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**SENATE BILL 5205**

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**State of Washington**

**69th Legislature**

**2025 Regular Session**

**By** Senators Conway, Nobles, and Wellman

Prefiled 01/09/25. Read first time 01/13/25. Referred to Committee on Higher Education & Workforce Development.

1 AN ACT Relating to Washington college grant award amounts;  
2 amending RCW 28B.92.030; and adding new sections to chapter 28B.92  
3 RCW.

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

5 **Sec. 1.** RCW 28B.92.030 and 2022 c 166 s 1 are each amended to  
6 read as follows:

7 The definitions in this section apply throughout this chapter  
8 unless the context clearly requires otherwise.

9 (1) "Council" means the student achievement council.

10 (2) "Financial aid" means either loans, grants, or both, to  
11 students who demonstrate financial need enrolled or accepted for  
12 enrollment as a student at institutions of higher education.

13 (3) "Financial need" means a demonstrated financial inability to  
14 bear the total cost of education as directed in rule by the office.

15 (4) "Institution" or "institutions of higher education" means:

16 (a) Any public university, college, community college, or  
17 technical college operated by the state of Washington or any  
18 political subdivision thereof; or

19 (b) Any other university, college, school, or institute in the  
20 state of Washington offering instruction beyond the high school level  
21 that is a member institution of an accrediting association recognized

1 by rule of the council for the purposes of this section and that  
2 agrees to and complies with program rules adopted pursuant to RCW  
3 28B.92.150. However, any institution, branch, extension or facility  
4 operating within the state of Washington that is affiliated with an  
5 institution operating in another state must be:

6 (i) A separately accredited member institution of any such  
7 accrediting association;

8 (ii) A branch of a member institution of an accrediting  
9 association recognized by rule of the council for purposes of this  
10 section, that is eligible for federal student financial aid  
11 assistance and has operated as a nonprofit college or university  
12 delivering on-site classroom instruction for a minimum of (~~twenty~~)  
13 20 consecutive years within the state of Washington, and has an  
14 annual enrollment of at least (~~seven hundred~~) 700 full-time  
15 equivalent students;

16 (iii) A nonprofit institution recognized by the state of  
17 Washington as provided in RCW 28B.77.240; or

18 (iv) An approved apprenticeship program under chapter 49.04 RCW.

19 (5) "Maximum Washington college grant":

20 (a) For students attending two or four-year institutions of  
21 higher education as defined in RCW 28B.10.016 that have signed the  
22 affidavit as provided for under section 2 of this act and are not  
23 subject to a prefinding settlement or a final court order under  
24 section 3 of this act, is tuition and estimated fees for (~~fifteen~~)  
25 15 quarter credit hours or the equivalent, as determined by the  
26 office, including operating fees, building fees, and services and  
27 activities fees.

28 (b) For students attending private four-year not-for-profit  
29 institutions of higher education in Washington that have signed the  
30 affidavit as provided for under section 2 of this act and are not  
31 subject to a prefinding settlement or a final court order under  
32 section 3 of this act, (~~in the 2019-20 academic year, is nine~~  
33 ~~thousand seven hundred thirty-nine dollars and may~~) is \$9,739 and  
34 must increase each year (~~afterwards~~) beginning in the 2025-26  
35 academic year by no more than the tuition growth factor.

36 (c) For students attending two-year private not-for-profit  
37 institutions of higher education in Washington that have signed the  
38 affidavit as provided for under section 2 of this act and are not  
39 subject to a prefinding settlement or a final court order under  
40 section 3 of this act, (~~in the 2019-20 academic year, is three~~

1 ~~thousand six hundred ninety-four dollars and may))~~ is \$3,694 and must  
2 increase each year ((afterwards)) beginning in the 2025-26 academic  
3 year by no more than the tuition growth factor.

4 (d) For students attending four-year private for-profit  
5 institutions of higher education in Washington that have signed the  
6 affidavit as provided for under section 2 of this act and are not  
7 subject to a prefinding settlement or a final court order under  
8 section 3 of this act, ((in the 2019-20 academic year, is eight  
9 thousand five hundred seventeen dollars and may)) is \$8,517 and must  
10 increase each year ((afterwards)) beginning in the 2025-26 academic  
11 year by no more than the tuition growth factor.

