has a declared intention
5 to complete an approved preparation program leading to initial teacher
6 certification or required for earning an additional endorsement, or a
7 college or university graduate who meets the same credit hour
8 requirements and is seeking an additional teaching endorsement or
9 initial teacher certification. Resident students defined in RCW
10 28B.15.012(2)(e) are not eligible students under this chapter.

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

14 (6) "Forgiven" or "to forgive" or "forgiveness" means to render
15 service as a teacher in an approved education program in the state of
16 Washington in lieu of monetary repayment.

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

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

20 (9) "Targeted ethnic minority" means a group of Americans with a
21 common ethnic or racial heritage selected by the (~~board~~) office for
22 program consideration due to societal concerns such as high dropout
23 rates or low rates of college participation by members of the group.

24 (10) "Approved education program" means an education program in the
25 state of Washington for knowledge and skills generally learned in
26 preschool through twelfth grade. Approved education programs may
27 include but are not limited to:

28 (a) K-12 schools under Title 28A RCW;

29 (b) Early childhood education and assistance programs under RCW
30 28A.215.100 through 28A.215.200 or the federal head start program;

31 (c) An approved school under chapter 28A.195 RCW;

32 (d) Education centers under chapter 28A.205 RCW;

33 (e) English as a second language programs and programs leading to
34 high school graduation or the equivalency operated by community or
35 technical colleges; and

36 (f) Tribal schools in Washington approved by the federal bureau of
37 Indian affairs.

1 **Sec. 45.** RCW 28B.102.030 and 1987 c 437 s 3 are each amended to
2 read as follows:

3 The future teachers conditional scholarship program is established.
4 The program shall be administered by the (~~higher education~~
5 ~~coordinating board~~) office. In administering the program, the
6 (~~board~~) office shall have the following powers and duties:

7 (1) Select students to receive conditional scholarships, with the
8 assistance of a screening committee composed of teachers and leaders in
9 government, business, and education;

10 (2) Adopt necessary rules and guidelines;

11 (3) Publicize the program;

12 (4) Collect and manage repayments from students who do not meet
13 their teaching obligations under this chapter; and

14 (5) Solicit and accept grants and donations from public and private
15 sources for the program.

16 **Sec. 46.** RCW 28B.102.040 and 1987 c 437 s 4 are each amended to
17 read as follows:

18 The (~~higher education coordinating board~~) office shall establish
19 a planning committee to develop criteria for the screening and
20 selection of recipients of the conditional scholarships. These
21 criteria shall emphasize factors demonstrating excellence including but
22 not limited to superior scholastic achievement, leadership ability,
23 community contributions, and an ability to act as a role model for
24 targeted ethnic minority students. These criteria also may include,
25 for approximately half of the recipients, requirements that those
26 recipients meet the definition of "needy student" under RCW 28B.10.802.

27 **Sec. 47.** RCW 28B.102.045 and 1988 c 125 s 7 are each amended to
28 read as follows:

29 The (~~board~~) office may waive grade point requirements for an
30 otherwise eligible individual student under special circumstances.

31 **Sec. 48.** RCW 28B.102.050 and 1987 c 437 s 5 are each amended to
32 read as follows:

33 The (~~board~~) office may award conditional scholarships to eligible
34 students from the funds appropriated to the (~~board~~) office for this
35 purpose, or from any private donations, or any other funds given to the
36 (~~board~~) office for this program. The amount of the conditional

1 scholarship awarded an individual shall not exceed three thousand
2 dollars per academic year. Students are eligible to receive
3 conditional scholarships for a maximum of five years.

4 **Sec. 49.** RCW 28B.102.060 and 1996 c 53 s 2 are each amended to
5 read as follows:

6 (1) Participants in the conditional scholarship program incur an
7 obligation to repay the conditional scholarship, with interest, unless
8 they teach for two years in an approved education program for each year
9 of scholarship received, under rules adopted by the ((board)) office.

10 (2) The interest rate shall be eight percent for the first four
11 years of repayment and ten percent beginning with the fifth year of
12 repayment.

13 (3) The period for repayment shall be ten years, with payments of
14 principal and interest accruing quarterly commencing nine months from
15 the date the participant completes or discontinues the course of study.
16 Provisions for deferral of payment shall be determined by the ((board))
17 office.

18 (4) The entire principal and interest of each payment shall be
19 forgiven for each payment period in which the participant teaches in an
20 approved education program until the entire repayment obligation is
21 satisfied. Should the participant cease to teach in an approved
22 education program in this state before the participant's repayment
23 obligation is completed, payments on the unsatisfied portion of the
24 principal and interest shall begin the next payment period and continue
25 until the remainder of the participant's repayment obligation is
26 satisfied.

27 (5) The ((board)) office is responsible for collection of
28 repayments made under this section and shall exercise due diligence in
29 such collection, maintaining all necessary records to insure that
30 maximum repayments are made. Collection and servicing of repayments
31 under this section shall be pursued using the full extent of the law,
32 including wage garnishment if necessary. The ((board)) office is
33 responsible to forgive all or parts of such repayments under the
34 criteria established in this section and shall maintain all necessary
35 records of forgiven payments.

