

E2SSB 5194 - H COMM AMD

By Committee on College & Workforce Development

ADOPTED 04/09/2021

1 Strike everything after the enacting clause and insert the
2 following:

3 "NEW SECTION. **Sec. 1.** INTENT. The legislature recognizes that
4 student completion rates for workforce training certification and
5 degree programs at community and technical colleges are far lower
6 than desirable to ensure that students may utilize the opportunities
7 of postsecondary education to lift themselves and their families out
8 of poverty and to meet our state's student achievement council road
9 map goals, including for 70 percent of Washington residents to have a
10 postsecondary certification or degree to meet workforce needs. The
11 legislature recognizes that first-generation college-attending
12 students, students with disabilities, and underrepresented minority
13 students face far greater obstacles to apply, remain in school, and
14 complete programs. This disparate impact greatly affects our state's
15 commitment to equity.

16 The legislature recognizes that offering tuition financial
17 support to first-generation and underrepresented minority students is
18 necessary for students to enroll and attend college but must also be
19 accompanied by proven supports for them to complete their degrees or
20 workforce training programs.

21 The legislature recognizes that there are mentorship and advising
22 programs based on strong evidence that have been proven to be
23 successful in greatly increasing retention and degree or workforce
24 training completion rates for first-generation students,
25 underrepresented minority students, students with disabilities, and
26 for all students at community and technical colleges. It is the
27 legislature's intent that successful programs such as guided pathways
28 be implemented at all community and technical colleges with the goal
29 of doubling completion rates (as measured by completion in six years)
30 for students in the next eight years. To accomplish this goal, the
31 legislature intends to achieve full implementation of research-based
32 programs to improve student outcomes, such as guided pathways. The

1 legislature affirms that all students receiving Washington college
2 grants, college bound scholarships, or federal Pell grants should
3 receive the supports, including mentoring, that have been proven to
4 increase completion rates.

5 The legislature further finds that research establishes that
6 students from underrepresented minorities are far more likely to
7 complete degrees or workforce training certification programs if the
8 faculty and staff of the college reflect the diversity of the student
9 body. Therefore, the legislature intends for the state's community
10 and technical colleges to develop and implement plans to increase
11 faculty and staff diversity.

12 NEW SECTION. **Sec. 2.** FINDINGS. The legislature finds that there
13 is a need to expand investments in community and technical colleges
14 for the purpose of guaranteeing both equitable access and educational
15 success for all residents of the state, particularly for students
16 from communities of color and low-income communities. The legislature
17 finds further that equality of opportunity for all students requires
18 investments to support services that are critical to: The success of
19 students of color and low-income students; provide systemwide equity
20 initiatives intended to make community and technical college campuses
21 welcoming, benevolent places; overcome the digital divide for all
22 students; and provide qualified and available counseling throughout
23 the community and technical college system. The legislature also
24 finds that a more full-time, stable, fairly compensated, and diverse
25 community and technical college faculty is necessary to enhance
26 student success and to improve the mentoring available for a diverse
27 student body. The legislature also finds that resources for student
28 aid and workforce investment need to be adequate to meet the needs of
29 all students in the state, particularly those from families of color
30 and low-income families.

31 NEW SECTION. **Sec. 3.** DIVERSITY, EQUITY, AND INCLUSION STRATEGIC
32 PLAN. (1) Beginning July 30, 2022, all community and technical
33 colleges must submit, on a biennial basis, strategic plans to the
34 state board for community and technical colleges for achieving
35 diversity, equity, and inclusion of all races on their campuses.

36 (2) Colleges must create their strategic plans using an inclusive
37 process of stakeholders including, but not limited to, classified
38 staff, faculty, administrative exempt staff, students, and community

1 organizations. Colleges are encouraged to use campus climate surveys
2 to develop and update strategic plans for diversity, equity, and
3 inclusion of all races.

4 (3) In addition to planning, each community and technical college
5 shall include in its diversity program opportunities for students
6 from historically marginalized communities to form student-based
7 organizations, and to use community-based organizations, that permit
8 students to work together to mentor and assist one another in
9 navigating the educational system and to access trained mentors using
10 evidence-based mentoring strategies.

