
HOUSE BILL 3057

State of Washington 61st Legislature 2010 Regular Session

By Representatives White, Sells, Haler, Driscoll, and Roberts

Read first time 01/21/10. Referred to Committee on Higher Education.

1 AN ACT Relating to establishing the student financial assistance
2 board by eliminating the higher education coordinating board and
3 transferring its functions to various entities; amending RCW
4 28B.76.010, 28B.76.020, 28B.76.030, 28B.76.090, 28B.76.110, 28B.76.505,
5 28B.76.525, 28B.76.560, 28B.76.565, 28B.76.570, 28B.76.575, 28B.76.605,
6 28B.76.610, 28B.76.615, 28B.76.620, 28B.76.645, 28B.76.660, 28B.76.670,
7 28B.76.690, 28A.600.120, 28A.600.130, 28A.600.140, 28A.600.150,
8 28A.230.125, 28A.600.285, 28A.630.400, 28A.650.015, 28B.04.080,
9 28B.07.020, 28B.07.030, 28B.10.786, 28B.10.790, 28B.10.792, 28B.10.840,
10 28B.12.030, 28B.12.040, 28B.12.050, 28B.12.055, 28B.12.060, 28B.12.070,
11 28B.15.012, 28B.15.013, 28B.15.015, 28B.15.100, 28B.15.543, 28B.15.732,
12 28B.15.736, 28B.15.752, 28B.15.760, 28B.15.762, 28B.50.272, 28B.92.020,
13 28B.95.020, 28B.95.025, 28B.95.040, 28B.95.060, 28B.95.160, 28B.97.020,
14 28B.101.010, 28B.101.030, 28B.101.040, 28B.101.050, 28B.102.020,
15 28B.102.030, 28B.105.020, 28B.106.010, 28B.108.010, 28B.108.020,
16 28B.108.030, 28B.108.060, 28B.109.010, 28B.115.020, 28B.115.030,
17 28B.115.130, 28B.115.140, 28B.116.010, 28B.116.020, 28B.116.030,
18 28B.116.050, 28B.116.060, 28B.116.070, 28B.117.020, 28B.117.030,
19 28B.117.040, 28B.117.050, 28B.117.060, 28B.117.070, 28B.118.010,
20 28B.118.020, 28B.118.040, 28B.118.050, 28B.118.060, 28B.119.010,
21 28B.119.020, 28B.119.030, 28B.119.050, 28B.120.010, 28B.120.020,

1 28B.120.025, 28B.120.030, 28B.120.040, 28B.133.030, 28B.133.040,
2 28B.133.050, 28B.135.010, 28B.135.030, 28B.135.040, 28C.18.166,
3 39.86.130, 42.17.2401, 43.41.400, 43.105.800, 43.105.810, 43.105.825,
4 74.13.570, 28B.76.200, 28B.76.230, 28B.76.240, 28B.76.250, 28B.76.260,
5 28B.76.270, 28B.76.280, 28B.76.290, 28B.76.300, 28B.76.310, 28B.07.040,
6 28B.10.020, 28B.10.056, 28B.10.5691, 28B.10.682, 28B.10.784,
7 28B.10.922, 28B.15.069, 28B.15.460, 28B.15.465, 28B.20.130, 28B.20.280,
8 28B.30.150, 28B.30.500, 28B.35.120, 28B.35.205, 28B.35.215, 28B.38.010,
9 28B.40.120, 28B.40.206, 28B.45.014, 28B.45.020, 28B.45.030, 28B.45.040,
10 28B.45.060, 28B.50.140, 28B.50.810, 28B.65.050, 28B.110.030,
11 28B.110.040, 28C.18.060, 43.330.310, 70.180.110, 28B.85.010,
12 28B.85.100, 28B.90.010, 35.104.020, 35.104.040, 43.06.115, 9A.60.070,
13 18.260.110, 28A.230.125, 28A.600.280, 28A.600.290, 28A.600.310,
14 28A.600.390, 28A.630.400, 28A.650.015, 28A.700.020, 28A.700.060,
15 28B.10.125, 28B.10.5691, 28B.15.068, 28B.15.730, 28B.15.734,
16 28B.15.750, 28B.15.754, 28B.15.756, 28B.15.758, 28B.15.796, 28B.20.308,
17 28B.20.478, 28B.30.530, 28B.45.080, 28B.65.040, 28B.67.010,
18 28B.103.030, 28C.10.030, 28C.10.040, 28C.18.030, 28C.18.132,
19 28C.18.134, 43.09.440, 43.43.934, 43.43.938, 43.60A.151, 43.88.090,
20 43.88D.010, 43.105.400, 43.215.090, 43.330.375, and 47.80.090;
21 reenacting and amending RCW 28A.660.050, 28B.50.030, 28B.92.030,
22 28A.230.100, and 43.330.280; adding new sections to chapter 43.41 RCW;
23 creating new sections; recodifying RCW 28B.76.200, 28B.76.230,
24 28B.76.240, 28B.76.2401, 28B.76.250, 28B.76.260, 28B.76.270,
25 28B.76.280, 28B.76.290, 28B.76.300, and 28B.76.310; repealing RCW
26 28B.76.040, 28B.76.050, 28B.76.060, 28B.76.100, 28B.76.210, and
27 28B.76.335; providing an effective date; and providing expiration
28 dates.

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

30 **PART I**
31 **STUDENT FINANCIAL ASSISTANCE BOARD**

32 **Sec. 101.** RCW 28B.76.010 and 1985 c 370 s 1 are each amended to
33 read as follows:

34 (1) There is hereby created the (~~Washington higher education~~
35 ~~coordinating~~) Student financial assistance board.

1 (2) The board shall consist of ten members, one of whom shall be a
2 student, who are representative of the public, including women and the
3 racial minority community. All members shall be appointed at large by
4 the governor and approved by the senate. The board shall select from
5 its membership a chair and a vice-chair who shall each serve a one-year
6 term. The chair and vice-chair may serve more than one term if
7 selected to do so by the membership.

8 (3) Except for initial members, whose terms shall be staggered, the
9 members of the board, except the student member, shall serve for terms
10 of four years, the terms expiring on June 30th of the fourth year of
11 the term. The student member shall hold his or her office for a term
12 of one year beginning on the first day of July.

