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HOUSE BILL 2286

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State of Washington                      58th Legislature                      2003 1st Special  
Session

By Representative McDonald

Read first time . Referred to .

1            AN ACT Relating to ensuring equal educational opportunities;  
2 amending RCW 28B.12.060, 28B.12.060, 28B.80.245, 28B.101.040, and  
3 28B.119.010; repealing RCW 28B.10.814; providing an effective date; and  
4 providing an expiration date.

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

6            **Sec. 1.** RCW 28B.12.060 and 1994 c 130 s 6 are each amended to read  
7 as follows:

8            The higher education coordinating board shall adopt rules as may be  
9 necessary or appropriate for effecting the provisions of this chapter,  
10 and not in conflict with this chapter, in accordance with the  
11 provisions of chapter 34.05 RCW, the state higher education  
12 administrative procedure act. Such rules shall include provisions  
13 designed to make employment under the work-study program reasonably  
14 available, to the extent of available funds, to all eligible students  
15 in eligible post-secondary institutions in need thereof. The rules  
16 shall include:

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

- 1 (2) Furnishing work only to a student who:
- 2 (a) Is capable, in the opinion of the eligible institution, of  
3 maintaining good standing in such course of study while employed under  
4 the program covered by the agreement; and
- 5 (b) Has been accepted for enrollment as at least a half-time  
6 student at the eligible institution or, in the case of a student  
7 already enrolled in and attending the eligible institution, is in good  
8 standing and in at least half-time attendance there either as an  
9 undergraduate, graduate or professional student; (~~and~~  
10 ~~(c) Is not pursuing a degree in theology;~~)
- 11 (3) Placing priority on providing:
- 12 (a) Work opportunities for students who are residents of the state  
13 of Washington as defined in RCW 28B.15.012 and 28B.15.013 except  
14 resident students defined in RCW 28B.15.012(2)(~~(e)~~) (g);
- 15 (b) Job placements in fields related to each student's academic or  
16 vocational pursuits, with an emphasis on off-campus job placements  
17 whenever appropriate; and
- 18 (c) Off-campus community service placements;
- 19 (4) Provisions to assure that in the state institutions of higher  
20 education, utilization of this work-study program:
- 21 (a) Shall only supplement and not supplant classified positions  
22 under jurisdiction of chapter 41.06 RCW;
- 23 (b) That all positions established which are comparable shall be  
24 identified to a job classification under the Washington personnel  
25 resources board's classification plan and shall receive equal  
26 compensation;
- 27 (c) Shall not take place in any manner that would replace  
28 classified positions reduced due to lack of funds or work; and
- 29 (d) That work study positions shall only be established at entry  
30 level positions of the classified service unless the overall scope and  
31 responsibilities of the position indicate a higher level; and
- 32 (5) Provisions to encourage job placements in occupations that meet  
33 Washington's economic development goals, especially those in  
34 international trade and international relations. The board shall  
35 permit appropriate job placements in other states and other countries.

36 **Sec. 2.** RCW 28B.12.060 and 2002 c 354 s 224 are each amended to  
37 read as follows:

1 The higher education coordinating board shall adopt rules as may be  
2 necessary or appropriate for effecting the provisions of this chapter,  
3 and not in conflict with this chapter, in accordance with the  
4 provisions of chapter 34.05 RCW, the state higher education  
5 administrative procedure act. Such rules shall include provisions  
6 designed to make employment under the work-study program reasonably  
7 available, to the extent of available funds, to all eligible students  
8 in eligible post-secondary institutions in need thereof. The rules  
9 shall include:

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

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

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

17 (b) Has been accepted for enrollment as at least a half-time  
18 student at the eligible institution or, in the case of a student  
19 already enrolled in and attending the eligible institution, is in good  
20 standing and in at least half-time attendance there either as an  
21 undergraduate, graduate or professional student; ((and

22 ~~(c) Is not pursuing a degree in theology;~~))

23 (3) Placing priority on providing:

24 (a) Work opportunities for students who are residents of the state  
25 of Washington as defined in RCW 28B.15.012 and 28B.15.013 except  
26 resident students defined in RCW 28B.15.012(2)((~~f~~)) (g);

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

30 (c) Off-campus community service placements;

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

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

35 (b) That all positions established which are comparable shall be  
36 identified to a job classification under the director of personnel's  
37 classification plan and shall receive equal compensation;

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

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

6 (5) Provisions to encourage job placements in occupations that meet  
7 Washington's economic development goals, especially those in  
8 international trade and international relations. The board shall  
9 permit appropriate job placements in other states and other countries.