11 (4) Each community and technical college shall establish a
12 culturally appropriate outreach program. The outreach program may
13 include communities of color, students with disabilities,
14 neurodiverse communities, and low-income communities and be designed
15 to assist potential students to understand the opportunities
16 available in the community and technical college system. The outreach
17 program may assist students with navigating the student aid system.
18 Outreach programs may include partnerships with appropriate
19 community-based organizations and use research and supports from the
20 student achievement council.

21 (5) The state board for community and technical colleges shall
22 develop a model faculty diversity program designed to provide for the
23 retention and recruitment of faculty from all racial, ethnic, and
24 cultural backgrounds. The faculty diversity program must be based on
25 proven practices in diversity hiring processes.

26 (6) Each community and technical college shall conspicuously post
27 on its website and include in the strategic plans, programs, and
28 reports definitions for key terms including: Diversity, equity,
29 inclusion, culturally competent, culturally appropriate, historically
30 marginalized communities, communities of color, low-income
31 communities, and community organizations.

32 NEW SECTION. **Sec. 4.** STUDENT SUCCESS SUPPORT PROGRAMS AND
33 GUIDED PATHWAYS IMPLEMENTATION. (1) Subject to availability of
34 amounts appropriated for this specific purpose, each community and
35 technical college shall fully implement guided pathways. At a
36 minimum, guided pathways implementation must include:

37 (a) Comprehensive mapping of student educational pathways with
38 student end goals in mind. These must include transparent and clear
39 career paths that are tightly aligned to the skills sought by

1 employers. Pathways must align course sequences to show clear paths
2 for students, alignment with K-12 and university curriculum, and
3 skill sets needed to enter the workforce;

4 (b) Dedicated advising and career counseling that helps students
5 make informed program choices and develop completion plans. Advising
6 services may include processes that help students explore possible
7 career and educational choices while also emphasizing early planning.
8 Advising must be culturally competent and with an emphasis on helping
9 historically underserved, low-income, and students of color navigate
10 their education;

11 (c) Data analysis of student learning as well as program and
12 service outcomes. Data must be used to inform program development,
13 the creation and further refinement of student pathways, and to
14 provide opportunities for early intervention to help students
15 succeed; and

16 (d) A student success support infrastructure using programs that
17 the state board for community and technical colleges finds have been
18 effective in closing equity gaps among historically underserved
19 student populations and improve student completion rates. The student
20 success support program must be based on research or documented
21 evidence of success. In tandem with guided pathways implementation,
22 student success support programs may include evidence-based elements
23 such as:

24 (i) Equity competent academic advising services;

25 (ii) Equity competent career development programming;

26 (iii) Clear information regarding financial aid and financial
27 literacy; and

28 (iv) Inclusive curriculum and teaching practices.

29 (2) Each community and technical college shall post on its
30 website and include in the guided pathways program documentation and
31 reports definitions for key terms including: Diversity, equity,
32 inclusion, culturally competent, culturally appropriate, historically
33 marginalized communities, communities of color, low-income
34 communities, and community organizations.

35 (3) (a) The Washington state institute for public policy, in
36 consultation with the workforce education investment accountability
37 and oversight board under RCW 28C.18.200, shall complete an
38 evaluation of the guided pathways model. To the extent possible, the
39 institute shall complete a preliminary report that evaluates the
40 effect of the guided pathways model on early student outcomes

1 including, but not limited to, student retention and persistence,
2 college level English and math within the first year, and graduation
3 and transfer rates. The preliminary report must review the
4 implementation of the guided pathways model in Washington and any
5 available evidence of the effectiveness of the guided pathways model.
6 The preliminary report must be submitted by December 15, 2023.

7 (b) The Washington state institute for public policy shall
8 complete a final report that evaluates the effect of the guided
9 pathways on longer-term student outcomes including, but not limited
10 to, degree completion, time to degree, transfer to four-year
11 institutions, employment, and earnings, to the extent possible. The
12 final report must be submitted by December 15, 2029.

13 (c) Both the preliminary and final reports must consider
14 differences in outcomes by racial and ethnic subgroups and
15 socioeconomic status.

16 NEW SECTION. **Sec. 5.** TENURE-TRACK FACULTY. (1) The legislature
17 recognizes that student outcomes and success, especially for first
18 generation, underserved students, may be significantly improved by
19 increasing the number of full-time faculty at community and technical
20 colleges.

21 (a) The legislature's goal is that community and technical
22 colleges increase the numbers of full-time tenured positions by
23 adding 200 new full-time tenure-track positions in the 2021-2023
24 fiscal biennium.