36 (6) Receipts from the payment of principal or interest or any other
37 subsidies to which the ((board)) office as administrator is entitled,
38 which are paid by or on behalf of participants under this section,

1 shall be deposited with the (~~higher education coordinating board~~)
2 office and shall be used to cover the costs of granting the conditional
3 scholarships, maintaining necessary records, and making collections
4 under subsection (5) of this section. The (~~board~~) office shall
5 maintain accurate records of these costs, and all receipts beyond those
6 necessary to pay such costs shall be used to grant conditional
7 scholarships to eligible students.

8 (7) The (~~board~~) office shall temporarily or, in special
9 circumstances, permanently defer the requirements of this section for
10 eligible students as defined in RCW 28B.10.017.

11 (8) The (~~board~~) office may cancel a recipient's repayment
12 obligation due to the recipient's total and permanent disability or
13 death, subject to documentation as required by the (~~board~~) office.

14 (9) This section applies to recipients of conditional scholarships
15 awarded before or after July 1, 1996.

16 **Sec. 50.** RCW 28B.102.070 and 1987 c 437 s 7 are each amended to
17 read as follows:

18 After consulting with the (~~higher education coordinating board~~)
19 office, the governor may transfer the administration of this program to
20 another agency with an appropriate educational mission.

21 **Sec. 51.** RCW 28B.103.010 and 1994 c 234 s 5 are each amended to
22 read as follows:

23 Unless the context clearly requires otherwise, the definitions in
24 this section apply throughout this section and RCW 28B.103.020 and
25 28B.103.030.

26 (1) "Eligible student" means an enlisted member or an officer of
27 the rank of captain or below in the Washington national guard who is a
28 resident student as defined in RCW 28B.15.012 and 28B.15.013, who
29 attends an institution of higher education that is located in this
30 state and accredited by the Northwest Association of Schools and
31 Colleges, and who meets any additional selection criteria adopted by
32 the office.

33 (2) "Conditional scholarship" means a loan that is forgiven in
34 whole or in part if the recipient renders service as a member of the
35 Washington national guard under rules adopted by the office.

36 (3) "Forgiven" or "to forgive" or "forgiveness" means either to
37 render service in the Washington national guard in lieu of monetary

1 repayment, or to be relieved of the service obligation under rules
2 adopted by the office.

3 (4) "Office" means the office of (~~the adjutant general of the~~
4 ~~state military department~~) student assistance.

5 (5) "Participant" means an eligible student who has received a
6 conditional scholarship under this chapter.

7 (6) "Service obligation" means serving in the Washington national
8 guard for one additional year for each year of conditional scholarship
9 received under this program.

10 **Sec. 52.** RCW 28B.108.010 and 1991 c 228 s 10 are each amended to
11 read as follows:

12 Unless the context clearly requires otherwise, the definitions in
13 this section apply throughout this chapter.

14 (1) "Institution of higher education" or "institution" means a
15 college or university in the state of Washington which is accredited by
16 an accrediting association recognized as such by rule of the higher
17 education coordinating board.

18 (~~"Board" means the higher education coordinating board~~)
19 "Office" means the office of student assistance.

20 (3) "Eligible student" or "student" means an American Indian who is
21 a financially needy student, as defined in RCW 28B.10.802, who is a
22 resident student, as defined by RCW 28B.15.012(2), who is a full-time
23 student at an institution of higher education, and who promises to use
24 his or her education to benefit other American Indians.

25 **Sec. 53.** RCW 28B.108.020 and 1990 c 287 s 3 are each amended to
26 read as follows:

27 The American Indian endowed scholarship program is created. The
28 program shall be administered by the (~~higher education coordinating~~
29 ~~board~~) office. In administering the program, the (~~board's~~) office's
30 powers and duties shall include but not be limited to:

31 (1) Selecting students to receive scholarships, with the assistance
32 of a screening committee composed of persons involved in helping
33 American Indian students to obtain a higher education. The membership
34 of the committee may include, but is not limited to representatives of:
35 Indian tribes, urban Indians, the governor's office of Indian affairs,
36 the Washington state Indian education association, and institutions of
37 higher education;

- 1 (2) Adopting necessary rules and guidelines;
- 2 (3) Publicizing the program;
- 3 (4) Accepting and depositing donations into the endowment fund
- 4 created in RCW 28B.108.060;
- 5 (5) Requesting and accepting from the state treasurer moneys earned
- 6 from the trust fund and the endowment fund created in RCW 28B.108.050
- 7 and 28B.108.060;
- 8 (6) Soliciting and accepting grants and donations from public and
- 9 private sources for the program; and
- 10 (7) Naming scholarships in honor of those American Indians from
- 11 Washington who have acted as role models.

