
SECOND SUBSTITUTE HOUSE BILL 1096

State of Washington

60th Legislature

2007 Regular Session

By House Committee on Appropriations (originally sponsored by Representatives Kenney, Priest, Quall, Wallace, Conway, Haler, Morris, Ormsby, Linville, Jarrett, Dickerson, Hunt, Walsh, P. Sullivan, Darneille, Appleton, Morrell, Williams, Dunn, Schual-Berke, Fromhold, Hasegawa, Chase, Upthegrove, McCoy, Green, O'Brien, Hudgins, Sells, Springer, Moeller, Goodman, Barlow, Eddy, Santos, Simpson, Haigh, Lantz, Kagi and Rolfes)

READ FIRST TIME 2/28/07.

1 AN ACT Relating to creating postsecondary opportunity programs;
2 amending RCW 28B.50.030; adding new sections to chapter 28B.50 RCW; and
3 creating new sections.

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

5 NEW SECTION. **Sec. 1.** The legislature finds that:

6 (1) The economic trends of globalization and technological change
7 are increasing the demand for higher and differently skilled workers
8 than in the past;

9 (2) Increasing Washington's economic competitiveness requires
10 increasing the supply of skilled workers in the state;

11 (3) Improving the labor market competitiveness of all Washington
12 residents requires that all residents have access to postsecondary
13 education; and

14 (4) Community and technical college workforce training programs and
15 Washington state apprenticeship and training council-approved
16 apprenticeship programs provide effective and efficient pathways for
17 people to enter high wage, high skill careers while also meeting the
18 needs of the economy.

1 **PART 1**

2 **OPPORTUNITY GRANT PROGRAM**

3 NEW SECTION. **Sec. 101.** A new section is added to chapter 28B.50
4 RCW to read as follows:

5 (1) The college board shall develop and implement a workforce
6 education program known as the opportunity grant program to provide
7 funding for students enrolled at qualified institutions of higher
8 education in opportunity grant-eligible programs of study as described
9 in section 201 of this act. Students enrolled in the opportunity grant
10 program are eligible for:

11 (a) Funding for tuition and mandatory fees at the public community
12 and technical college rate, prorated if the credit load is less than
13 full time, paid directly to the educational institution; and

14 (b) An additional one thousand dollars per academic year for books,
15 tools, and supplies, prorated if the credit load is less than full
16 time.

17 (2) Funding under subsection (1)(a) and (b) of this section is
18 limited to a maximum forty-five credits or the equivalent in an
19 opportunity grant-eligible program of study, including required related
20 courses. No student may receive opportunity grant funding for more
21 than forty-five credits or for more than three years from initial
22 receipt of grant funds in one or a combination of programs.

23 (3) Grants awarded under this section are subject to the
24 availability of amounts appropriated for this specific purpose.

25 NEW SECTION. **Sec. 102.** A new section is added to chapter 28B.50
26 RCW to read as follows:

27 (1) To be eligible for participation in the opportunity grant
28 program established in section 101 of this act, a student must:

29 (a) Be a Washington resident student as defined in RCW 28B.15.012
30 enrolled in an opportunity grant-eligible program of study; and

31 (b)(i) Be enrolled on or after January 1, 2008, but before January
32 1, 2010, have a family income that is at or below two hundred percent
33 of the federal poverty level using the most current guidelines
34 available from the United States department of health and human
35 services, and be determined to have financial need based on the free
36 application for federal student aid;

1 (ii) Be enrolled on or after January 1, 2010, but before January 1,
2 2012, and have a family income that is at or below the state median
3 family income using the state need grant schedule for the same academic
4 year; or

5 (iii) Be enrolled in a qualified institution of higher education on
6 or after January 1, 2012.