25 (b) This goal is best accomplished through converting part-time
26 faculty positions to full-time tenure-track positions and by hiring
27 new full-time faculty through processes identified in each college's
28 diversity, equity, and inclusion of all races strategic plan
29 described in section 3 of this act. If specific funding for the
30 purpose of conversion assignments proposed in this section is not
31 provided in the omnibus appropriations act, the conversion
32 assignments proposed must be delayed until such time as specific
33 funding is provided.

34 (c) The college board must collect data and assess the impact of
35 the 200 additional full-time tenure-track faculty on student
36 completion rates. The college board must convene representatives of
37 faculty, staff, and administration to report on outcomes as a result
38 of increasing full-time tenure-track faculty. In consultation with
39 representatives of faculty, staff, and administration, the college

1 board must make recommendations about future steps to increase full-
2 time tenure-track faculty that incorporate faculty diversity and
3 historically underserved communities. The college board must report
4 the results of its assessment, along with next step recommendations,
5 to the legislature by December 15, 2023. The college board shall
6 conspicuously post on its website and include in the report
7 definitions for key terms including: Diversity, equity, inclusion,
8 culturally competent, culturally appropriate, historically
9 marginalized communities, communities of color, low-income
10 communities, and community organizations.

11 (2) This section expires July 1, 2024.

12 NEW SECTION. **Sec. 6.** MENTAL HEALTH COUNSELOR PILOT PROGRAM. (1)
13 Subject to the availability of amounts appropriated for this specific
14 purpose, the college board shall administer a pilot program to
15 increase student access to mental health counseling and services.

16 (2) The college board, in collaboration with the selection
17 committee, shall select community or technical colleges to
18 participate in the pilot program. At least half of the participating
19 colleges must be located outside of the Puget Sound area. For
20 purposes of this section, "Puget Sound area" means Snohomish, King,
21 Pierce, and Thurston counties. Each participating college must
22 receive a grant to implement one or more strategies to increase
23 student access to mental health counseling and services, including
24 substance use disorder counseling and services.

25 (3)(a) A selection committee consisting of the following shall
26 assist with the application selection process:

27 (i) One community or technical college president;

28 (ii) One community or technical college vice president for
29 student services or student instruction;

30 (iii) Two faculty counselors employed at a community or technical
31 college; and

32 (iv) One community or technical college student.

33 (b) The selection committee may consult with representatives of
34 an entity within a college or university that has expertise in
35 suicide prevention and the department of health in developing
36 selection criteria.

37 (4) Community and technical colleges wishing to participate in
38 the pilot program shall apply to the college board. Applicants must
39 identify opportunities for expanding on-campus mental health

1 counseling and services. Applicants must also show a commitment to
2 further develop partnerships by engaging external community
3 providers, including those who provide crisis services and substance
4 use disorder treatment and counseling. Applications that demonstrate
5 plans to include one or more of the following strategies recommended
6 by the community and technical college counselors task force must be
7 prioritized:

8 (a) Improve equity, diversity, and inclusion of all races in
9 counseling services, such as by diversifying the counselor workforce
10 by adopting equity-centered recruiting, training, and retention
11 practices or by providing equity training and awareness for all
12 counselors;

13 (b) Meet mental health needs of students through an all-campus
14 effort;

15 (c) Engage students to help increase mental health and counseling
16 awareness and promote help-seeking behavior through student groups
17 and other methods;

18 (d) Increase the visibility of counseling services on campus;

19 (e) Increase or expand external partnerships with community
20 service providers;

21 (f) Adopt the use of telebehavioral health, especially in under
22 resourced communities;

23 (g) Develop an assessment of counseling services to inform
24 improvements and ensure counseling services are meeting student
25 needs; or

26 (h) Implement counseling approaches grounded in theory that have
27 evidence of being effective.

28 (5) Colleges selected to participate in the pilot program that
29 use grant funding to hire additional mental health counselors must
30 hire counselors who have specific graduate-level training for meeting
31 the mental and behavioral health needs of students.