12 **Sec. 54.** RCW 28B.108.030 and 1991 c 228 s 11 are each amended to
13 read as follows:

14 The (~~higher education coordinating board~~) office shall establish
15 an advisory committee to assist in program design and to develop
16 criteria for the screening and selection of scholarship recipients.
17 The committee shall be composed of representatives of the same groups
18 as the screening committee described in RCW 28B.108.020. The criteria
19 shall assess the student's social and cultural ties to an American
20 Indian community within the state. The criteria shall include a
21 priority for upper-division or graduate students. The criteria may
22 include a priority for students who are majoring in program areas in
23 which expertise is needed by the state's American Indians.

24 **Sec. 55.** RCW 28B.108.040 and 1990 c 287 s 5 are each amended to
25 read as follows:

26 The (~~board~~) office may award scholarships to eligible students
27 from moneys earned from the endowment fund created in RCW 28B.108.060,
28 or from funds appropriated to the (~~board~~) office for this purpose, or
29 from any private donations, or from any other funds given to the
30 (~~board~~) office for this program. For an undergraduate student, the
31 amount of the scholarship shall not exceed the student's demonstrated
32 financial need. For a graduate student, the amount of the scholarship
33 shall not exceed the student's demonstrated need; or the stipend of a
34 teaching assistant, including tuition, at the University of Washington;
35 whichever is higher. In calculating a student's need, the (~~board~~)
36 office shall consider the student's costs for tuition, fees, books,
37 supplies, transportation, room, board, personal expenses, and child

1 care. The student's scholarship awarded under this chapter shall not
2 exceed the amount received by a student attending a state research
3 university. A student is eligible to receive a scholarship for a
4 maximum of five years. However, the length of the scholarship shall be
5 determined at the discretion of the (~~board~~) office.

6 **Sec. 56.** RCW 28B.108.050 and 1991 sp.s. c 13 s 107 are each
7 amended to read as follows:

8 The American Indian endowed scholarship trust fund is established.
9 The trust fund shall be administered by the state treasurer. Funds
10 appropriated by the legislature for the trust fund shall be deposited
11 into the fund. At the request of the (~~higher education coordinating~~
12 ~~board~~) office, and when conditions set forth in RCW 28B.108.070 are
13 met, the treasurer shall deposit state matching moneys in the trust
14 fund into the American Indian endowment fund. No appropriation is
15 required for expenditures from the trust fund.

16 **Sec. 57.** RCW 28B.108.060 and 1993 c 372 s 1 are each amended to
17 read as follows:

18 The American Indian scholarship endowment fund is established. The
19 endowment fund shall be administered by the state treasurer.

20 (1) Moneys received from the (~~higher education coordinating~~
21 ~~board~~) office, private donations, state matching moneys, and funds
22 received from any other source may be deposited into the endowment
23 fund. Private moneys received as a gift subject to conditions may be
24 deposited into the fund.

25 (2) At the request of the (~~higher education coordinating board~~)
26 office, the treasurer shall release earnings from the endowment fund to
27 the (~~board~~) office for scholarships. No appropriation is required
28 for expenditures from the endowment fund.

29 (3) When notified by the (~~higher education coordinating board~~)
30 office or by court order that a condition attached to a gift of private
31 moneys in the fund has failed, the treasurer shall release those moneys
32 to the donors according to the terms of the conditional gift.

33 (4) The principal of the endowment fund shall not be invaded. The
34 release of moneys under subsection (3) of this section shall not
35 constitute an invasion of corpus.

36 (5) The earnings on the fund shall be used solely for the purposes
37 set forth in RCW 28B.108.040, except when the terms of a conditional

1 gift of private moneys in the fund require that a portion of earnings
2 on such moneys be reinvested in the fund.

3 **Sec. 58.** RCW 28B.108.070 and 1993 c 372 s 2 are each amended to
4 read as follows:

5 The (~~higher education coordinating board~~) office may request that
6 the treasurer deposit fifty thousand dollars of state matching funds
7 into the American Indian scholarship endowment fund when the (~~board~~)
8 office can match the state funds with an equal amount of private cash
9 donations, including conditional gifts. Private cash donations means
10 moneys from nonstate sources that include, but are not limited to,
11 federal moneys, tribal moneys, and assessments by commodity commissions
12 authorized to conduct research activities, including but not limited to
13 research studies authorized under RCW 15.66.030 and 15.65.040.

14 **Sec. 59.** RCW 28B.109.010 and 1996 c 253 s 401 are each amended to
15 read as follows:

16 Unless the context clearly requires otherwise, the definitions in
17 this section apply throughout this chapter.

18 (1) (~~"Board" means the higher education coordinating board.~~

19 ~~(2))~~ "Eligible participant" means an international student whose
20 country of residence has a trade relationship with the state of
21 Washington.

22 ~~((3))~~ (2) "Institution of higher education" or "institution"
23 means a college or university in the state of Washington that is
24 accredited by an accrediting association recognized as such by rule of
25 the higher education coordinating board.

26 (3) "Office" means the office of student assistance.

27 (4) "Service obligation" means volunteering for a minimum number of
28 hours as established by the (~~board~~) office based on the amount of
29 scholarship award, to speak to or teach groups of Washington citizens,
30 including but not limited to elementary, middle, and high schools,
31 service clubs, and universities.