13 (4) Any vacancies among board members shall be filled by the
14 governor subject to confirmation by the senate then in session, or if
15 not in session, at the next session. Board members appointed under
16 this subsection have full authority to act as such before the time the
17 senate acts on their confirmation. Appointments to fill vacancies
18 shall be only for such terms as remain unexpired.

19 **Sec. 102.** RCW 28B.76.020 and 1985 c 370 s 2 are each amended to
20 read as follows:

21 ~~((For the purposes of this chapter:))~~ The definitions in this
22 section apply throughout this chapter unless the context clearly
23 requires otherwise.

24 (1) "Board" means the ~~((higher education coordinating board; and))~~
25 student financial assistance board.

26 (2) "Four-year institutions" means the University of Washington,
27 Washington State University, Central Washington University, Eastern
28 Washington University, Western Washington University, and The Evergreen
29 State College.

30 **Sec. 103.** RCW 28B.76.030 and 2004 c 275 s 1 are each amended to
31 read as follows:

32 The purpose of the board is to(~~+~~

33 ~~(1) Develop a statewide strategic master plan for higher education~~
34 ~~and continually monitor state and institution progress in meeting the~~
35 ~~vision, goals, priorities, and strategies articulated in the plan;~~

1 ~~(2) Based on objective data analysis, develop and recommend~~
2 ~~statewide policies to enhance the availability, quality, efficiency,~~
3 ~~and accountability of public higher education in Washington state;~~

4 ~~(3)) administer state and federal financial aid and other~~
5 ~~education services programs in a cost-effective manner((~~

6 ~~(4) Serve as an advocate on behalf of students and the overall~~
7 ~~system of higher education to the governor, the legislature, and the~~
8 ~~public;~~

9 ~~(5) Represent the broad public interest above the interests of the~~
10 ~~individual colleges and universities; and~~

11 ~~(6) Coordinate with the governing boards of the two and four-year~~
12 ~~institutions of higher education, the state board for community and~~
13 ~~technical colleges, the workforce training and education coordinating~~
14 ~~board, and the superintendent of public instruction to create a~~
15 ~~seamless system of public education for the citizens of Washington~~
16 ~~state geared toward student success)).~~

17 **Sec. 104.** RCW 28B.76.090 and 2007 c 458 s 102 are each amended to
18 read as follows:

19 The board shall employ ((a)) an executive director and may delegate
20 agency management to the executive director. The executive director
21 shall be appointed by the governor, serve at the pleasure of the
22 ((board)) governor, shall be the executive officer of the board, and
23 shall, under the board's supervision, administer the provisions of this
24 chapter. The executive director shall, with the approval of the board:

25 (1) Employ necessary deputy and assistant directors and other exempt
26 staff under chapter 41.06 RCW who shall serve at his or her pleasure on
27 such terms and conditions as he or she determines and (2) subject to
28 the provisions of chapter 41.06 RCW, appoint and employ such other
29 employees as may be required for the proper discharge of the functions
30 of the board. The executive director shall exercise such additional
31 powers, other than rule making, as may be delegated by the board by
32 resolution. ((In fulfilling the duties under this chapter, the board
33 shall make extensive use of those state agencies with responsibility
34 for implementing and supporting postsecondary education plans and
35 policies including but not limited to appropriate legislative groups,
36 the postsecondary education institutions, the office of financial
37 management, the workforce training and education coordinating board,

1 ~~the state board for community and technical colleges, and the office of~~
2 ~~the superintendent of public instruction. Outside consulting and~~
3 ~~service agencies may also be employed. The board may compensate these~~
4 ~~groups and consultants in appropriate ways.))~~

5 **Sec. 105.** RCW 28B.76.110 and 2004 c 275 s 5 are each amended to
6 read as follows:

7 The (~~higher education coordinating~~) board is designated as the
8 state commission as provided for in Section 1202 of the education
9 amendments of 1972 (Public Law 92-318), as now or hereafter amended;
10 and shall perform such functions as is necessary to comply with federal
11 directives pertaining to the provisions of such law.

12 **Sec. 106.** RCW 28B.76.505 and 2007 c 73 s 1 are each amended to
13 read as follows:

14 (1) The investment of funds from all scholarship endowment programs
15 administered by the (~~higher education coordinating~~) board shall be
16 managed by the state investment board.

17 (2) The state investment board has the full power to invest,
18 reinvest, manage, contract, sell, or exchange investment money in
19 scholarship endowment funds. All investment and operating costs
20 associated with the investment of a scholarship endowment fund shall be
21 paid pursuant to RCW 43.33A.160 and 43.84.160. With the exception of
22 these expenses, the earnings from the investments of the fund belong to
23 the fund.

24 (3) Funds from all scholarship endowment programs administered by
25 the board shall be in the custody of the state treasurer.

26 (4) All investments made by the state investment board shall be
27 made with the exercise of that degree of judgment and care pursuant to
28 RCW 43.33A.140 and the investment policies established by the state
29 investment board.

30 (5) As deemed appropriate by the state investment board, money in
31 a scholarship endowment fund may be commingled for investment with
32 other funds subject to investment by the state investment board.

33 (6) The authority to establish all policies relating to scholarship
34 endowment funds, other than the investment policies in subsections (2)
35 through (5) of this section, resides with the (~~higher education~~
36 ~~coordinating~~) board.

1 (7) The ((~~higher education coordinating~~)) board may request and
2 accept moneys from the state investment board. With the exception of
3 expenses of the state investment board in subsection (2) of this
4 section, disbursements from the fund shall be made only on the
5 authorization of the ((~~higher education coordinating~~)) board, and money
6 in the fund may be spent only for the purposes of the endowment
7 programs as specified in the authorizing chapter of each program.

8 (8) The state investment board shall routinely consult and
9 communicate with the ((~~higher education coordinating~~)) board on the
10 investment policy, earnings of the scholarship endowment funds, and
11 related needs of the programs.

12 **Sec. 107.** RCW 28B.76.525 and 2005 c 139 s 1 are each amended to
13 read as follows:

14 (1) The state financial aid account is created in the custody of
15 the state treasurer. The primary purpose of the account is to ensure
16 that all appropriations designated for financial aid through statewide
17 student financial aid programs are made available to eligible students.
18 The account shall be a nontreasury account.