32 (6) Colleges selected to participate in the pilot program shall
33 submit a joint report to the appropriate committees of the
34 legislature and in accordance with RCW 43.01.036 by November 1, 2023.
35 The report must include:

36 (a) Information on which colleges were selected for the pilot
37 program, how much grant funding was received per college, and what
38 strategies each implemented to increase student access to mental
39 health counseling and services;

1 (b) Demographic data of students accessing mental health
2 counseling and services, including those students who are considered
3 underrepresented or traditionally have limited access to mental
4 health counseling and services;

5 (c) Whether the mental health counseling and services provided
6 are meeting the demand of students in terms of type and availability,
7 and whether the various types of mental health counseling and
8 services are being provided by community providers versus on-campus
9 services;

10 (d) Information and data on the effectiveness, including cost-
11 effectiveness, of each strategy used to increase student access to
12 mental health counseling and services, including substance use
13 disorder counseling and services, such as the number of additional
14 students served, reduced wait times for counseling appointments, or
15 other data that reflects expanded access; and

16 (e) Lessons learned and recommendations for improving student
17 access to mental health counseling and services at community and
18 technical colleges and to community providers, including whether
19 there were any strategies implemented that proved more effective than
20 others in increasing access.

21 (7) Colleges selected for the pilot program shall conspicuously
22 post on their websites and include in the report to the legislature
23 the definitions for key terms including: Diversity, equity,
24 inclusion, culturally competent, culturally appropriate, historically
25 marginalized communities, communities of color, low-income
26 communities, and community organizations.

27 (8) The pilot program expires July 1, 2025.

28 (9) This section expires January 1, 2026.

29 NEW SECTION. **Sec. 7.** MINIMUM COUNSELOR STANDARDS. (1) It is the
30 intent of the legislature to provide clear minimum standards to
31 ensure qualified faculty counselors while also providing flexibility
32 to allow for differences in criteria required by hiring institutions.
33 Within existing resources, and beginning September 1, 2021, the
34 college board shall adopt rules regarding the minimum hiring
35 standards for a faculty counselor. At a minimum, these must include:

36 (a) A graduate or professional degree in a related field;

37 (b) Completion of appropriate graduate coursework; and

38 (c) Standards established by the state board for community and
39 technical colleges.

1 (2) The requirements and standards imposed through this section
2 do not apply to an individual employed by a college district as a
3 counselor before September 1, 2021. Counselors who began employment
4 at one college district prior to September 1, 2021, and moved
5 employment to a different college district after that date may carry
6 the exemptions from the requirements and standards imposed through
7 this section to their new place of employment.

8 **Sec. 8.** RCW 28B.96.010 and 2020 c 326 s 2 are each amended to
9 read as follows:

10 The definitions in this section apply throughout this chapter
11 unless the context clearly requires otherwise.

12 (1) "Eligible student" means a student who:

13 (a) Is a resident student;

14 (b) Demonstrates financial need as defined in RCW 28B.92.030;

15 (c) Has indicated they will attend an institution of higher
16 education or is making satisfactory progress in a program, as defined
17 in rule by the office, at an institution of higher education;

18 (d) Fills out the Washington application for state financial aid;

19 and

20 (e) Does not qualify for federally funded student financial aid
21 because of their citizenship status.

22 (2) "Institution of higher education" has the same meaning as in
23 RCW 28B.92.030.

24 (3) "Office" means the office of student financial assistance
25 created in RCW 28B.76.090.

26 (4) "Participant" means an eligible student who has received an
27 undocumented student support loan.

28 (5) "Resident student" means:

29 (a) A financially independent student who has had a domicile in
30 the state of Washington for the period of one year immediately prior
31 to the time of commencement of the first day of the semester or
32 quarter for which the student has registered at any institution and
33 has in fact established a bona fide domicile in this state primarily
34 for purposes other than educational;

35 (b) A dependent student, if one or both of the student's parents
36 or legal guardians have maintained a bona fide domicile in the state
37 of Washington for at least one year immediately prior to commencement
38 of the semester or quarter for which the student has registered at
39 any institution;