32 (5) "Washington international exchange scholarship program" means
33 a scholarship award for a period not to exceed one academic year to
34 attend a Washington institution of higher education made to an
35 international student whose country has an established trade
36 relationship with Washington.

1 **Sec. 60.** RCW 28B.109.020 and 1996 c 253 s 402 are each amended to
2 read as follows:

3 The Washington international exchange scholarship program is
4 created subject to funding under RCW 28B.109.060. The program shall be
5 administered by the ((board)) office. In administering the program,
6 the ((board)) office may:

7 (1) Convene an advisory committee that may include but need not be
8 limited to representatives of the office of the superintendent of
9 public instruction, the department of community, trade, and economic
10 development, the secretary of state, private business, and institutions
11 of higher education;

12 (2) Select students to receive the scholarship with the assistance
13 of a screening committee composed of leaders in business, international
14 trade, and education;

15 (3) Adopt necessary rules and guidelines including rules for
16 disbursing scholarship funds to participants;

17 (4) Publicize the program;

18 (5) Solicit and accept grants and donations from public and private
19 sources for the program;

20 (6) Establish and notify participants of service obligations; and

21 (7) Establish a formula for selecting the countries from which
22 participants may be selected in consultation with the department of
23 community, trade, and economic development.

24 **Sec. 61.** RCW 28B.109.030 and 1996 c 253 s 403 are each amended to
25 read as follows:

26 The ((board)) office may negotiate and enter into a reciprocal
27 agreement with foreign countries that have international students
28 attending institutions in Washington. The goal of the reciprocal
29 agreements shall be to allow Washington students enrolled in an
30 institution of higher education to attend an international institution
31 under similar terms and conditions.

32 **Sec. 62.** RCW 28B.109.040 and 1996 c 253 s 404 are each amended to
33 read as follows:

34 If funds are available, the ((board)) office shall select students
35 yearly to receive a Washington international exchange student
36 scholarship from moneys earned from the Washington international
37 exchange scholarship endowment fund created in RCW 28B.109.060, from

1 funds appropriated to the ((board)) office for this purpose, or from
2 any private donations, or from any other funds given to the ((board))
3 office for this program.

4 **Sec. 63.** RCW 28B.109.050 and 1996 c 253 s 405 are each amended to
5 read as follows:

6 The Washington international exchange trust fund is established in
7 the custody of the state treasurer. Any funds appropriated by the
8 legislature for the trust fund shall be deposited into the fund. At
9 the request of the ((board)) office, and when conditions set forth in
10 RCW 28B.109.070 are met, the treasurer shall deposit state matching
11 moneys from the Washington international exchange trust fund into the
12 Washington international exchange scholarship endowment fund. No
13 appropriation is required for expenditures from the trust fund.

14 **Sec. 64.** RCW 28B.109.060 and 1996 c 253 s 406 are each amended to
15 read as follows:

16 The Washington international exchange scholarship endowment fund is
17 established in the custody of the state treasurer. Moneys received
18 from the private donations and funds received from any other source may
19 be deposited into the endowment fund. At the request of the ((board))
20 office, the treasurer shall release earnings from the endowment fund to
21 the ((board)) office for scholarships. No appropriation is required
22 for expenditures from the endowment fund. The principal of the
23 endowment fund shall not be invaded. The earnings on the fund shall be
24 used solely for the purposes in this chapter.

25 **Sec. 65.** RCW 28B.109.070 and 1996 c 253 s 407 are each amended to
26 read as follows:

27 The ((board)) office may request that the treasurer deposit state
28 matching funds into the Washington international exchange scholarship
29 endowment fund when the ((board)) office can match the state funds with
30 an equal amount of private cash donations, including conditional gifts.

31 **Sec. 66.** RCW 28B.109.080 and 1996 c 253 s 408 are each amended to
32 read as follows:

33 Each Washington international exchange scholarship recipient shall
34 agree to complete the service obligation as defined by the ((board))
35 office.

1 **Sec. 67.** RCW 28B.115.020 and 1991 c 332 s 15 are each amended to
2 read as follows:

3 Unless the context clearly requires otherwise, the definitions in
4 this section apply throughout this chapter.

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

6 ~~(2))~~ "Department" means the state department of health.

7 (~~(3))~~ (2) "Eligible education and training programs" means
8 education and training programs approved by the department that lead to
9 eligibility for a credential as a credentialed health care
10 professional.

11 (~~(4))~~ (3) "Eligible expenses" means reasonable expenses
12 associated with the costs of acquiring an education such as tuition,
13 books, equipment, fees, room and board, and other expenses determined
14 by the (~~board~~) office.

15 (~~(5))~~ (4) "Eligible student" means a student who has been
16 accepted into an eligible education or training program and has a
17 declared intention to serve in a health professional shortage area upon
18 completion of the education or training program.

19 (~~(6))~~ (5) "Forgiven" or "to forgive" or "forgiveness" means to
20 render health care services in a health professional shortage area in
21 the state of Washington in lieu of monetary repayment.