19 (2) The ((~~higher education coordinating~~)) board shall deposit in
20 the account all money received for the state need grant program
21 established under RCW 28B.92.010, the state work-study program
22 established under chapter 28B.12 RCW, the Washington scholars program
23 established under RCW 28A.600.110, the Washington award for vocational
24 excellence program established under RCW 28C.04.525, and the
25 educational opportunity grant program established under chapter 28B.101
26 RCW. The account shall consist of funds appropriated by the
27 legislature for the programs listed in this subsection and private
28 contributions to the programs. Moneys deposited in the account do not
29 lapse at the close of the fiscal period for which they were
30 appropriated. Both during and after the fiscal period in which moneys
31 were deposited in the account, the board may expend moneys in the
32 account only for the purposes for which they were appropriated, and the
33 expenditures are subject to any other conditions or limitations placed
34 on the appropriations.

35 (3) Expenditures from the account shall be used for scholarships to
36 students eligible for the programs according to program rules and
37 policies.

1 (4) Disbursements from the account are exempt from appropriations
2 and the allotment provisions of chapter 43.88 RCW.

3 (5) Only the executive director of the (~~higher education~~
4 ~~coordinating~~) board or the executive director's designee may authorize
5 expenditures from the account.

6 **Sec. 108.** RCW 28B.76.560 and 1987 c 8 s 2 are each amended to read
7 as follows:

8 The Washington distinguished professorship trust fund program is
9 established.

10 The program shall be administered by the (~~higher education~~
11 ~~coordinating~~) board.

12 The trust fund shall be administered by the state treasurer.

13 **Sec. 109.** RCW 28B.76.565 and 2009 c 564 s 1805 are each amended to
14 read as follows:

15 Funds appropriated by the legislature for the distinguished
16 professorship program shall be deposited in the distinguished
17 professorship trust fund. At the request of the (~~higher education~~
18 ~~coordinating~~) board under RCW 28B.76.575, the treasurer shall release
19 the state matching funds to the designated institution's local
20 endowment fund. No appropriation is required for expenditures from the
21 fund. During the 2007-2009 fiscal biennium, the legislature may
22 transfer from the distinguished professorship trust fund to the state
23 general fund such amounts as reflect the excess fund balance in the
24 (~~account-[fund]~~) fund.

25 **Sec. 110.** RCW 28B.76.570 and 1987 c 8 s 4 are each amended to read
26 as follows:

27 In consultation with the eligible institutions of higher education,
28 the (~~higher education coordinating~~) board shall set guidelines for
29 the program. These guidelines may include an allocation system based
30 on factors which include but are not limited to: The amount of money
31 available in the trust fund; characteristics of the institutions
32 including the size of the faculty and student body; and the number of
33 professorships previously received.

34 Any allocation system shall be superseded by conditions in any act
35 of the legislature appropriating funds for this program.

1 **Sec. 111.** RCW 28B.76.575 and 1988 c 125 s 3 are each amended to
2 read as follows:

3 All state four-year institutions of higher education shall be
4 eligible for matching trust funds. An institution may apply to the
5 (~~higher education coordinating~~) board for two hundred fifty thousand
6 dollars from the fund when the institution can match the state funds
7 with an equal amount of pledged or contributed private donations or
8 with funds received through legislative appropriation specifically for
9 the G. Robert Ross distinguished faculty award and designated as being
10 qualified to be matched from trust fund moneys. These donations shall
11 be made specifically to the professorship program, and shall be donated
12 after July 1, 1985.

13 Upon an application by an institution, the board may designate two
14 hundred fifty thousand dollars from the trust fund for that
15 institution's pledged professorship. If the pledged two hundred fifty
16 thousand dollars is not received within three years, the board shall
17 make the designated funds available for another pledged professorship.

18 Once the private donation is received by the institution, the
19 (~~higher education coordinating~~) board shall ask the state treasurer
20 to release the state matching funds to a local endowment fund
21 established by the institution for the professorship.

22 **Sec. 112.** RCW 28B.76.605 and 1987 c 147 s 2 are each amended to
23 read as follows:

24 The Washington graduate fellowship trust fund program is
25 established. The program shall be administered by the (~~higher~~
26 ~~education coordinating~~) board. The trust fund shall be administered
27 by the state treasurer.

28 **Sec. 113.** RCW 28B.76.610 and 2009 c 564 s 1806 are each amended to
29 read as follows:

30 Funds appropriated by the legislature for the graduate fellowship
31 program shall be deposited in the graduate fellowship trust fund. At
32 the request of the (~~higher education coordinating~~) board under RCW
33 28B.76.620, the treasurer shall release the state matching funds to the
34 designated institution's local endowment fund. No appropriation is
35 required for expenditures from the fund. During the 2007-2009 fiscal

1 biennium, the legislature may transfer from the graduate fellowship
2 trust fund to the state general fund such amounts as reflect the excess
3 fund balance in the ((~~account~~ {~~fund~~}) fund.

4 **Sec. 114.** RCW 28B.76.615 and 1987 c 147 s 4 are each amended to
5 read as follows:

6 In consultation with eligible institutions of higher education, the
7 ((~~higher education coordinating~~)) board shall set guidelines for the
8 program. These guidelines may include an allocation system based on
9 factors which include but are not limited to: The amount of money
10 available in the trust fund; characteristics of the institutions
11 including the size of the faculty and student body; and the number of
12 fellowships previously received.

13 Any allocation system shall be superseded by conditions in any
14 legislative act appropriating funds for the program.

15 **Sec. 115.** RCW 28B.76.620 and 1987 c 147 s 5 are each amended to
16 read as follows:

17 (1) All state four-year institutions of higher education shall be
18 eligible for matching trust funds. Institutions may apply to the
19 ((~~higher education coordinating~~)) board for twenty-five thousand
20 dollars from the fund when they can match the state funds with equal
21 pledged or contributed private donations. These donations shall be
22 made specifically to the graduate fellowship program, and shall be
23 donated after July 1, 1987.

24 (2) Upon an application by an institution, the board may designate
25 twenty-five thousand dollars from the trust fund for that institution's
26 pledged graduate fellowship fund. If the pledged twenty-five thousand
27 dollars is not received within two years, the board shall make the
28 designated funds available for another pledged graduate fellowship
29 fund.

