

WSAC Update

Intercollege Relations Commission

October 2015

Jim West, Associate Director



Agenda

- General Updates
 - 2016 Legislative Priorities
 - Residency
 - 1079 students
 - DACA Students – AG Memorandum
 - State Need Grant Eligibility
 - College Bound Scholarship
 - Veterans - 5355 Choice Act
- In the works

Council Meeting

<http://www.wsac.wa.gov/2015-meetings>

- Council Meeting October 15 – UPS
 - Roadmap Progress Data and Analyses
 - GET Update
 - Legislative Priorities Advancing Educational Attainment
 - Recommended changes to Minimum College Admission Standards
 - Adult Reengagement Through Innovative Program Delivery

Legislative Priorities

<http://www.wsac.wa.gov/sites/default/files/2015.10.15.04.Legislative.Priorities.pdf>

- WSAC recommends that the Governor and Legislature:
 - Provide an additional **\$19 million** for SNG to reduce the funding gap so an additional **4,500** students can be served.
 - Over 27,000 students who were eligible did not receive a grant in 2014-15
 - Maintain College Bound scholarship awards to meet the caseload forecast and provide **\$531,000** to enhance outcomes for College Bound Scholarship students
 - For administrative activities in communications, research, and data exchange to monitor scholarship eligibility.
 - 15,690 students will be eligible for scholarship payments in 2016-17 (as of June 2015)

Legislative Priorities

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- In addition, and within OFM mandated limitations, the Council is requesting:
 - **\$155,000** for continuation of the STEM Alliance to advance STEM education initiatives and develop a web-based progress report.
 - **\$223,000** to provide resources to
 - increase on-site technical assistance and outreach in the areas of **Degree Authorization** for out-of-state institutions doing business in Washington
 - monitoring institutions participating in **state financial aid programs**, and
 - oversight in the approval of **Veterans Benefits**. (Student consumer protection)
 - **\$94,000** in expenditure authority for ***The Aerospace Training Student Loan Account*** to align with the intent for the fund to eventually be self-sustaining and provide resources to administer the growing program.

Residency

RCW 28B.15.012

Classification as
resident or
nonresident student-

Definitions.

- (2) The term "resident student" shall mean:
 - (a) A financially independent student who has had a domicile in the state of Washington for the period of one year immediately prior to the time of commencement of the first day of the semester or ... and has in fact established a bona fide domicile in this state primarily for purposes other than educational;
 - (b) A dependent student, if one or both of the student's parents or legal guardians have maintained a bona fide domicile in the state of Washington for at least one year immediately prior to commencement of the semester or quarter...;
 - (c) *A student classified as a resident based upon domicile by an institution on or before May 31, 1982, who was enrolled at a state institution during any term of the 1982-1983 academic year, so long as such student's enrollment (excepting summer sessions) at an institution in this state is continuous;*
 - (d) Any student who has spent at least 75% of both his or her junior and senior years in high schools in this state, whose parents or legal guardians have been domiciled in the state for a period of at least one year within the five-year period before the student graduates from high school, and who enrolls in a public institution of higher education within six months of leaving high school, for as long as the student remains continuously enrolled for three quarters or two semesters in any calendar year;

Residency - 1079 Provision

RCW 28B.15.012

(2)(e) Applies to students who have either

- a) Completed the full senior year of high school and obtained a high school diploma, **or**
- b) Have received the equivalent of a diploma
and...
 - lived in Washington for at least **3 CALENDAR** years immediately prior to receiving the diploma or its equivalent; *(NOTE: revised 1079 affidavit last year)*
 - continuously lived in Washington after receiving the diploma or its equivalent; and
 - provides to institution an affidavit indicating they will file an application to become a permanent resident at the earliest opportunity they are eligible to do so; and
 - are willing to engage in any other activities necessary to acquire citizenship, including but not limited to citizenship or civics review courses.

Residency 1079 Provision

NEW

- Based on discussions between the AG for Residency and the Department of Homeland Security, requirements for nonimmigrant visa holders submitting 1079 affidavits are revised **effective January 1, 2015**.
- **No additional documentation** will be required beyond what would normally be requested of any other student submitting the 1079 affidavit. That is, an I-485 receipt notice is no longer required when submitting the 1079 affidavit.