7 (2) Upon enrolling, the student must provide evidence of commitment
8 to complete the program. The student must make satisfactory progress
9 and maintain a cumulative 2.0 grade point average for continued
10 eligibility. If a student's cumulative grade point average falls below
11 2.0, the student may petition the institution of higher education of
12 attendance. The qualified institution of higher education has the
13 authority to establish a probationary period until such time as the
14 student's grade point average reaches required standards.

15 (3) Subject to funds appropriated for this specific purpose,
16 qualified institutions of higher education shall receive an enhancement
17 of one thousand five hundred dollars for each full-time equivalent
18 student enrolled in the opportunity grant program whose income is below
19 two hundred percent of the federal poverty level. The funds shall be
20 used for individualized support services which may include, but are not
21 limited to, college and career advising, tutoring, emergency child
22 care, and emergency transportation. The qualified institution of
23 higher education is expected to help students access all financial
24 resources and support services available to them through alternative
25 sources.

26 (4) The college board shall be accountable for student retention
27 and completion of opportunity grant-eligible programs of study. It
28 shall set annual performance measures and targets and monitor the
29 performance at all qualified institutions of higher education. The
30 college board must reduce funding at institutions of higher education
31 that do not meet targets for two consecutive years, based on criteria
32 developed by the college board.

33 (5) The college board and higher education coordinating board shall
34 work together to ensure that students participating in the opportunity
35 grant program:

36 (a) Receive all other state and federal financial aid to which they
37 are entitled while receiving an opportunity grant; and

1 (b) Receive priority for state and federal financial aid when
2 pursuing a subsequent related credential, certificate, or degree at a
3 two or four-year institution of higher education, after completing the
4 opportunity grant program.

5 (6) The college board and higher education coordinating board shall
6 document the amount of opportunity grant assistance and the types and
7 amounts of other sources of financial aid received by participating
8 students. Annually, they shall produce a summary of the data.

9 (7) The college board shall:

10 (a) Begin developing the program no later than August 1, 2007, with
11 student enrollment to begin no later than January 14, 2008; and

12 (b) Submit a progress report to the legislature by December 1,
13 2008.

14 (8) The college board may, in implementing the opportunity grant
15 program, accept, use, and expend or dispose of contributions of money,
16 services, and property. All such moneys received by the college board
17 for the program must be deposited in an account at a depository
18 approved by the state treasurer. Only the college board or a duly
19 authorized representative thereof may authorize expenditures from this
20 account. In order to maintain an effective expenditure and revenue
21 control, the account is subject in all respects to chapter 43.88 RCW,
22 but no appropriation is required to permit expenditure of moneys in the
23 account.

24 PART 2

25 OPPORTUNITY PARTNERSHIPS

26 NEW SECTION. **Sec. 201.** A new section is added to chapter 28B.50
27 RCW to read as follows:

28 The college board, in partnership with business, labor, and the
29 workforce training and education coordinating board, shall:

30 (1) Identify job specific training programs offered by qualified
31 postsecondary institutions that lead to a credential, certificate, or
32 degree in high demand occupations, which are occupations where data
33 show that employer demand for workers exceeds the supply of qualified
34 job applicants throughout the state or in a specific region, and where
35 training capacity is underutilized;

1 (2) Gain recognition of the credentials, certificates, and degrees
2 by Washington's employers and labor organizations. The college board
3 shall designate these recognized credentials, certificates, and degrees
4 as "opportunity grant-eligible programs of study"; and

5 (3) Market the credentials, certificates, and degrees to potential
6 students, businesses, and apprenticeship programs as a way for
7 individuals to advance in their careers and to better meet the needs of
8 industry.

9 NEW SECTION. **Sec. 202.** A new section is added to chapter 28B.50
10 RCW to read as follows:

11 (1) Community and technical colleges shall partner with local
12 workforce development councils to develop the opportunity partnership
13 program. The opportunity partnership program may be newly developed or
14 part of an existing program, and shall provide mentoring to students
15 participating in the opportunity grant program. The program must
16 develop criteria and identify opportunity grant students who would
17 benefit by having a mentor. Each participating student shall be
18 matched with a business or labor mentor employed in the field in which
19 the student is interested. The mentor shall help the student explore
20 careers and employment options through any combination of tours,
21 informational interviews, job shadowing, and internships.