30 (3) Once the private donation is received by the institution, the
31 ((~~higher education coordinating~~)) board shall ask the state treasurer
32 to release the state matching funds to a local endowment fund
33 established by the institution for the graduate fellowships.

34 **Sec. 116.** RCW 28B.76.645 and 2004 c 275 s 23 are each amended to
35 read as follows:

1 In the development of any such plans as called for within RCW
2 28B.76.640, the board shall use at least the following criteria:

3 (1) Students who are eligible to attend compact-authorized programs
4 in other states shall meet the Washington residency requirements of
5 chapter 28B.15 RCW prior to being awarded tuition assistance.

6 (2) For recipients named after January 1, 1995, the tuition
7 assistance shall be in the form of loans that may be completely
8 forgiven in exchange for the student's service within the state of
9 Washington after graduation. The requirements for such service and
10 provisions for loan forgiveness shall be determined in rules adopted by
11 the board.

12 (3) If appropriations are insufficient to fund all students
13 qualifying under subsection (1) of this section, then the plans shall
14 include criteria for student selection that would be in the best
15 interest in meeting the state's educational needs, as well as
16 recognizing the financial needs of students.

17 (4) Receipts from the payment of principal or interest or any other
18 subsidies to which the board as administrator is entitled, that are
19 paid by or on behalf of participants under this section, shall be
20 deposited with the board and placed in an account created in this
21 section and shall be used to cover the costs of granting the
22 scholarships, maintaining necessary records, and making collections.
23 The board shall maintain accurate records of these costs, and all
24 receipts beyond those necessary to pay such costs shall be used to
25 grant conditional loans to eligible students.

26 (5) The Washington interstate commission on higher education
27 professional student exchange program trust fund is created in the
28 custody of the state treasurer. All receipts from loan repayment shall
29 be deposited into the fund. Only the (~~higher education coordinating~~)
30 board, or its designee, may authorize expenditures from the fund. No
31 appropriation is required for expenditures from this fund.

32 **Sec. 117.** RCW 28B.76.660 and 2005 c 518 s 917 are each amended to
33 read as follows:

34 (1) Recipients of the Washington scholars award or the Washington
35 scholars-alternate award under RCW 28A.600.100 through 28A.600.150 who
36 choose to attend an independent college or university in this state, as
37 defined in subsection (4) of this section, and recipients of the award

1 named after June 30, 1994, who choose to attend a public college or
2 university in the state may receive grants under this section if moneys
3 are available. The (~~higher education coordinating~~) board shall
4 distribute grants to eligible students under this section from moneys
5 appropriated for this purpose. The individual grants shall not exceed,
6 on a yearly basis, the yearly, full-time, resident, undergraduate
7 tuition and service and activities fees in effect at the state-funded
8 research universities. Grants to recipients attending an independent
9 institution shall be contingent upon the institution matching on at
10 least a dollar-for-dollar basis, either with actual money or by a
11 waiver of fees, the amount of the grant received by the student from
12 the state. The (~~higher education coordinating~~) board shall establish
13 procedures, by rule, to disburse the awards as direct grants to the
14 students.

15 (2) The (~~higher education coordinating~~) board shall establish
16 rules that provide for the annual awarding of grants, if moneys are
17 available, to three Washington scholars per legislative district except
18 for fiscal year 2007 when no more than two scholars per district shall
19 be selected; and, if not used by an original recipient, to the
20 Washington scholars-alternate from the same legislative district.

21 Beginning with scholars selected in the year 2000, if the
22 recipients of grants fail to demonstrate in a timely manner that they
23 will enroll in a Washington institution of higher education in the fall
24 term of the academic year following the award of the grant or are
25 deemed by the (~~higher education coordinating~~) board to have withdrawn
26 from college during the first academic year following the award, then
27 the grant shall be considered relinquished. The (~~higher education~~
28 ~~coordinating~~) board may then award any remaining grant amounts to the
29 Washington scholars-alternate from the same legislative district if the
30 grants are awarded within one calendar year of the recipient being
31 named a Washington scholars-alternate. Washington scholars-alternates
32 named as recipients of the grant must also demonstrate in a timely
33 manner that they will enroll in a Washington institution of higher
34 education during the next available term, as determined by the (~~higher~~
35 ~~education coordinating~~) board. The board may accept appeals and grant
36 waivers to the enrollment requirements of this section based on
37 exceptional mitigating circumstances of individual grant recipients.

1 To maintain eligibility for the grants, recipients must maintain a
2 minimum grade point average at the college or university equivalent to
3 3.30. Students shall be eligible to receive a maximum of twelve
4 quarters or eight semesters of grants for undergraduate study and may
5 transfer among in-state public and independent colleges and
6 universities during that period and continue to receive the grant as
7 provided under RCW 28B.76.665. If the student's cumulative grade point
8 average falls below 3.30 during the first three quarters or two
9 semesters, that student may petition the (~~higher education~~
10 ~~coordinating~~) board which shall have the authority to establish a
11 probationary period until such time as the student's grade point
12 average meets required standards.

13 (3) No grant shall be awarded to any student who is pursuing a
14 degree in theology.

15 (4) As used in this section, "independent college or university"
16 means a private, nonprofit educational institution, the main campus of
17 which is permanently situated in the state, open to residents of the
18 state, providing programs of education beyond the high school level
19 leading at least to the baccalaureate degree, and accredited by the
20 northwest association of schools and colleges as of June 9, 1988, and
21 other institutions as may be developed that are approved by the
22 (~~higher education coordinating~~) board as meeting equivalent standards
23 as those institutions accredited under this section.

24 (5) As used in this section, "public college or university" means
25 an institution of higher education as defined in RCW 28B.10.016.