12 (e) For students attending two-year private for-profit  
13 institutions of higher education in Washington that have signed the  
14 affidavit as provided for under section 2 of this act and are not  
15 subject to a prefinding settlement or a final court order under  
16 section 3 of this act, ((in the 2019-20 academic year, is two  
17 thousand eight hundred twenty-three dollars and may)) is \$2,823 and  
18 must increase each year ((afterwards)) beginning in the 2025-26  
19 academic year by no more than the tuition growth factor.

20 (f) For students attending Western Governors University-  
21 Washington, as established in RCW 28B.77.240, ~~((in the 2019-20~~  
22 ~~academic year, is five thousand six hundred nineteen dollars and~~  
23 ~~may))~~ upon signing the affidavit as provided for under section 2 of  
24 this act and subject to section 3 of this act, is \$5,619 and must  
25 increase each year ((afterwards)) beginning in the 2025-26 academic  
26 year by no more than the tuition growth factor.

27 (g) For students attending two or four-year institutions of  
28 higher education as defined in RCW 28B.10.016 that do not sign the  
29 affidavit as provided for under section 2 of this act or are subject  
30 to a prefinding settlement or a final court order under section 3 of  
31 this act, is the equivalent of academic year 2024-25 tuition and  
32 estimated fees for 15 quarter credit hours or the equivalent, as  
33 determined by the office, including operating fees, building fees,  
34 and services and activities fees.

35 (h) For students attending private four-year not-for-profit  
36 institutions of higher education in Washington that do not sign the  
37 affidavit as provided for under section 2 of this act or are subject  
38 to a prefinding settlement or a final court order under section 3 of  
39 this act, is \$9,739.

1       (i) For students attending two-year private not-for-profit  
2 institutions of higher education in Washington that do not sign the  
3 affidavit as provided for under section 2 of this act or are subject  
4 to a prefinding settlement or a final court order under section 3 of  
5 this act, is \$3,694.

6       (j) For students attending four-year private for-profit  
7 institutions of higher education in Washington that do not sign the  
8 affidavit as provided for under section 2 of this act or are subject  
9 to a prefinding settlement or a final court order under section 3 of  
10 this act, is \$8,517.

11       (k) For students attending two-year private for-profit  
12 institutions of higher education in Washington that do not sign the  
13 affidavit as provided for under section 2 of this act or are subject  
14 to a prefinding settlement or a final court order under section 3 of  
15 this act, is \$2,823.

16       (l) For students attending Western Governors University-  
17 Washington, as established in RCW 28B.77.240, and Western Governors  
18 University-Washington does not sign the affidavit as provided for  
19 under section 2 of this act or is subject to a prefinding settlement  
20 or a final court order under section 3 of this act, is \$5,619.

21       (m) For students attending approved apprenticeship programs,  
22 beginning in the 2022-23 academic year, is the same amount as the  
23 maximum Washington college grant for students attending two-year  
24 institutions of higher education as defined in (a) of this subsection  
25 to be used for tuition and fees, program supplies and equipment, and  
26 other costs that facilitate educational endeavors.

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

28       (7) "Tuition growth factor" means an increase of no more than the  
29 average annual percentage growth rate of the median hourly wage for  
30 Washington for the previous fourteen years as the wage is determined  
31 by the federal bureau of labor statistics.

32       NEW SECTION. Sec. 2. A new section is added to chapter 28B.92  
33 RCW to read as follows:

34       (1) In administering the Washington college grant program, the  
35 office shall adopt rules to allow for each institution of higher  
36 education to annually sign an affidavit that the institution has  
37 adopted policies in compliance with this section. The maximum  
38 Washington college grant award must be adjusted as provided for in

1 RCW 28B.92.030 for institutions of higher education that sign an  
2 affidavit attesting to the following nondiscrimination policies:

3 (a) The institution prohibits discrimination on the basis of  
4 race, creed, color, national origin, citizenship or immigration  
5 status, sex, veteran or military status, sexual orientation, or the  
6 presence of any sensory, mental, or physical disability or the use of  
7 a trained dog guide or service animal by a person with a disability;