22 (2) Subject to funds appropriated for this specific purpose, the
23 workforce training and education coordinating board shall create the
24 opportunity partnership program. The board, in partnership with
25 business, labor, and the college board, shall determine the criteria
26 for the distribution of funds.

27 (3) The board may, in implementing this section, accept, use, and
28 dispose of contributions of money, services, and property. All moneys
29 received by the board for the purposes of this section must be
30 deposited in a depository approved by the state treasurer. Only the
31 board or a duly authorized representative thereof may authorize
32 expenditures from this account. In order to maintain an effective
33 expenditure and revenue control, the account is subject in all respects
34 to chapter 43.88 RCW, but no appropriation is required to permit
35 expenditure of moneys in the account.

PART 3
MISCELLANEOUS

Sec. 301. RCW 28B.50.030 and 2005 c 258 s 8 are each amended to read as follows:

As used in this chapter, unless the context requires otherwise, the term:

(1) "System" shall mean the state system of community and technical colleges, which shall be a system of higher education.

(2) "Board" shall mean the work force training and education coordinating board.

(3) "College board" shall mean the state board for community and technical colleges created by this chapter.

(4) "Director" shall mean the administrative director for the state system of community and technical colleges.

(5) "District" shall mean any one of the community and technical college districts created by this chapter.

(6) "Board of trustees" shall mean the local community and technical college board of trustees established for each college district within the state.

(7) "Occupational education" shall mean that education or training that will prepare a student for employment that does not require a baccalaureate degree, and education and training leading to an applied baccalaureate degree.

(8) "K-12 system" shall mean the public school program including kindergarten through the twelfth grade.

(9) "Common school board" shall mean a public school district board of directors.

(10) "Community college" shall include those higher education institutions that conduct education programs under RCW 28B.50.020.

(11) "Technical college" shall include those higher education institutions with the sole mission of conducting occupational education, basic skills, literacy programs, and offering on short notice, when appropriate, programs that meet specific industry needs. The programs of technical colleges shall include, but not be limited to, continuous enrollment, competency-based instruction, industry-experienced faculty, curriculum integrating vocational and basic skills education, and curriculum approved by representatives of employers and labor. For purposes of this chapter, technical colleges shall include

1 Lake Washington Vocational-Technical Institute, Renton Vocational-
2 Technical Institute, Bates Vocational-Technical Institute, Clover Park
3 Vocational Institute, and Bellingham Vocational-Technical Institute.

4 (12) "Adult education" shall mean all education or instruction,
5 including academic, vocational education or training, basic skills and
6 literacy training, and "occupational education" provided by public
7 educational institutions, including common school districts for persons
8 who are eighteen years of age and over or who hold a high school
9 diploma or certificate. However, "adult education" shall not include
10 academic education or instruction for persons under twenty-one years of
11 age who do not hold a high school degree or diploma and who are
12 attending a public high school for the sole purpose of obtaining a high
13 school diploma or certificate, nor shall "adult education" include
14 education or instruction provided by any four year public institution
15 of higher education.

16 (13) "Dislocated forest product worker" shall mean a forest
17 products worker who: (a)(i) Has been terminated or received notice of
18 termination from employment and is unlikely to return to employment in
19 the individual's principal occupation or previous industry because of
20 a diminishing demand for his or her skills in that occupation or
21 industry; or (ii) is self-employed and has been displaced from his or
22 her business because of the diminishing demand for the business'
23 services or goods; and (b) at the time of last separation from
24 employment, resided in or was employed in a rural natural resources
25 impact area.