22 (~~(7))~~ (6) "Health professional shortage areas" means those areas
23 where credentialed health care professionals are in short supply as a
24 result of geographic maldistribution or as the result of a short supply
25 of credentialed health care professionals in specialty health care
26 areas and where vacancies exist in serious numbers that jeopardize
27 patient care and pose a threat to the public health and safety. The
28 department shall determine health professional shortage areas as
29 provided for in RCW 28B.115.070, or until June 1, 1992, as provided for
30 in RCW 28B.115.060. In making health professional shortage area
31 designations in the state the department may be guided by applicable
32 federal standards for "health manpower shortage areas," and "medically
33 underserved areas," and "medically underserved populations."

34 (~~(8))~~ (7) "Credentialed health care profession" means a health
35 care profession regulated by a disciplining authority in the state of
36 Washington under RCW 18.130.040 or by the state board of pharmacy under
37 chapter 18.64 RCW and designated by the department in RCW 28B.115.070,
38 or until June 1, 1992, as established in RCW 28B.115.060 as a

1 profession having shortages of credentialed health care professionals
2 in the state.

3 ~~((+9+))~~ (8) "Credentialed health care professional" means a person
4 regulated by a disciplining authority in the state of Washington to
5 practice a health care profession under RCW 18.130.040 or by the state
6 board of pharmacy under chapter 18.64 RCW.

7 ~~((+10+))~~ (9) "Loan repayment" means a loan that is paid in full or
8 in part if the participant renders health care services in a health
9 professional shortage area as defined by the department.

10 ~~((+11+))~~ (10) "Nonshortage rural area" means a nonurban area of the
11 state of Washington that has not been designated as a rural physician
12 shortage area. The department shall identify the nonshortage rural
13 areas of the state.

14 (11) "Office" means the office of student assistance.

15 (12) "Participant" means a credentialed health care professional
16 who has received a loan repayment award and has commenced practice as
17 a credentialed health care provider in a designated health professional
18 shortage area or an eligible student who has received a scholarship
19 under this program.

20 (13) "Program" means the health professional loan repayment and
21 scholarship program.

22 (14) "Required service obligation" means an obligation by the
23 participant to provide health care services in a health professional
24 shortage area for a period to be established as provided for in this
25 chapter.

26 (15) "Rural physician shortage area" means rural geographic areas
27 where primary care physicians are in short supply as a result of
28 geographic maldistributions and where their limited numbers jeopardize
29 patient care and pose a threat to public health and safety. The
30 department shall designate rural physician shortage areas.

31 (16) "Satisfied" means paid-in-full.

32 (17) "Scholarship" means a loan that is forgiven in whole or in
33 part if the recipient renders health care services in a health
34 professional shortage area.

35 (18) "Sponsoring community" means a rural hospital or hospitals as
36 authorized in chapter 70.41 RCW, a rural health care facility or
37 facilities as authorized in chapter 70.175 RCW, or a city or county
38 government or governments.

1 **Sec. 68.** RCW 28B.115.030 and 1991 c 332 s 16 are each amended to
2 read as follows:

3 The health professional loan repayment and scholarship program is
4 established for credentialed health professionals serving in health
5 professional shortage areas. The program shall be administered by the
6 (~~higher education coordinating board~~) office. In administering this
7 program, the (~~board~~) office shall:

8 (1) Select credentialed health care professionals to participate in
9 the loan repayment portion of the loan repayment and scholarship
10 program and select eligible students to participate in the scholarship
11 portion of the loan repayment and scholarship program;

12 (2) Adopt rules and develop guidelines to administer the program;

13 (3) Collect and manage repayments from participants who do not meet
14 their service obligations under this chapter;

15 (4) Publicize the program, particularly to maximize participation
16 among individuals in shortage areas and among populations expected to
17 experience the greatest growth in the work force;

18 (5) Solicit and accept grants and donations from public and private
19 sources for the program; and

20 (6) Develop criteria for a contract for service in lieu of the
21 service obligation where appropriate, that may be a combination of
22 service and payment.

23 **Sec. 69.** RCW 28B.115.050 and 1991 c 332 s 18 are each amended to
24 read as follows:

25 The (~~board~~) office shall establish a planning committee to assist
26 it in developing criteria for the selection of participants. The
27 (~~board~~) office shall include on the planning committee
28 representatives of the department, the department of social and health
29 services, appropriate representatives from health care facilities,
30 provider groups, consumers, the state board (~~of~~) for community and
31 technical colleges (~~education~~), the superintendent of public
32 instruction, and other appropriate public and private agencies and
33 organizations. The criteria may require that some of the participants
34 meet the definition of "needy student" under RCW 28B.10.802.

