
SUBSTITUTE SENATE BILL 6832

State of Washington

60th Legislature

2008 Regular Session

By Senate Higher Education (originally sponsored by Senators Shin, Schoesler, Delvin, Kilmer, Jacobsen, Rasmussen, Rockefeller, and McAuliffe)

READ FIRST TIME 02/08/08.

1 AN ACT Relating to career colleges' participation in the
2 opportunity grant program; and amending RCW 28B.50.030 and 28B.50.272.

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

4 **Sec. 1.** RCW 28B.50.030 and 2007 c 277 s 301 are each amended to
5 read as follows:

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

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

10 (2) "Board" shall mean the workforce training and education
11 coordinating board.

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

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

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

18 (6) "Board of trustees" shall mean the local community and

1 technical college board of trustees established for each college
2 district within the state.

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

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

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

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

13 (11) "Technical college" shall include those higher education
14 institutions with the sole mission of conducting occupational
15 education, basic skills, literacy programs, and offering on short
16 notice, when appropriate, programs that meet specific industry needs.
17 The programs of technical colleges shall include, but not be limited
18 to, continuous enrollment, competency-based instruction, industry-
19 experienced faculty, curriculum integrating vocational and basic skills
20 education, and curriculum approved by representatives of employers and
21 labor. For purposes of this chapter, technical colleges shall include
22 Lake Washington Vocational-Technical Institute, Renton Vocational-
23 Technical Institute, Bates Vocational-Technical Institute, Clover Park
24 Vocational Institute, and Bellingham Vocational-Technical Institute.

25 (12) "Adult education" shall mean all education or instruction,
26 including academic, vocational education or training, basic skills and
27 literacy training, and "occupational education" provided by public
28 educational institutions, including common school districts for persons
29 who are eighteen years of age and over or who hold a high school
30 diploma or certificate. However, "adult education" shall not include
31 academic education or instruction for persons under twenty-one years of
32 age who do not hold a high school degree or diploma and who are
33 attending a public high school for the sole purpose of obtaining a high
34 school diploma or certificate, nor shall "adult education" include
35 education or instruction provided by any four year public institution
36 of higher education.

37 (13) "Dislocated forest product worker" shall mean a forest
38 products worker who: (a)(i) Has been terminated or received notice of

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

9 (14) "Forest products worker" shall mean a worker in the forest
10 products industries affected by the reduction of forest fiber
11 enhancement, transportation, or production. The workers included
12 within this definition shall be determined by the employment security
13 department, but shall include workers employed in the industries
14 assigned the major group standard industrial classification codes "24"
15 and "26" and the industries involved in the harvesting and management
16 of logs, transportation of logs and wood products, processing of wood
17 products, and the manufacturing and distribution of wood processing and
18 logging equipment. The commissioner may adopt rules further
19 interpreting these definitions. For the purposes of this subsection,
20 "standard industrial classification code" means the code identified in
21 RCW 50.29.025(3).

22 (15) "Dislocated salmon fishing worker" means a finfish products
23 worker who: (a)(i) Has been terminated or received notice of
24 termination from employment and is unlikely to return to employment in
25 the individual's principal occupation or previous industry because of
26 a diminishing demand for his or her skills in that occupation or
27 industry; or (ii) is self-employed and has been displaced from his or
28 her business because of the diminishing demand for the business's
29 services or goods; and (b) at the time of last separation from
30 employment, resided in or was employed in a rural natural resources
31 impact area.

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

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

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

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

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

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

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

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

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

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

21 (e) An unemployment rate twenty percent or more above the state
22 average. The counties that meet these criteria shall be determined by
23 the employment security department for the most recent year for which
24 data is available. For the purposes of administration of programs
25 under this chapter, the United States post office five-digit zip code
26 delivery areas will be used to determine residence status for
27 eligibility purposes. For the purpose of this definition, a zip code
28 delivery area of which any part is ten miles or more from an urbanized
29 area is considered nonurbanized. A zip code totally surrounded by zip
30 codes qualifying as nonurbanized under this definition is also
31 considered nonurbanized. The office of financial management shall make
32 available a zip code listing of the areas to all agencies and
33 organizations providing services under this chapter.

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

37 (a) Specifically designed for individuals who hold an associate of

1 applied science degree, or its equivalent, in order to maximize
2 application of their technical course credits toward the baccalaureate
3 degree; and

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

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

7 (a) Washington public community and technical colleges;

8 (b) Private career schools that are members of an accrediting
9 association recognized by (~~rule of the higher education coordinating~~
10 ~~board for the purposes of chapter 28B.92 RCW~~) the United States
11 department of education, approved to participate in federal Title IV
12 student aid programs, and are approved by an appropriate state agency
13 to provide educational services at a location in Washington; and

14 (c) Washington state apprenticeship and training council-approved
15 apprenticeship programs.

16 **Sec. 2.** RCW 28B.50.272 and 2007 c 277 s 102 are each amended to
17 read as follows:

18 (1) To be eligible for participation in the opportunity grant
19 program established in RCW 28B.50.271, a student must:

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

22 (b) Have a family income that is at or below two hundred percent of
23 the federal poverty level using the most current guidelines available
24 from the United States department of health and human services, and be
25 determined to have financial need based on the free application for
26 federal student aid; and

27 (c) Meet such additional selection criteria as the college board
28 shall establish in order to operate the program within appropriated
29 funding levels.

30 (2) Upon enrolling, the student must provide evidence of commitment
31 to complete the program. The student must make satisfactory progress
32 and maintain a cumulative 2.0 grade point average for continued
33 eligibility. If a student's cumulative grade point average falls below
34 2.0, the student may petition the institution of higher education of
35 attendance. The qualified institution of higher education has the
36 authority to establish a probationary period until such time as the
37 student's grade point average reaches required standards.

1 (3) Subject to funds appropriated for this specific purpose,
2 ((public)) qualified institutions of higher education shall receive an
3 enhancement of one thousand five hundred dollars for each full-time
4 equivalent student enrolled in the opportunity grant program whose
5 income is below two hundred percent of the federal poverty level. The
6 funds shall be used for individualized support services which may
7 include, but are not limited to, college and career advising, tutoring,
8 emergency child care, and emergency transportation. Private career
9 colleges may not use the enhancement funds for administration or
10 overhead related to opportunity grants. The qualified institution of
11 higher education is expected to help students access all financial
12 resources and support services available to them through alternative
13 sources.

14 (4) The college board shall be accountable for student retention
15 and completion of opportunity grant-eligible programs of study. It
16 shall set annual performance measures and targets and monitor the
17 performance at all qualified institutions of higher education. The
18 college board must reduce funding at institutions of higher education
19 that do not meet targets for two consecutive years, based on criteria
20 developed by the college board.

21 (5) The college board and higher education coordinating board shall
22 work together to ensure that students participating in the opportunity
23 grant program are informed of all other state and federal financial aid
24 to which they may be entitled while receiving an opportunity grant.

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

29 (7) The college board shall:

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

32 (b) Submit a progress report to the legislature by December 1,
33 2008.

34 (8) The college board may, in implementing the opportunity grant
35 program, accept, use, and expend or dispose of contributions of money,
36 services, and property. All such moneys received by the college board
37 for the program must be deposited in an account at a depository
38 approved by the state treasurer. Only the college board or a duly

1 authorized representative thereof may authorize expenditures from this
2 account. In order to maintain an effective expenditure and revenue
3 control, the account is subject in all respects to chapter 43.88 RCW,
4 but no appropriation is required to permit expenditure of moneys in the
5 account.

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