26 **Sec. 118.** RCW 28B.76.670 and 1995 1st sp.s. c 7 s 8 are each
27 amended to read as follows:

28 (1) Recipients of the Washington award for vocational excellence
29 under RCW 28C.04.520 through 28C.04.550, who receive the award after
30 June 30, 1994, may receive a grant, if funds are available. The grant
31 shall be used to attend a postsecondary institution located in the
32 state of Washington. Recipients may attend an institution of higher
33 education as defined in RCW 28B.10.016, or an independent college or
34 university, or a licensed private vocational school. The (~~higher~~
35 ~~education coordinating~~) board shall distribute grants to eligible
36 students under this section from moneys appropriated for this purpose.
37 The individual grants shall not exceed, on a yearly basis, the yearly,

1 full-time, resident, undergraduate tuition and service and activities
2 fees in effect at the state-funded research universities. In
3 consultation with the workforce training and education coordinating
4 board, the ((higher education coordinating)) board shall establish
5 procedures, by rule, to disburse the awards as direct grants to the
6 students.

7 (2) To qualify for the grant, recipients shall enter the
8 postsecondary institution within three years of high school graduation
9 and maintain a minimum grade point average at the institution
10 equivalent to 3.00, or, at a technical college, an above average
11 rating. Students shall be eligible to receive a maximum of two years
12 of grants for undergraduate study and may transfer among in-state
13 eligible postsecondary institutions during that period and continue to
14 receive the grant.

15 (3) No grant may be awarded to any student who is pursuing a degree
16 in theology.

17 (4) As used in this section, "independent college or university"
18 means a private, nonprofit educational institution, the main campus of
19 which is permanently situated in the state, open to residents of the
20 state, providing programs of education beyond the high school level
21 leading at least to the baccalaureate degree, and accredited by the
22 Northwest association of schools and colleges as of June 9, 1988, and
23 other institutions as may be developed that are approved by the
24 ((higher education coordinating)) board as meeting equivalent standards
25 as those institutions accredited under this section.

26 (5) As used in this section, "licensed private vocational school"
27 means a private postsecondary institution, located in the state,
28 licensed by the workforce training and education coordinating board
29 under chapter 28C.10 RCW, and offering postsecondary education in order
30 to prepare persons for a vocation or profession, as defined in RCW
31 28C.10.020(7).

32 **Sec. 119.** RCW 28B.76.690 and 2003 c 159 s 3 are each amended to
33 read as follows:

34 The ((higher education coordinating)) board shall administer
35 Washington's participation in the border county higher education
36 opportunity project.

1 **Sec. 120.** RCW 28A.600.120 and 1985 c 370 s 32 are each amended to
2 read as follows:

3 The (~~(higher education coordinating)~~) student financial assistance
4 board shall have the responsibility for administration of the
5 Washington scholars program. The program will be developed
6 cooperatively with the Washington association of secondary school
7 principals, a voluntary professional association of secondary school
8 principals. The cooperation of other state agencies and private
9 organizations having interest and responsibility in public and private
10 education shall be sought for planning assistance.

11 **Sec. 121.** RCW 28A.600.130 and 2006 c 263 s 916 are each amended to
12 read as follows:

13 The (~~(higher education coordinating)~~) student financial assistance
14 board shall establish a planning committee to develop criteria for
15 screening and selection of the Washington scholars each year in
16 accordance with RCW 28A.600.110(1). It is the intent that these
17 criteria shall emphasize scholastic achievement but not exclude such
18 criteria as leadership ability and community contribution in final
19 selection procedures. The Washington scholars planning committee shall
20 have members from selected state agencies and private organizations
21 having an interest and responsibility in education, including but not
22 limited to, the office of superintendent of public instruction, the
23 council of presidents, the state board for community and technical
24 colleges, and the Washington friends of higher education.

25 **Sec. 122.** RCW 28A.600.140 and 1990 c 33 s 501 are each amended to
26 read as follows:

27 Each year on or before March 1st, the Washington association of
28 secondary school principals shall submit to the (~~(higher education~~
29 ~~coordinating)~~) student financial assistance board the names of
30 graduating senior high school students who have been identified and
31 recommended to be outstanding in academic achievement by their school
32 principals based on criteria to be established under RCW 28A.600.130.

33 **Sec. 123.** RCW 28A.600.150 and 2005 c 518 s 916 are each amended to
34 read as follows:

35 Each year, three Washington scholars and one Washington scholars-

1 alternate shall be selected from the students nominated under RCW
2 28A.600.140, except that during fiscal year 2007, no more than two
3 scholars plus one alternate may be selected. The (~~higher education~~
4 ~~coordinating~~) student financial assistance board shall notify the
5 students so designated, their high school principals, the legislators
6 of their respective districts, and the governor when final selections
7 have been made.

8 The board, in conjunction with the governor's office, shall prepare
9 appropriate certificates to be presented to the Washington scholars and
10 the Washington scholars-alternates. An awards ceremony at an
11 appropriate time and place shall be planned by the board in cooperation
12 with the Washington association of secondary school principals, and
13 with the approval of the governor.

14 **Sec. 124.** RCW 28A.230.125 and 2009 c 556 s 9 are each amended to
15 read as follows:

16 (1) The superintendent of public instruction, in consultation with
17 the (~~higher education coordinating~~) student financial assistance
18 board, the state board for community and technical colleges, and the
19 workforce training and education coordinating board, shall develop for
20 use by all public school districts a standardized high school
21 transcript. The superintendent shall establish clear definitions for
22 the terms "credits" and "hours" so that school programs operating on
23 the quarter, semester, or trimester system can be compared.

24 (2) The standardized high school transcript shall include a
25 notation of whether the student has earned a certificate of individual
26 achievement or a certificate of academic achievement.

27 **Sec. 125.** RCW 28A.600.285 and 2009 c 450 s 4 are each amended to
28 read as follows:

29 The superintendent of public instruction and the (~~higher education~~
30 ~~coordinating~~) student financial assistance board shall develop
31 advising guidelines to assure that students and parents understand that
32 college credits earned in high school dual credit programs may impact
33 eligibility for financial aid.

34 **Sec. 126.** RCW 28A.630.400 and 2006 c 263 s 815 are each amended to
35 read as follows:

1 (1) The professional educator standards board and the state board
2 for community and technical colleges, in consultation with the
3 superintendent of public instruction, the (~~higher education~~
4 ~~coordinating~~) student financial assistance board, the state
5 apprenticeship training council, and community colleges, shall adopt
6 rules as necessary under chapter 34.05 RCW to implement the
7 paraeducator associate of arts degree.