1 (c) Any student:
2 (i) Who has spent at least seventy-five percent of both his or
3 her junior and senior years in high schools in this state;
4 (ii) Whose parents or legal guardians have been domiciled in the
5 state for a period of at least one year within the five-year period
6 before the student graduates from high school; and
7 (iii) Who enrolls in a public institution of higher education
8 within six months of leaving high school, for as long as the student
9 remains continuously enrolled for three quarters or two semesters in
10 any calendar year; or
11 (d) Any person(~~+~~
12 ~~(i) Who has completed the full senior year of high school and~~
13 ~~obtained a high school diploma, both at a Washington public high~~
14 ~~school or private high school approved under chapter 28A.195 RCW, or~~
15 ~~a person who has received the equivalent of a diploma;~~
16 ~~(ii) Who has lived in Washington for at least three years~~
17 ~~immediately prior to receiving the diploma or its equivalent;~~
18 ~~(iii) Who has continuously lived in the state of Washington after~~
19 ~~receiving the diploma or its equivalent and until such time as the~~
20 ~~individual is admitted to an institution of higher education; and~~
21 ~~(iv) Who provides to the institution an affidavit indicating that~~
22 ~~the individual will file an application to become a permanent~~
23 ~~resident at the earliest opportunity the individual is eligible to do~~
24 ~~so and a willingness to engage in any other activities necessary to~~
25 ~~acquire citizenship, including but not limited to citizenship or~~
26 ~~civics review courses)) who meets the requirements under RCW
27 28B.15.012(2)(e).~~

28 **Sec. 9.** RCW 28B.15.012 and 2020 c 232 s 1 are each amended to
29 read as follows:

30 Whenever used in this chapter:

31 (1) The term "institution" shall mean a public university,
32 college, or community or technical college within the state of
33 Washington.

34 (2) The term "resident student" shall mean:

35 (a) A financially independent student who has had a domicile in
36 the state of Washington for the period of one year immediately prior
37 to the time of commencement of the first day of the semester or
38 quarter for which the student has registered at any institution and

1 has in fact established a bona fide domicile in this state primarily
2 for purposes other than educational;

3 (b) A dependent student, if one or both of the student's parents
4 or legal guardians have maintained a bona fide domicile in the state
5 of Washington for at least one year immediately prior to commencement
6 of the semester or quarter for which the student has registered at
7 any institution;

8 (c) A student classified as a resident based upon domicile by an
9 institution on or before May 31, 1982, who was enrolled at a state
10 institution during any term of the 1982-1983 academic year, so long
11 as such student's enrollment (excepting summer sessions) at an
12 institution in this state is continuous;

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

21 (e) Any person who has completed (~~the full senior year of high~~
22 ~~school~~) and obtained a high school diploma, (~~both at a Washington~~
23 ~~public high school or private high school approved under chapter~~
24 ~~28A.195 RCW,~~) or a person who has received the equivalent of a
25 diploma; (~~who has lived in Washington for at least three years~~
26 ~~immediately prior to receiving the diploma or its equivalent;~~) who
27 has continuously lived in the state of Washington (~~after receiving~~
28 ~~the diploma or its equivalent and until such time as~~) for at least a
29 year before the individual is admitted to an institution of higher
30 education under subsection (1) of this section; and who provides to
31 the institution an affidavit indicating that the individual will file
32 an application to become a permanent resident at the earliest
33 opportunity the individual is eligible to do so and a willingness to
34 engage in any other activities necessary to acquire citizenship,
35 including but not limited to citizenship or civics review courses;

36 (f) Any person who has lived in Washington, primarily for
37 purposes other than educational, for at least one year immediately
38 before the date on which the person has enrolled in an institution,
39 and who holds lawful nonimmigrant status pursuant to 8 U.S.C. Sec.
40 (a)(15) (E)(iii), (H)(i), or (L), or who holds lawful nonimmigrant

1 status as the spouse or child of a person having nonimmigrant status
2 under one of those subsections, or who, holding or having previously
3 held such lawful nonimmigrant status as a principal or derivative,
4 has filed an application for adjustment of status pursuant to 8
5 U.S.C. Sec. 1255(a);

6 (g) A student who is on active military duty stationed in the
7 state or who is a member of the Washington national guard;

8 (h) A student who is on active military duty or a member of the
9 Washington national guard who meets the following conditions:

10 (i) Entered service as a Washington resident;

11 (ii) Has maintained a Washington domicile; and

12 (iii) Is stationed out-of-state;

13 (i) A student who is the spouse or a dependent of a person
14 defined in (g) of this subsection. If the person defined in (g) of
15 this subsection is reassigned out-of-state, the student maintains the
16 status as a resident student so long as the student is either:

17 (i) Admitted to an institution before the reassignment and
18 enrolls in that institution for the term the student was admitted; or