26 (14) "Forest products worker" shall mean a worker in the forest
27 products industries affected by the reduction of forest fiber
28 enhancement, transportation, or production. The workers included
29 within this definition shall be determined by the employment security
30 department, but shall include workers employed in the industries
31 assigned the major group standard industrial classification codes "24"
32 and "26" and the industries involved in the harvesting and management
33 of logs, transportation of logs and wood products, processing of wood
34 products, and the manufacturing and distribution of wood processing and
35 logging equipment. The commissioner may adopt rules further
36 interpreting these definitions. For the purposes of this subsection,
37 "standard industrial classification code" means the code identified in
38 RCW 50.29.025(3).

1 (15) "Dislocated salmon fishing worker" means a finfish products
2 worker who: (a)(i) Has been terminated or received notice of
3 termination from employment and is unlikely to return to employment in
4 the individual's principal occupation or previous industry because of
5 a diminishing demand for his or her skills in that occupation or
6 industry; or (ii) is self-employed and has been displaced from his or
7 her business because of the diminishing demand for the business's
8 services or goods; and (b) at the time of last separation from
9 employment, resided in or was employed in a rural natural resources
10 impact area.

11 (16) "Salmon fishing worker" means a worker in the finfish industry
12 affected by 1994 or future salmon disasters. The workers included
13 within this definition shall be determined by the employment security
14 department, but shall include workers employed in the industries
15 involved in the commercial and recreational harvesting of finfish
16 including buying and processing finfish. The commissioner may adopt
17 rules further interpreting these definitions.

18 (17) "Rural natural resources impact area" means:

19 (a) A nonmetropolitan county, as defined by the 1990 decennial
20 census, that meets three of the five criteria set forth in subsection
21 (18) of this section;

22 (b) A nonmetropolitan county with a population of less than forty
23 thousand in the 1990 decennial census, that meets two of the five
24 criteria as set forth in subsection (18) of this section; or

25 (c) A nonurbanized area, as defined by the 1990 decennial census,
26 that is located in a metropolitan county that meets three of the five
27 criteria set forth in subsection (18) of this section.

28 (18) For the purposes of designating rural natural resources impact
29 areas, the following criteria shall be considered:

30 (a) A lumber and wood products employment location quotient at or
31 above the state average;

32 (b) A commercial salmon fishing employment location quotient at or
33 above the state average;

34 (c) Projected or actual direct lumber and wood products job losses
35 of one hundred positions or more;

36 (d) Projected or actual direct commercial salmon fishing job losses
37 of one hundred positions or more; and

1 (e) An unemployment rate twenty percent or more above the state
2 average. The counties that meet these criteria shall be determined by
3 the employment security department for the most recent year for which
4 data is available. For the purposes of administration of programs
5 under this chapter, the United States post office five-digit zip code
6 delivery areas will be used to determine residence status for
7 eligibility purposes. For the purpose of this definition, a zip code
8 delivery area of which any part is ten miles or more from an urbanized
9 area is considered nonurbanized. A zip code totally surrounded by zip
10 codes qualifying as nonurbanized under this definition is also
11 considered nonurbanized. The office of financial management shall make
12 available a zip code listing of the areas to all agencies and
13 organizations providing services under this chapter.

14 (19) "Applied baccalaureate degree" means a baccalaureate degree
15 awarded by a college under RCW 28B.50.810 for successful completion of
16 a program of study that is:

17 (a) Specifically designed for individuals who hold an associate of
18 applied science degree, or its equivalent, in order to maximize
19 application of their technical course credits toward the baccalaureate
20 degree; and

21 (b) Based on a curriculum that incorporates both theoretical and
22 applied knowledge and skills in a specific technical field.

23 (20) "Qualified institutions of higher education" means:

24 (a) Washington public community and technical colleges;

25 (b) Private career schools that are members of an accrediting
26 association recognized by rule of the higher education coordinating
27 board for the purposes of chapter 28B.92 RCW; and

28 (c) Washington state apprenticeship and training council-approved
29 apprenticeship programs.

30 NEW SECTION. Sec. 302. Part headings used in this act are not any
31 part of the law.

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