8 (2) As used in this section, a "paraeducator" is an individual who
9 has completed an associate of arts degree for a paraeducator. The
10 paraeducator may be hired by a school district to assist certificated
11 instructional staff in the direct instruction of children in small and
12 large groups, individualized instruction, testing of children,
13 recordkeeping, and preparation of materials. The paraeducator shall
14 work under the direction of instructional certificated staff.

15 (3) The training program for a paraeducator associate of arts
16 degree shall include, but is not limited to, the general requirements
17 for receipt of an associate of arts degree and training in the areas of
18 introduction to childhood education, orientation to children with
19 disabilities, fundamentals of childhood education, creative activities
20 for children, instructional materials for children, fine art
21 experiences for children, the psychology of learning, introduction to
22 education, child health and safety, child development and guidance,
23 first aid, and a practicum in a school setting.

24 (4) Consideration shall be given to transferability of credit
25 earned in this program to teacher preparation programs at colleges and
26 universities.

27 **Sec. 127.** RCW 28A.650.015 and 2009 c 556 s 17 are each amended to
28 read as follows:

29 (1) The superintendent of public instruction, to the extent funds
30 are appropriated, shall develop and implement a Washington state K-12
31 education technology plan. The technology plan shall be updated on at
32 least a biennial basis, shall be developed to coordinate and expand the
33 use of education technology in the common schools of the state. The
34 plan shall be consistent with applicable provisions of chapter 43.105
35 RCW. The plan, at a minimum, shall address:

36 (a) The provision of technical assistance to schools and school

1 districts for the planning, implementation, and training of staff in
2 the use of technology in curricular and administrative functions;

3 (b) The continued development of a network to connect school
4 districts, institutions of higher learning, and other sources of online
5 information; and

6 (c) Methods to equitably increase the use of education technology
7 by students and school personnel throughout the state.

8 (2) The superintendent of public instruction shall appoint an
9 educational technology advisory committee to assist in the development
10 and implementation of the technology plan in subsection (1) of this
11 section. The committee shall include, but is not limited to, persons
12 representing: The department of information services, educational
13 service districts, school directors, school administrators, school
14 principals, teachers, classified staff, higher education faculty,
15 parents, students, business, labor, scientists and mathematicians, the
16 (~~higher education coordinating~~) student financial assistance board,
17 the workforce training and education coordinating board, and the state
18 library.

19 (3) The plan adopted and implemented under this section may not
20 impose on school districts any requirements that are not specifically
21 required by federal law or regulation, including requirements to
22 maintain eligibility for the federal schools and libraries program of
23 the universal service fund.

24 **Sec. 128.** RCW 28A.660.050 and 2009 c 539 s 3 and 2009 c 192 s 2
25 are each reenacted and amended to read as follows:

26 Subject to the availability of amounts appropriated for these
27 purposes, the conditional scholarship programs in this chapter are
28 created under the following guidelines:

29 (1) The programs shall be administered by the (~~higher education~~
30 ~~coordinating~~) student financial assistance board. In administering
31 the programs, the (~~higher education coordinating~~) board has the
32 following powers and duties:

33 (a) To adopt necessary rules and develop guidelines to administer
34 the programs;

35 (b) To collect and manage repayments from participants who do not
36 meet their service obligations; and

1 (c) To accept grants and donations from public and private sources
2 for the programs.

3 (2) Requirements for participation in the conditional scholarship
4 programs are as provided in this subsection (2).

5 (a) The alternative route conditional scholarship program is
6 limited to interns of the partnership grant programs under RCW
7 28A.660.040. In order to receive conditional scholarship awards,
8 recipients shall:

9 (i) Be accepted and maintain enrollment in alternative
10 certification routes through the partnership grant program;

11 (ii) Continue to make satisfactory progress toward completion of
12 the alternative route certification program and receipt of a residency
13 teaching certificate; and

14 (iii) Receive no more than the annual amount of the scholarship,
15 not to exceed eight thousand dollars, for the cost of tuition, fees,
16 and educational expenses, including books, supplies, and transportation
17 for the alternative route certification program in which the recipient
18 is enrolled. The board may adjust the annual award by the average rate
19 of resident undergraduate tuition and fee increases at the state
20 universities as defined in RCW 28B.10.016.

21 (b) The pipeline for paraeducators conditional scholarship program
22 is limited to qualified paraeducators as provided by RCW 28A.660.042.
23 In order to receive conditional scholarship awards, recipients shall:

24 (i) Be accepted and maintain enrollment at a community and
25 technical college for no more than two years and attain an associate of
26 arts degree;

27 (ii) Continue to make satisfactory progress toward completion of an
28 associate of arts degree. This progress requirement is a condition for
29 eligibility into a route one program of the alternative routes to
30 teacher certification program for a mathematics, special education, or
31 English as a second language endorsement; and

32 (iii) Receive no more than the annual amount of the scholarship,
33 not to exceed four thousand dollars, for the cost of tuition, fees, and
34 educational expenses, including books, supplies, and transportation for
35 the alternative route certification program in which the recipient is
36 enrolled. The board may adjust the annual award by the average rate of
37 tuition and fee increases at the state community and technical
38 colleges.

1 (c) The retooling to teach mathematics and science conditional
2 scholarship program is limited to current K-12 teachers and individuals
3 having an elementary education certificate but who are not employed in
4 positions requiring an elementary education certificate as provided by
5 RCW 28A.660.045. In order to receive conditional scholarship awards:

6 (i) Individuals currently employed as teachers shall pursue a
7 middle level mathematics or science, or secondary mathematics or
8 science endorsement; or

9 (ii) Individuals who are certificated with an elementary education
10 endorsement, but not employed in positions requiring an elementary
11 education certificate, shall pursue an endorsement in middle level
12 mathematics or science, or both; and

13 (iii) Individuals shall use one of the pathways to endorsement
14 processes to receive a mathematics or science endorsement, or both,
15 which shall include passing a mathematics or science endorsement test,
16 or both tests, plus observation and completing applicable coursework to
17 attain the proper endorsement; and

18 (iv) Individuals shall receive no more than the annual amount of
19 the scholarship, not to exceed three thousand dollars, for the cost of
20 tuition, test fees, and educational expenses, including books,
21 supplies, and transportation for the endorsement pathway being pursued.

22 (3) The Washington professional educator standards board shall
23 select individuals to receive conditional scholarships. In selecting
24 recipients, preference shall be given to eligible veterans or national
25 guard members.

