
SENATE BILL 5410

State of Washington 60th Legislature 2007 Regular Session

By Senators Berkey, Shin, Delvin and Kohl-Welles

Read first time 01/18/2007. Referred to Committee on Higher Education.

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

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 in an opportunity grant-
19 eligible program of study, including required related courses. No
20 student may receive opportunity grant funding for more than forty-five
21 credits or for more than three years from initial receipt of grant
22 funds in one or a combination of programs.

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

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

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

29 (b)(i) Be enrolled on or after January 1, 2008, but before January
30 1, 2010, and have a family income that is at or below two hundred
31 percent of the federal poverty level using the most current guidelines
32 available from the United States department of health and human
33 services;

34 (ii) Be enrolled on or after January 1, 2010, but before January 1,
35 2012, and have a family income that is at or below the state median
36 family income using the state need grant schedule for the same academic
37 year; or

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

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

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

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

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

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

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

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

5 (7) The college board shall:

6 (a) Begin developing the program no later than July 1, 2007, with
7 student enrollment to begin no later than January 14, 2008; and

8 (b) Submit a progress report to the legislature by December 1,
9 2008.

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

20 **PART 2**

21 **OPPORTUNITY PARTNERSHIPS**

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

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

26 (1) Identify job specific training programs offered by qualified
27 postsecondary institutions that lead to a credential, certificate, or
28 degree in high demand occupations, which are occupations where employer
29 demand for workers exceeds the supply of qualified job applicants
30 throughout the state or in a specific region;

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

35 (3) Market the credentials, certificates, and degrees to potential

1 students, businesses, and apprenticeship programs as a way for
2 individuals to advance in their careers and to better meet the needs of
3 industry.

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

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

17 (2) Subject to funds appropriated for this specific purpose, the
18 workforce training and education coordinating board shall create the
19 opportunity partnership program. The board, in partnership with
20 business, labor, and the college board, shall determine the criteria
21 for the distribution of funds.

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

31 **PART 3**
32 **MISCELLANEOUS**

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

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

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

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

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

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

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

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

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

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

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

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

26 (11) "Technical college" shall include those higher education
27 institutions with the sole mission of conducting occupational
28 education, basic skills, literacy programs, and offering on short
29 notice, when appropriate, programs that meet specific industry needs.
30 The programs of technical colleges shall include, but not be limited
31 to, continuous enrollment, competency-based instruction, industry-
32 experienced faculty, curriculum integrating vocational and basic skills
33 education, and curriculum approved by representatives of employers and
34 labor. For purposes of this chapter, technical colleges shall include
35 Lake Washington Vocational-Technical Institute, Renton Vocational-
36 Technical Institute, Bates Vocational-Technical Institute, Clover Park
37 Vocational Institute, and Bellingham Vocational-Technical Institute.

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

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

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

36 (15) "Dislocated salmon fishing worker" means a finfish products
37 worker who: (a)(i) Has been terminated or received notice of
38 termination from employment and is unlikely to return to employment in

1 the individual's principal occupation or previous industry because of
2 a diminishing demand for his or her skills in that occupation or
3 industry; or (ii) is self-employed and has been displaced from his or
4 her business because of the diminishing demand for the business's
5 services or goods; and (b) at the time of last separation from
6 employment, resided in or was employed in a rural natural resources
7 impact area.

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

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

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

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

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

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

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

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

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

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

35 (e) An unemployment rate twenty percent or more above the state
36 average. The counties that meet these criteria shall be determined by
37 the employment security department for the most recent year for which
38 data is available. For the purposes of administration of programs

1 under this chapter, the United States post office five-digit zip code
2 delivery areas will be used to determine residence status for
3 eligibility purposes. For the purpose of this definition, a zip code
4 delivery area of which any part is ten miles or more from an urbanized
5 area is considered nonurbanized. A zip code totally surrounded by zip
6 codes qualifying as nonurbanized under this definition is also
7 considered nonurbanized. The office of financial management shall make
8 available a zip code listing of the areas to all agencies and
9 organizations providing services under this chapter.

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

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

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

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

20 (a) Washington public community and technical colleges; and

21 (b) Private career schools that are members of an accrediting
22 association recognized by rule of the higher education coordinating
23 board for the purposes of chapter 28B.92 RCW.

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

26 NEW SECTION. Sec. 303. Section 101 of this act is necessary for
27 the immediate preservation of the public peace, health, or safety, or
28 support of the state government and its existing public institutions,
29 and takes effect immediately.

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