35 **Sec. 70.** RCW 28B.115.070 and 1991 c 332 s 20 are each amended to
36 read as follows:

1 After June 1, 1992, the department, in consultation with the
2 ((board)) office and the department of social and health services,
3 shall:

4 (1) Determine eligible credentialed health care professions for the
5 purposes of the loan repayment and scholarship program authorized by
6 this chapter. Eligibility shall be based upon an assessment that
7 determines that there is a shortage or insufficient availability of a
8 credentialed profession so as to jeopardize patient care and pose a
9 threat to the public health and safety. The department shall consider
10 the relative degree of shortages among professions when determining
11 eligibility. This determination shall be based upon health
12 professional shortage needs identified in the health personnel resource
13 plan authorized by RCW 28B.125.010. The department may add or remove
14 professions from eligibility based upon the determination that a
15 profession is no longer in shortage as determined by the health
16 personnel resource plan. Should a profession no longer be eligible,
17 participants or eligible students who have received scholarships shall
18 be eligible to continue to receive scholarships or loan repayments
19 until they are no longer eligible or until their service obligation has
20 been completed;

21 (2) Determine health professional shortage areas for each of the
22 eligible credentialed health care professions.

23 **Sec. 71.** RCW 28B.115.080 and 1993 c 492 s 271 are each amended to
24 read as follows:

25 After June 1, 1992, the ((board)) office, in consultation with the
26 department and the department of social and health services, shall:

27 (1) Establish the annual award amount for each credentialed health
28 care profession which shall be based upon an assessment of reasonable
29 annual eligible expenses involved in training and education for each
30 credentialed health care profession. The annual award amount may be
31 established at a level less than annual eligible expenses. The annual
32 award amount shall be established by the ((board)) office for each
33 eligible health profession. The awards shall not be paid for more than
34 a maximum of five years per individual;

35 (2) Determine any scholarship awards for prospective physicians in
36 such a manner to require the recipients declare an interest in serving
37 in rural areas of the state of Washington. Preference for scholarships
38 shall be given to students who reside in a rural physician shortage

1 area or a nonshortage rural area of the state prior to admission to the
2 eligible education and training program in medicine. Highest
3 preference shall be given to students seeking admission who are
4 recommended by sponsoring communities and who declare the intent of
5 serving as a physician in a rural area. The ((board)) office may
6 require the sponsoring community located in a nonshortage rural area to
7 financially contribute to the eligible expenses of a medical student if
8 the student will serve in the nonshortage rural area;

9 (3) Establish the required service obligation for each credentialed
10 health care profession, which shall be no less than three years or no
11 more than five years. The required service obligation may be based
12 upon the amount of the scholarship or loan repayment award such that
13 higher awards involve longer service obligations on behalf of the
14 participant;

15 (4) Determine eligible education and training programs for purposes
16 of the scholarship portion of the program;

17 (5) Honor loan repayment and scholarship contract terms negotiated
18 between the higher education coordinating board and participants prior
19 to May 21, 1991, concerning loan repayment and scholarship award
20 amounts and service obligations authorized under chapter 28B.115,
21 28B.104, or 70.180 RCW.

22 **Sec. 72.** RCW 28B.115.090 and 1991 c 332 s 22 are each amended to
23 read as follows:

24 (1) The ((board)) office may grant loan repayment and scholarship
25 awards to eligible participants from the funds appropriated for this
26 purpose, or from any private or public funds given to the ((board))
27 office for this purpose. Participants are ineligible to receive loan
28 repayment if they have received a scholarship from programs authorized
29 under this chapter or chapter 28B.104 or 70.180 RCW or are ineligible
30 to receive a scholarship if they have received loan repayment
31 authorized under this chapter or chapter 18.150 or 28B.115 RCW.

32 (2) Funds appropriated for the program, including reasonable
33 administrative costs, may be used by the ((board)) office for the
34 purposes of loan repayments or scholarships. The ((board)) office
35 shall annually establish the total amount of funding to be awarded for
36 loan repayments and scholarships and such allocations shall be
37 established based upon the best utilization of funding for that year

1 and based upon the health personnel resource plan authorized in RCW
2 28B.125.010.

3 (3) One portion of the funding appropriated for the program shall
4 be used by the ((board)) office as a recruitment incentive for
5 communities participating in the community-based recruitment and
6 retention program as authorized by chapter 70.185 RCW; one portion of
7 the funding shall be used by the ((board)) office as a recruitment
8 incentive for recruitment activities in state-operated institutions,
9 county public health departments and districts, county human service
10 agencies, federal and state contracted community health clinics, and
11 other health care facilities, such as rural hospitals that have been
12 identified by the department, as providing substantial amounts of
13 charity care or publicly subsidized health care; one portion of the
14 funding shall be used by the ((board)) office for all other awards.
15 The ((board)) office shall determine the amount of total funding to be
16 distributed between the three portions.