19 (ii) Enrolled in an institution and remains continuously enrolled
20 at the institution;

21 (j) A student who is the spouse or a dependent of a person
22 defined in (h) of this subsection;

23 (k) A student who is eligible or entitled to transferred federal
24 post-9/11 veterans educational assistance act of 2008 (38 U.S.C. Sec.
25 3301 et seq.) benefits based on the student's relationship as a
26 spouse, former spouse, or child to an individual who is on active
27 duty in the uniformed services;

28 (l) A student who resides in the state of Washington and is the
29 spouse or a dependent of a person who is a member of the Washington
30 national guard;

31 (m) A student who has separated from the uniformed services with
32 any period of honorable service after at least ninety days of active
33 duty service; is eligible for educational assistance benefits under
34 Title 38 U.S.C.; and enters an institution of higher education in
35 Washington within three years of the date of separation;

36 (n) A student who is on terminal, transition, or separation leave
37 pending separation, or release from active duty, from the uniformed
38 services with any period of honorable service after at least ninety
39 days of active duty service and is eligible for educational
40 assistance benefits under Title 38 U.S.C.;

1 (o) A student who is entitled to veterans administration
2 educational assistance benefits based on the student's relationship
3 as a spouse, former spouse, or child to an individual who has
4 separated from the uniformed services with any period of honorable
5 service after at least ninety days of active duty service, and who
6 enters an institution of higher education in Washington within three
7 years of the service member's date of separation;

8 (p) A student who is the spouse or child to an individual who has
9 separated from the uniformed services with at least ten years of
10 honorable service and at least ninety days of active duty service,
11 and who enters an institution of higher education in Washington
12 within three years of the service member's date of separation;

13 (q) A student who has separated from the uniformed services who
14 was discharged due to the student's sexual orientation or gender
15 identity or expression;

16 (r) A student who is entitled to veterans administration
17 educational assistance benefits based on the student's relationship
18 with a deceased member of the uniformed services who died in the line
19 of duty;

20 (s) A student who is entitled to federal vocational
21 rehabilitation and employment services for veterans with service-
22 connected disabilities under 38 U.S.C. Sec. 3102(a);

23 (t) A student who is defined as a covered individual in 38 U.S.C.
24 Sec. 3679(c)(2) as it existed on July 28, 2019, or such subsequent
25 date as the student achievement council may determine by rule;

26 (u) A student of an out-of-state institution of higher education
27 who is attending a Washington state institution of higher education
28 pursuant to a home tuition agreement as described in RCW 28B.15.725;

29 (v) A student who meets the requirements of RCW 28B.15.0131 or
30 28B.15.0139: PROVIDED, That a nonresident student enrolled for more
31 than six hours per semester or quarter shall be considered as
32 attending for primarily educational purposes, and for tuition and fee
33 paying purposes only such period of enrollment shall not be counted
34 toward the establishment of a bona fide domicile of one year in this
35 state unless such student proves that the student has in fact
36 established a bona fide domicile in this state primarily for purposes
37 other than educational;

38 (w) A student who resides in Washington and is on active military
39 duty stationed in the Oregon counties of Columbia, Gilliam, Hood

1 River, Multnomah, Clatsop, Clackamas, Morrow, Sherman, Umatilla,
2 Union, Wallowa, Wasco, or Washington; or

3 (x) A student who resides in Washington and is the spouse or a
4 dependent of a person defined in (w) of this subsection. If the
5 person defined in (w) of this subsection moves from Washington or is
6 reassigned out of the Oregon counties of Columbia, Gilliam, Hood
7 River, Multnomah, Clatsop, Clackamas, Morrow, Sherman, Umatilla,
8 Union, Wallowa, Wasco, or Washington, the student maintains the
9 status as a resident student so long as the student resides in
10 Washington and is either:

11 (i) Admitted to an institution before the reassignment and
12 enrolls in that institution for the term the student was admitted; or

13 (ii) Enrolled in an institution and remains continuously enrolled
14 at the institution.

15 (3)(a) A student who qualifies under subsection (2)(k), (m), (n),
16 (o), (p), (q), (r), (s), or (t) of this section and who remains
17 continuously enrolled at an institution of higher education shall
18 retain resident student status.