10 **Sec. 3.** RCW 28B.80.245 and 1999 c 159 s 3 are each amended to read  
11 as follows:

12 (1) Recipients of the Washington scholars award or the Washington  
13 scholars-alternate award under RCW 28A.600.100 through 28A.600.150 who  
14 choose to attend an independent college or university in this state, as  
15 defined in subsection (~~((4))~~) (3) of this section, and recipients of  
16 the award named after June 30, 1994, who choose to attend a public  
17 college or university in the state may receive grants under this  
18 section if moneys are available. The higher education coordinating  
19 board shall distribute grants to eligible students under this section  
20 from moneys appropriated for this purpose. The individual grants shall  
21 not exceed, on a yearly basis, the yearly, full-time, resident,  
22 undergraduate tuition and service and activities fees in effect at the  
23 state-funded research universities. Grants to recipients attending an  
24 independent institution shall be contingent upon the institution  
25 matching on at least a dollar-for-dollar basis, either with actual  
26 money or by a waiver of fees, the amount of the grant received by the  
27 student from the state. The higher education coordinating board shall  
28 establish procedures, by rule, to disburse the awards as direct grants  
29 to the students.

30 (2) The higher education coordinating board shall establish rules  
31 that provide for the annual awarding of grants, if moneys are  
32 available, to three Washington scholars per legislative district; and,  
33 if not used by an original recipient, to the Washington scholars-  
34 alternate from the same legislative district.

35 Beginning with scholars selected in the year 2000, if the  
36 recipients of grants fail to demonstrate in a timely manner that they  
37 will enroll in a Washington institution of higher education in the fall

1 term of the academic year following the award of the grant or are  
2 deemed by the higher education coordinating board to have withdrawn  
3 from college during the first academic year following the award, then  
4 the grant shall be considered relinquished. The higher education  
5 coordinating board may then award any remaining grant amounts to the  
6 Washington scholars-alternate from the same legislative district if the  
7 grants are awarded within one calendar year of the recipient being  
8 named a Washington scholars-alternate. Washington scholars-alternates  
9 named as recipients of the grant must also demonstrate in a timely  
10 manner that they will enroll in a Washington institution of higher  
11 education during the next available term, as determined by the higher  
12 education coordinating board. The board may accept appeals and grant  
13 waivers to the enrollment requirements of this section based on  
14 exceptional mitigating circumstances of individual grant recipients.

15 To maintain eligibility for the grants, recipients must maintain a  
16 minimum grade point average at the college or university equivalent to  
17 3.30. Students shall be eligible to receive a maximum of twelve  
18 quarters or eight semesters of grants for undergraduate study and may  
19 transfer among in-state public and independent colleges and  
20 universities during that period and continue to receive the grant as  
21 provided under RCW 28B.80.246. If the student's cumulative grade point  
22 average falls below 3.30 during the first three quarters or two  
23 semesters, that student may petition the higher education coordinating  
24 board which shall have the authority to establish a probationary period  
25 until such time as the student's grade point average meets required  
26 standards.

27 ~~(3) ((No grant shall be awarded to any student who is pursuing a~~  
28 ~~degree in theology.~~

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

1           (~~(5)~~) (4) As used in this section, "public college or university"  
2 means an institution of higher education as defined in RCW 28B.10.016.

3           **Sec. 4.** RCW 28B.101.040 and 2002 c 186 s 3 are each amended to  
4 read as follows:

5           Grants may be used by eligible participants to attend any public or  
6 private college or university in the state of Washington that is  
7 accredited by an accrediting association recognized by rule of the  
8 higher education coordinating board and that has an existing unused  
9 capacity. Grants shall not be used to attend any branch campus or  
10 educational program established under chapter 28B.45 RCW. The  
11 participant shall not be eligible for a grant if it will be used for  
12 any programs that include religious worship, exercise, or instruction  
13 (~~(or to pursue a degree in theology)~~). Each participating student may  
14 receive up to two thousand five hundred dollars per academic year, not  
15 to exceed the student's demonstrated financial need for the course of  
16 study. Resident students as defined in RCW 28B.15.012(2)(~~(f)~~) (g)  
17 are not eligible for grants under this chapter.