17 **Sec. 73.** RCW 28B.115.100 and 1991 c 332 s 23 are each amended to
18 read as follows:

19 In providing health care services the participant shall not
20 discriminate against a person on the basis of the person's ability to
21 pay for such services or because payment for the health care services
22 provided to such persons will be made under the insurance program
23 established under part A or B of Title XVIII of the federal social
24 security act or under a state plan for medical assistance including
25 Title XIX of the federal social security act or under the state medical
26 assistance program authorized by chapter 74.09 RCW and agrees to accept
27 assignment under section 18.42(b)(3)(B)(ii) of the federal social
28 security act for all services for which payment may be made under part
29 B of Title XVIII of the federal social security act and enters into an
30 appropriate agreement with the department of social and health services
31 for medical assistance under Title XIX of the federal social security
32 act to provide services to individuals entitled to medical assistance
33 under the plan and enters into appropriate agreements with the
34 department of social and health services for medical care services
35 under chapter 74.09 RCW. Participants found by the ((board)) office or
36 the department in violation of this section shall be declared
37 ineligible for receiving assistance under the program authorized by
38 this chapter.

1 **Sec. 74.** RCW 28B.115.110 and 1991 c 332 s 24 and 1991 c 164 s 8
2 are each reenacted and amended to read as follows:

3 Participants in the health professional loan repayment and
4 scholarship program who are awarded loan repayments shall receive
5 payment from the program for the purpose of repaying educational loans
6 secured while attending a program of health professional training which
7 led to a credential as a credentialed health professional in the state
8 of Washington.

9 (1) Participants shall agree to meet the required service
10 obligation in a designated health professional shortage area.

11 (2) Repayment shall be limited to eligible educational and living
12 expenses as determined by the ((board)) office and shall include
13 principal and interest.

14 (3) Loans from both government and private sources may be repaid by
15 the program. Participants shall agree to allow the ((board)) office
16 access to loan records and to acquire information from lenders
17 necessary to verify eligibility and to determine payments. Loans may
18 not be renegotiated with lenders to accelerate repayment.

19 (4) Repayment of loans established pursuant to this program shall
20 begin no later than ninety days after the individual has become a
21 participant. Payments shall be made quarterly, or more frequently if
22 deemed appropriate by the ((board)) office, to the participant until
23 the loan is repaid or the participant becomes ineligible due to
24 discontinued service in a health professional shortage area or after
25 the required service obligation when eligibility discontinues,
26 whichever comes first.

27 (5) Should the participant discontinue service in a health
28 professional shortage area payments against the loans of the
29 participants shall cease to be effective on the date that the
30 participant discontinues service.

31 (6) Except for circumstances beyond their control, participants who
32 serve less than the required service obligation shall be obligated to
33 repay to the program an amount equal to twice the total amount paid by
34 the program on their behalf in addition to any payments on the
35 unsatisfied portion of the principal and interest. The ((board))
36 office shall determine the applicability of this subsection.

37 (7) The ((board)) office is responsible for the collection of
38 payments made on behalf of participants from the participants who
39 discontinue service before completion of the required service

1 obligation. The ((board)) office shall exercise due diligence in such
2 collection, maintaining all necessary records to ensure that the
3 maximum amount of payment made on behalf of the participant is
4 recovered. Collection under this section shall be pursued using the
5 full extent of the law, including wage garnishment if necessary.

6 (8) The ((board)) office shall not be held responsible for any
7 outstanding payments on principal and interest to any lenders once a
8 participant's eligibility expires.

9 (9) The ((board)) office shall temporarily or, in special
10 circumstances, permanently defer the requirements of this section for
11 eligible students as defined in RCW 28B.10.017.

12 **Sec. 75.** RCW 28B.115.120 and 1993 c 423 s 2 are each amended to
13 read as follows:

14 (1) Participants in the health professional loan repayment and
15 scholarship program who are awarded scholarships incur an obligation to
16 repay the scholarship, with interest, unless they serve the required
17 service obligation in a health professional shortage area in the state
18 of Washington.

19 (2) The interest rate shall be eight percent for the first four
20 years of repayment and ten percent beginning with the fifth year of
21 repayment.

22 (3) The period for repayment shall coincide with the required
23 service obligation, with payments of principal and interest accruing
24 quarterly commencing no later than nine months from the date the
25 participant completes or discontinues the course of study or completes
26 or discontinues the required residency. Provisions for deferral of
27 payment shall be determined by the ((board)) office.

28 (4) The entire principal and interest of each payment shall be
29 forgiven for each payment period in which the participant serves in a
30 health professional shortage area until the entire repayment obligation
31 is satisfied or the borrower ceases to so serve. Should the
32 participant cease to serve in a health professional shortage area of
33 this state before the participant's repayment obligation is completed,
34 payments on the unsatisfied portion of the principal and interest shall
35 begin the next payment period and continue until the remainder of the
36 participant's repayment obligation is satisfied. Except for
37 circumstances beyond their control, participants who serve less than
38 the required service obligation shall be obliged to repay to the

1 program an amount equal to twice the total amount paid by the program
2 on their behalf.

3 (5) The ((board)) office is responsible for collection of
4 repayments made under this section and shall exercise due diligence in
5 such collection, maintaining all necessary records to ensure that
6 maximum repayments are made. Collection and servicing of repayments
7 under this section shall be pursued using the full extent of the law,
8 including wage garnishment if necessary, and shall be performed by
9 entities approved for such servicing by the Washington student loan
10 guaranty association or its successor agency. The ((board)) office is
11 responsible to forgive all or parts of such repayments under the
12 criteria established in this section and shall maintain all necessary
13 records of forgiven payments.