19 (b) Nothing in subsection (2)(k), (m), (n), (o), (p), (q), (r),
20 (s), or (t) of this section applies to students who have a
21 dishonorable discharge from the uniformed services, or to students
22 who are the spouse or child of an individual who has had a
23 dishonorable discharge from the uniformed services, unless the
24 student is receiving veterans administration educational assistance
25 benefits.

26 (4) The term "nonresident student" shall mean any student who
27 does not qualify as a "resident student" under the provisions of this
28 section and RCW 28B.15.013. Except for students qualifying under
29 subsection (2)(e) or (u) of this section, a nonresident student shall
30 include:

31 (a) A student attending an institution with the aid of financial
32 assistance provided by another state or governmental unit or agency
33 thereof, such nonresidency continuing for one year after the
34 completion of such semester or quarter. This condition shall not
35 apply to students from Columbia, Multnomah, Clatsop, Clackamas, or
36 Washington county, Oregon participating in the border county pilot
37 project under RCW 28B.76.685, 28B.76.690, and 28B.15.0139.

38 (b) A person who is not a citizen of the United States of
39 America, unless the person meets and complies with all applicable

1 requirements in this section and RCW 28B.15.013 and is one of the
2 following:

3 (i) A lawful permanent resident;

4 (ii) A temporary resident;

5 (iii) A person who holds "refugee-parolee," "conditional
6 entrant," or U or T nonimmigrant status with the United States
7 citizenship and immigration services;

8 (iv) A person who has been issued an employment authorization
9 document by the United States citizenship and immigration services
10 that is valid as of the date the person's residency status is
11 determined;

12 (v) A person who has been granted deferred action for childhood
13 arrival status before, on, or after June 7, 2018, regardless of
14 whether the person is no longer or will no longer be granted deferred
15 action for childhood arrival status due to the termination,
16 suspension, or modification of the deferred action for childhood
17 arrival program; or

18 (vi) A person who is otherwise permanently residing in the United
19 States under color of law, including deferred action status.

20 (5) The term "domicile" shall denote a person's true, fixed and
21 permanent home and place of habitation. It is the place where the
22 student intends to remain, and to which the student expects to return
23 when the student leaves without intending to establish a new domicile
24 elsewhere. The burden of proof that a student, parent or guardian has
25 established a domicile in the state of Washington primarily for
26 purposes other than educational lies with the student.

27 (6) The term "dependent" shall mean a person who is not
28 financially independent. Factors to be considered in determining
29 whether a person is financially independent shall be set forth in
30 rules adopted by the student achievement council and shall include,
31 but not be limited to, the state and federal income tax returns of
32 the person and/or the student's parents or legal guardian filed for
33 the calendar year prior to the year in which application is made and
34 such other evidence as the council may require.

35 (7) The term "active military duty" means the person is serving
36 on active duty in:

37 (a) The armed forces of the United States government; or

38 (b) The Washington national guard; or

1 (c) The coast guard, merchant mariners, or other nonmilitary
2 organization when such service is recognized by the United States
3 government as equivalent to service in the armed forces.

4 (8) The term "active duty service" means full-time duty, other
5 than active duty for training, as a member of the uniformed services
6 of the United States. Active duty service as a national guard member
7 under Title 32 U.S.C. for the purpose of organizing, administering,
8 recruiting, instructing, or training and active service under 32
9 U.S.C. Sec. 502(f) for the purpose of responding to a national
10 emergency is recognized as active duty service.

11 (9) The term "uniformed services" is defined by Title 10 U.S.C.;
12 subsequently structured and organized by Titles 14, 33, and 42
13 U.S.C.; consisting of the United States army, United States marine
14 corps, United States navy, United States air force, United States
15 coast guard, United States public health service commissioned corps,
16 and the national oceanic and atmospheric administration commissioned
17 officer corps.

18 NEW SECTION. **Sec. 10.** Sections 1 through 7 of this act are each
19 added to chapter 28B.50 RCW.

20 NEW SECTION. **Sec. 11.** This act may be known and cited as the
21 our colleges our future act of 2021."

22 Correct the title.

EFFECT: (1) Changes the requirement for the community and
technical colleges to fully implement the Guided Pathways program at
each college from "within existing resources" to "subject to
appropriation."

(2) Requires that the student success programs implemented by the
colleges as a part of Guided Pathways must be based on research or
documented evidence of success only, rather than basing the evidence
of success to institutions with comparable student populations.

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