8 (b) The institution operates its education program or activity in  
9 a manner free of discrimination. No student may be excluded from  
10 participation in an education program or activity, denied the  
11 benefits of an education program or activity, or subjected to  
12 discrimination on the basis of that student's age, sex, marital  
13 status, sexual orientation, race, creed, color, national origin,  
14 citizenship or immigration status, veteran or military status, or the  
15 presence of any sensory, mental, or physical disability or the use of  
16 a trained dog guide or service animal by a person with a disability,  
17 unless based upon a bona fide qualification of the education program;  
18 and

19 (c) The institution, acting in its capacity as an employer, must  
20 not:

21 (i) Refuse to hire, promote, or confer tenure to any person  
22 because of age, sex, marital status, sexual orientation, race, creed,  
23 color, national origin, citizenship or immigration status, veteran or  
24 military status, or the presence of any sensory, mental, or physical  
25 disability or the use of a trained dog guide or service animal by a  
26 person with a disability, unless based upon a bona fide occupational  
27 qualification. However, the prohibition against discrimination  
28 because of a disability in this subsection does not apply if the  
29 particular disability prevents the proper performance of the  
30 particular work involved. This subsection may not be construed to  
31 require an employer to establish employment goals or quotas based on  
32 sexual orientation;

33 (ii) Discharge or bar any person from employment because of age,  
34 sex, marital status, sexual orientation, race, creed, color, national  
35 origin, citizenship or immigration status, veteran or military  
36 status, or the presence of any sensory, mental, or physical  
37 disability or the use of a trained dog guide or service animal by a  
38 person with a disability;

39 (iii) Discriminate against any person in compensation or in other  
40 terms or conditions of employment because of age, sex, marital

1 status, sexual orientation, race, creed, color, national origin,  
2 citizenship or immigration status, veteran or military status, or the  
3 presence of any sensory, mental, or physical disability or the use of  
4 a trained dog guide or service animal by a person with a disability.  
5 However, this section does not prohibit an employer from segregating  
6 washrooms or locker facilities on the basis of sex, or basing other  
7 terms and conditions of employment on the sex of employees where the  
8 Washington state human rights commission, created under chapter 49.60  
9 RCW, has by regulation or ruling in a particular instance found the  
10 employment practice to be appropriate for the practical realization  
11 of equality of opportunity between the sexes; or

12 (iv) Print or circulate, or cause to be printed or circulated,  
13 any statement, advertisement, or publication, or to use any form of  
14 application for employment, or to make any inquiry in connection with  
15 prospective employment, which expresses any limitation,  
16 specification, or discrimination as to age, sex, marital status,  
17 sexual orientation, race, creed, color, national origin, citizenship  
18 or immigration status, veteran or military status, or the presence of  
19 any sensory, mental, or physical disability or the use of a trained  
20 dog guide or service animal by a person with a disability, or any  
21 intent to make any such limitation, specification, or discrimination,  
22 unless based upon a bona fide occupational qualification. However,  
23 nothing in this subsection prohibits advertising in a foreign  
24 language.

25 (2) Participation in theology academic programs and campus  
26 ministry departments, including the employment, promotion, or  
27 granting of tenure of faculty members for courses of study in  
28 theology, is exempt from the requirements under this section.

29 (3) Institutions of higher education that take no action  
30 regarding the signing of the affidavit shall receive the maximum  
31 Washington college grant as provided for under RCW 28B.92.030.

32 NEW SECTION. **Sec. 3.** A new section is added to chapter 28B.92  
33 RCW to read as follows:

34 (1) Any institution of higher education subject to a prefinding  
35 settlement or a final court order for discriminatory employment  
36 practices in violation of chapter 49.60 RCW are not eligible for  
37 adjustments to the maximum Washington college grant award as provided  
38 for in RCW 28B.92.030(5) unless:

1 (a) The institution of higher education has fulfilled the  
2 conditions or obligations associated with any court order or  
3 settlement resulting from the violation; or

4 (b) The institution of higher education has taken significant and  
5 meaningful steps to correct the violation, as determined by the  
6 Washington state human rights commission in matters in which the  
7 commission is a party.

8 (2) An institution of higher education involved in a court  
9 proceeding brought by the attorney general under RCW 49.60.350 may  
10 continue to receive the tuition growth factor provided in RCW  
11 28B.92.030 until a final order adjudicates the matter.

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