26 (4) For the purpose of this chapter, a conditional scholarship is
27 a loan that is forgiven in whole or in part in exchange for service as
28 a certificated teacher employed in a Washington state K-12 public
29 school. The state shall forgive one year of loan obligation for every
30 two years a recipient teaches in a public school. Recipients who fail
31 to continue a course of study leading to residency teacher
32 certification or cease to teach in a public school in the state of
33 Washington in their endorsement area are required to repay the
34 remaining loan principal with interest.

35 (5) Recipients who fail to fulfill the required teaching obligation
36 are required to repay the remaining loan principal with interest and
37 any other applicable fees. The ((higher education coordinating))

1 student financial assistance board shall adopt rules to define the
2 terms for repayment, including applicable interest rates, fees, and
3 deferments.

4 (6) The (~~higher education coordinating~~) student financial
5 assistance board may deposit all appropriations, collections, and any
6 other funds received for the program in this chapter in the future
7 teachers conditional scholarship account authorized in RCW 28B.102.080.

8 **Sec. 129.** RCW 28B.04.080 and 2004 c 275 s 31 are each amended to
9 read as follows:

10 (1) The board shall consult and cooperate with the department of
11 social and health services; the (~~higher education coordinating~~)
12 student financial assistance board; the superintendent of public
13 instruction; the workforce training and education coordinating board;
14 the employment security department; the department of labor and
15 industries; sponsoring agencies under the federal comprehensive
16 employment and training act (87 Stat. 839; 29 U.S.C. Sec. 801 et seq.),
17 and any other persons or agencies as the board deems appropriate to
18 facilitate the coordination of centers established under this chapter
19 with existing programs of a similar nature.

20 (2) Annually on July 1st, each agency listed in subsection (1) of
21 this section shall submit a description of each service or program
22 under its jurisdiction which would support the programs and centers
23 established by this chapter and the funds available for such support.

24 (3) The board shall serve as a clearinghouse for displaced
25 homemaker information and resources and shall compile and disseminate
26 statewide information to the centers, related agencies, and interested
27 persons upon request.

28 **Sec. 130.** RCW 28B.07.020 and 2007 c 218 s 86 are each amended to
29 read as follows:

30 As used in this chapter, the following words and terms shall have
31 the following meanings, unless the context otherwise requires:

32 (1) "Authority" means the Washington higher education facilities
33 authority created under RCW 28B.07.030 or any board, body, commission,
34 department or officer succeeding to the principal functions of the
35 authority or to whom the powers conferred upon the authority shall be
36 given by law.

1 (2) "Bonds" means bonds, notes, commercial paper, certificates of
2 indebtedness, or other evidences of indebtedness of the authority
3 issued under this chapter.

4 (3) "Bond resolution" means any resolution of the authority,
5 adopted under this chapter, authorizing the issuance and sale of bonds.

6 (4) "Higher education institution" means a private, nonprofit
7 educational institution, the main campus of which is permanently
8 situated in the state, which is open to residents of the state, which
9 neither restricts entry on racial or religious grounds, which provides
10 programs of education beyond high school leading at least to the
11 baccalaureate degree, and which is accredited by the Northwest
12 Association of Schools and Colleges or by an accrediting association
13 recognized by the (~~higher education coordinating~~) student financial
14 assistance board.

15 (5) "Participant" means a higher education institution which, under
16 this chapter, undertakes the financing of a project or projects or
17 undertakes the refunding or refinancing of obligations, mortgages, or
18 advances previously incurred for a project or projects.

19 (6) "Project" means any land or any improvement, including, but not
20 limited to, buildings, structures, fixtures, utilities, machinery,
21 excavations, paving, and landscaping, and any interest in such land or
22 improvements, and any personal property pertaining or useful to such
23 land and improvements, which are necessary, useful, or convenient for
24 the operation of a higher education institution, including but not
25 limited to, the following: Dormitories or other multi-unit housing
26 facilities for students, faculty, officers, or employees; dining halls;
27 student unions; administration buildings; academic buildings;
28 libraries; laboratories; research facilities; computer facilities;
29 classrooms; athletic facilities; health care facilities; maintenance,
30 storage, or utility facilities; parking facilities; or any combination
31 thereof, or any other structures, facilities, or equipment so related.

32 (7) "Project cost" means any cost related to the acquisition,
33 construction, improvement, alteration, or rehabilitation by a
34 participant or the authority of any project and the financing of the
35 project through the authority, including, but not limited to, the
36 following costs paid or incurred: Costs of acquisition of land or
37 interests in land and any improvement; costs of contractors, builders,
38 laborers, material suppliers, and suppliers of tools and equipment;

1 costs of surety and performance bonds; fees and disbursements of
2 architects, surveyors, engineers, feasibility consultants, accountants,
3 attorneys, financial consultants, and other professionals; interest on
4 bonds issued by the authority during any period of construction;
5 principal of and interest on interim financing of any project; debt
6 service reserve funds; depreciation funds, costs of the initial start-
7 up operation of any project; fees for title insurance, document
8 recording, or filing; fees of trustees and the authority; taxes and
9 other governmental charges levied or assessed on any project; and any
10 other similar costs. Except as specifically set forth in this
11 definition, the term "project cost" does not include books, fuel,
12 supplies, and similar items which are required to be treated as a
13 current expense under generally accepted accounting principles.

14 (8) "Trust indenture" means any agreement, trust indenture, or
15 other similar instrument by and between the authority and one or more
16 corporate trustees.

17 **Sec. 131.** RCW 28B.07.030 and 2007 c 36 s 14 are each amended to
18 read as follows:

19 (1) The Washington higher education facilities authority is hereby
20 established as a public body corporate and politic, with perpetual
21 corporate succession, constituting an agency of the state of Washington
22 exercising essential governmental functions. The authority is a
23 "public body" within the meaning of RCW 39.53.010.