18           **Sec. 5.** RCW 28B.119.010 and 2002 c 204 s 2 are each amended to  
19 read as follows:

20           The higher education coordinating board shall design the Washington  
21 promise scholarship program based on the following parameters:

22           (1) Scholarships shall be awarded to students graduating from  
23 public and approved private high schools under chapter 28A.195 RCW and  
24 students participating in home-based instruction as provided in chapter  
25 28A.200 RCW who meet both an academic and a financial eligibility  
26 criteria.

27           (a) Academic eligibility criteria shall be defined as follows:

28           (i) Beginning with the graduating class of 2002, students  
29 graduating from public and approved private high schools under chapter  
30 28A.195 RCW must be in the top fifteen percent of their graduating  
31 class, as identified by each respective high school at the completion  
32 of the first term of the student's senior year; or

33           (ii) Students graduating from public high schools, approved private  
34 high schools under chapter 28A.195 RCW, and students participating in  
35 home-based instruction as provided in chapter 28A.200 RCW must equal or

1 exceed a cumulative scholastic assessment test I score of twelve  
2 hundred on their first attempt or must equal or exceed a composite  
3 American college test score of twenty-seven on their first attempt.

4 (b) To meet the financial eligibility criteria, a student's family  
5 income shall not exceed one hundred thirty-five percent of the state  
6 median family income adjusted for family size, as determined by the  
7 higher education coordinating board for each graduating class.  
8 Students not meeting the eligibility requirements for the first year of  
9 scholarship benefits may reapply for the second year of benefits, but  
10 must still meet the income standard set by the board for the student's  
11 graduating class.

12 (2) Promise scholarships are not intended to supplant any grant,  
13 scholarship, or tax program related to postsecondary education. If the  
14 board finds that promise scholarships supplant or reduce any grant,  
15 scholarship, or tax program for categories of students, then the board  
16 shall adjust the financial eligibility criteria or the amount of  
17 scholarship to the level necessary to avoid supplanting.

18 (3) Within available funds, each qualifying student shall receive  
19 two consecutive annual awards, the value of each not to exceed the  
20 full-time annual resident tuition rates charged by Washington's  
21 community colleges. The higher education coordinating board shall  
22 award scholarships to as many students as possible from among those  
23 qualifying under this section.

24 (4) By October 15th of each year, the board shall determine the  
25 award amount of the scholarships, after taking into consideration the  
26 availability of funds.

27 (5) The scholarships may only be used for undergraduate coursework  
28 at accredited institutions of higher education in the state of  
29 Washington.

30 (6) The scholarships may be used for undergraduate coursework at  
31 Oregon institutions of higher education that are part of the border  
32 county higher education opportunity project in RCW 28B.80.806 when  
33 those institutions offer programs not available at accredited  
34 institutions of higher education in Washington state.

35 (7) The scholarships may be used for college-related expenses,  
36 including but not limited to, tuition, room and board, books, and  
37 materials.

1           (8) (~~The scholarships may not be awarded to any student who is~~  
2 ~~pursuing a degree in theology.~~

3           ~~(9))~~ The higher education coordinating board may establish  
4 satisfactory progress standards for the continued receipt of the  
5 promise scholarship.

6           ~~((10))~~ (9) The higher education coordinating board shall  
7 establish the time frame within which the student must use the  
8 scholarship.

9           NEW SECTION. **Sec. 6.** RCW 28B.10.814 (State student financial aid  
10 program--Theology student denied aid) and 1969 ex.s. c 222 s 15 are  
11 each repealed.

12           NEW SECTION. **Sec. 7.** Section 1 of this act expires March 15,  
13 2005.

14           NEW SECTION. **Sec. 8.** Section 2 of this act takes effect March 15,  
15 2005.

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