14 (6) Receipts from the payment of principal or interest or any other
15 subsidies to which the ((board)) office as administrator is entitled,
16 which are paid by or on behalf of participants under this section,
17 shall be deposited with the ((board)) office and shall be used to cover
18 the costs of granting the scholarships, maintaining necessary records,
19 and making collections under subsection (5) of this section. The
20 ((board)) office shall maintain accurate records of these costs, and
21 all receipts beyond those necessary to pay such costs shall be used to
22 grant scholarships to eligible students.

23 (7) Sponsoring communities who financially contribute to the
24 eligible financial expenses of eligible medical students may enter into
25 agreements with the student to require repayment should the student not
26 serve the required service obligation in the community as a primary
27 care physician. The ((board)) office may develop criteria for the
28 content of such agreements with respect to reasonable provisions and
29 obligations between communities and eligible students.

30 (8) The ((board)) office may make exceptions to the conditions for
31 participation and repayment obligations should circumstances beyond the
32 control of individual participants warrant such exceptions.

33 **Sec. 76.** RCW 28B.115.130 and 1991 c 332 s 28 are each amended to
34 read as follows:

35 (1) Any funds appropriated by the legislature for the health
36 professional loan repayment and scholarship program or any other public
37 or private funds intended for loan repayments or scholarships under
38 this program shall be placed in the account created by this section.

1 (2) The health professional loan repayment and scholarship program
2 fund is created in custody of the state treasurer. All receipts from
3 the program shall be deposited into the fund. Only the ((higher
4 education coordinating board)) office, or its designee, may authorize
5 expenditures from the fund. The fund is subject to allotment
6 procedures under chapter 43.88 RCW, but no appropriation is required
7 for expenditures.

8 **Sec. 77.** RCW 28B.115.140 and 1989 1st ex.s. c 9 s 722 are each
9 amended to read as follows:

10 After consulting with the ((higher education coordinating board))
11 office, the governor may transfer the administration of this program to
12 another agency with an appropriate mission.

13 **Sec. 78.** RCW 28A.600.120 and 1985 c 370 s 32 are each amended to
14 read as follows:

15 The ((higher education coordinating board)) office of student
16 assistance shall have the responsibility for administration of the
17 Washington scholars program. The program will be developed
18 cooperatively with the Washington association of secondary school
19 principals, a voluntary professional association of secondary school
20 principals. The cooperation of other state agencies and private
21 organizations having interest and responsibility in public and private
22 education shall be sought for planning assistance.

23 **Sec. 79.** RCW 28A.600.130 and 1995 1st sp.s. c 5 s 1 are each
24 amended to read as follows:

25 The ((higher education coordinating board)) office of student
26 assistance shall establish a planning committee to develop criteria for
27 screening and selection of the Washington scholars each year in
28 accordance with RCW 28A.600.110(1). It is the intent that these
29 criteria shall emphasize scholastic achievement but not exclude such
30 criteria as leadership ability and community contribution in final
31 selection procedures. The Washington scholars planning committee shall
32 have members from selected state agencies and private organizations
33 having an interest and responsibility in education, including but not
34 limited to, the state board of education, the office of superintendent
35 of public instruction, the council of presidents, the state board for

1 community and technical colleges, and the Washington friends of higher
2 education.

3 **Sec. 80.** RCW 28A.600.140 and 1990 c 33 s 501 are each amended to
4 read as follows:

5 Each year on or before March 1st, the Washington association of
6 secondary school principals shall submit to the (~~higher education~~
7 ~~coordinating board~~) office of student assistance the names of
8 graduating senior high school students who have been identified and
9 recommended to be outstanding in academic achievement by their school
10 principals based on criteria to be established under RCW 28A.600.130.

11 **Sec. 81.** RCW 28A.600.150 and 1985 c 370 s 35 are each amended to
12 read as follows:

13 Washington scholars annually shall be selected from among the
14 students so identified. The (~~higher education coordinating board~~)
15 office of student assistance shall notify the students so designated,
16 their high school principals, the legislators of their respective
17 districts, and the governor when final selections have been made.

18 The (~~board~~) office of student assistance, in conjunction with the
19 governor's office, shall prepare appropriate certificates to be
20 presented to the Washington scholars recipients. An awards ceremony at
21 an appropriate time and place shall be planned by the (~~board~~) office
22 of student assistance in cooperation with the Washington association of
23 secondary school principals, and with the approval of the governor.

24 NEW SECTION. **Sec. 82.** RCW 28B.80.240, 28B.80.245, 28B.80.246, and
25 28B.80.360 are each recodified as new sections in chapter 28B.--- RCW
26 (sections 1 through 9 of this act).

27 NEW SECTION. **Sec. 83.** Sections 1 through 9 of this act constitute
28 a new chapter in Title 28B RCW.

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