DACA

Deferred Action for Childhood Arrival

NEW

- On June 15, 2015, the Department of Homeland Security's office of U.S. Citizenship and Immigration Services (USCIS) issued updated clarification about individuals granted Deferred Action for Childhood Arrival (DACA) status.
- **USCIS clarified that individuals granted deferred action are not precluded by federal law from establishing domicile in the U.S.**
- On July 31, The AG's Office clarified that "DACA students may now qualify for resident tuition pursuant to **RCW 28B.15.012(2) (a)-(d)** and qualify under the exception from the definition of nonresident student for individuals "permanently residing under color of law" (PRUCOL) found in **RCW 28B.15.012(3)(b)**.

DACA

Deferred Action for Childhood Arrival

- *As a consequence:*
 - Some Washington financial aid programs may be available to more students.
- The effect of the USCIS clarification:
 - Individuals with DACA status now have the ability to establish domicile and qualify for residency under RCW **28B. 15.012(2) (a)-(d)**.
 - This means that these students may participate in the CBS program provided they meet all other program requirements.

DACA Status – Financial Aid Impact

CBS

College Bound Scholarship Program (CBS) limits eligibility to students qualifying as resident students pursuant to **RCW 28B.15.012(2)(a)-(d)**.

- Students with DACA status that are residents under (a)-(d) may participate in the CBS program provided they meet all other program requirements.
- Students (including DREAMers without DACA status) that are determined to meet residency under (e) (*aka 1079*) **may not participate in the CBS program at this time.**

DACA Status – Financial Aid Impact

SNG

- State Need Grant (SNG) limits eligibility to students qualifying as resident students pursuant to RCW 28B.15.012(2) **(a)-(e)**.
- Students with DACA status that are determined to be residents under **(a)-(d)** may participate in the SNG program provided they meet all other program requirements.
 - This could include students that did not previously meet **(e)/1079** requirements (3 years and/or Washington high school graduation).

Residency and Financial Aid

SUMMARY

- Residency definitions vary by financial aid program.
 - SNG - State Need Grant = RCW 28B.15.012(2)(a)-(e). *Includes DREAMers (1079) (e) as of 2014.*
 - CBS - College Bound Scholarship = RCW 28B.15.012(2)(a)-(d), *including DACA as of July 2015*

Residency for Veterans and their families ESSB 5355

Modifying
definition of
resident to comply
with Choice Act of
2014

- Signed into law effective July 24, 2015.
- This act amends RCW 28B.15.012:
Classification as Resident or Nonresident
Student – Definitions

Veteran

New sections
added to
28B.15.012(2)
Definitions of
resident student

- **28B.15.012 (2)(k)** A student who has separated from the **uniformed services** with any period of honorable service after at least ninety days of active duty service; is **eligible for benefits** under the federal all-volunteer force educational assistance program (38 U.S.C. Sec. 3001 et seq.), the federal post-9/11 veterans educational assistance act of 2008 (38 25 U.S.C. Sec. 3301 et seq.), or any other federal law authorizing educational assistance benefits for veterans; and enters an institution of higher education in Washington **within three years of the date of separation;**

Spouses and dependents

New section added to 28B.15.012(2)

- **28B.15.012(2)(I)** A student who is entitled to veterans administration educational assistance benefits based on the student's relationship as a **spouse, former spouse, or child** to an individual who has separated from the uniformed services with any period of honorable service after at least ninety days of active duty service, and who enters an institution of higher education in Washington within three years of the service member's date of separation;

New section
added:
28B.15.012(2)
(m)

- **28B.15.012 (2)(m)** A student who is entitled to veterans administration educational assistance benefits based on the student's relationship with a **deceased member of the uniformed services** who completed at least ninety days of active duty service and died in the line of duty, and the student enters an institution of higher education in Washington within three years of the service member's death;

Summary:

New sections added to 28B.15.012(2)

- The 2015 amendments to RCW 28B.15.012 align state residency requirements with eligibility for federal veteran education benefits.
- If a student demonstrates that they live in the state of Washington, meet the 90 day, three year requirement, and possess a current **Certificate of Eligibility** (COE) for federal veteran education benefits, the student qualifies as a resident for tuition purposes.
 - The student may possess a **current COE but is not required to be using the benefits at this time.**
 - The student presents the COE and Form DD 214 to determine the three year period (exit date).
- Once an individual is classified as a resident pursuant to RCW 28B.15.012(2)(k), (l), or (m), that status shall remain unchanged so long as the individual is continuously enrolled at an institution of higher education in Washington.

In the Works

- 1079 data collection –now
- WAC250.18 (WAC) Residency revision - now
- Residency Q & A Development
- PLA Conference – November 6, CWU
- PLA Data Collection (now) and Report

For further
information

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Financial Aid – WASFA information

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