24 (2) The authority shall consist of seven members as follows: The
25 governor, lieutenant governor, executive director of the (~~higher~~
26 ~~education-coordinating~~) student financial assistance board, and four
27 public members, one of whom shall be the president of a higher
28 education institution at the time of appointment. The public members
29 shall be residents of the state and appointed by the governor, subject
30 to confirmation by the senate, on the basis of their interest or
31 expertise in the provision of higher education and the financing of
32 higher education. The public members of the authority shall serve for
33 terms of four years. The initial terms of the public members shall be
34 staggered in a manner determined by the governor. In the event of a
35 vacancy on the authority due to death, resignation, or removal of one
36 of the public members, and upon the expiration of the term of any
37 public member, the governor shall appoint a successor for a term

1 expiring on the fourth anniversary of the successor's date of the
2 appointment. If any of the state offices are abolished, the resulting
3 vacancy on the authority shall be filled by the state officer who shall
4 succeed substantially to the power and duties of the abolished office.
5 Any public member of the authority may be removed by the governor for
6 misfeasance, malfeasance, wilful neglect of duty, or any other cause
7 after notice and a public hearing, unless such notice and hearing shall
8 be expressly waived in writing.

9 (3) The governor shall serve as chairperson of the authority. The
10 authority shall elect annually one of its members as secretary. If the
11 governor shall be absent from a meeting of the authority, the secretary
12 shall preside. However, the governor may designate an employee of the
13 governor's office to act on the governor's behalf in all other respects
14 during the absence of the governor at any meeting of the authority. If
15 the designation is in writing and is presented to the person presiding
16 at the meetings of the authority who is included in the designation,
17 the vote of the designee has the same effect as if cast by the
18 governor.

19 (4) Any person designated by resolution of the authority shall keep
20 a record of the proceedings of the authority and shall be the custodian
21 of all books, documents, and papers filed with the authority, the
22 minute book or a journal of the authority, and the authority's official
23 seal, if any. The person may cause copies to be made of all minutes
24 and other records and documents of the authority, and may give
25 certificates to the effect that such copies are true copies. All
26 persons dealing with the authority may rely upon the certificates.

27 (5) Four members of the authority constitute a quorum. Members
28 participating in a meeting through the use of any means of
29 communication by which all members participating can hear each other
30 during the meeting shall be deemed to be present in person at the
31 meeting for all purposes. The authority may act on the basis of a
32 motion except when authorizing the issuance and sale of bonds, in which
33 case the authority shall act by resolution. Bond resolutions and other
34 resolutions shall be adopted upon the affirmative vote of four members
35 of the authority, and shall be signed by those members voting yes.
36 Motions shall be adopted upon the affirmative vote of a majority of a
37 quorum of members present at any meeting of the authority. All actions
38 taken by the authority shall take effect immediately without need for

1 publication or other public notice. A vacancy in the membership of the
2 authority does not impair the power of the authority to act under this
3 chapter.

4 (6) The members of the authority shall be compensated in accordance
5 with RCW 43.03.240 and shall be entitled to reimbursement, solely from
6 the funds of the authority, for travel expenses as determined by the
7 authority incurred in the discharge of their duties under this chapter.

8 **Sec. 132.** RCW 28B.10.786 and 1993 sp.s. c 15 s 7 are each amended
9 to read as follows:

10 It is the policy of the state of Washington that financial need not
11 be a barrier to participation in higher education. It is also the
12 policy of the state of Washington that the essential requirements level
13 budget calculation include funding for state student financial aid
14 programs. The calculation should, at a minimum, include a funding
15 level equal to the amount provided in the second year of the previous
16 biennium in the omnibus appropriations act, adjusted for the percentage
17 of needy resident students, by educational sector, likely to be
18 included in any enrollment increases necessary to maintain, by
19 educational sector, the participation rate funded in the 1993 fiscal
20 year. The calculation should also be adjusted to reflect, by
21 educational sector, any increases in cost of attendance. The cost of
22 attendance figures should be calculated by the (~~higher education~~
23 ~~coordinating~~) student financial assistance board and provided to the
24 office of financial management and appropriate legislative committees
25 by June 30th of each even-numbered year.

26 **Sec. 133.** RCW 28B.10.790 and 2004 c 275 s 44 are each amended to
27 read as follows:

28 Washington residents attending any nonprofit college or university
29 in another state which has a reciprocity agreement with the state of
30 Washington shall be eligible for the student financial aid program
31 outlined in chapter 28B.92 RCW if (1) they qualify as a "needy student"
32 under RCW 28B.92.030(~~(+3)~~) (5), and (2) the institution attended is a
33 member institution of an accrediting association recognized by rule of
34 the (~~higher education coordinating~~) student financial assistance
35 board for the purposes of this section and is specifically encompassed

1 within or directly affected by such reciprocity agreement and agrees to
2 and complies with program rules and regulations pertaining to such
3 students and institutions adopted pursuant to RCW 28B.92.150.

4 **Sec. 134.** RCW 28B.10.792 and 1985 c 370 s 55 are each amended to
5 read as follows:

6 The (~~higher education coordinating~~) student financial assistance
7 board shall develop guidelines for determining the conditions under
8 which an institution can be determined to be directly affected by a
9 reciprocity agreement for the purposes of RCW 28B.10.790: PROVIDED,
10 That no institution shall be determined to be directly affected unless
11 students from the county in which the institution is located are
12 provided, pursuant to a reciprocity agreement, access to Washington
13 institutions at resident tuition and fee rates to the extent authorized
14 by Washington law.

15 **Sec. 135.** RCW 28B.10.840 and 1985 c 370 s 57 are each amended to
16 read as follows:

17 The term "institution of higher education" whenever used in RCW
18 28B.10.840 through 28B.10.844, shall be held and construed to mean any
19 public institution of higher education in Washington. The term
20 "educational board" whenever used in RCW 28B.10.840 through 28B.10.844,
21 shall be held and construed to mean the state board for community and
22 technical colleges (~~education~~) and the (~~higher education~~
23 ~~coordinating~~) student financial assistance board.

24 **Sec. 136.** RCW 28B.12.030 and 2002 c 187 s 2 are each amended to
25 read as follows:

26 As used in this chapter, the following words and terms shall have
27 the following meanings, unless the context shall clearly indicate
28 another or different meaning or intent:

29 (1) The term "needy student" shall mean a student enrolled or
30 accepted for enrollment at a (~~post-secondary~~) postsecondary
31 institution who, according to a system of need analysis approved by the
32 (~~higher education coordinating~~) student financial assistance board,
33 demonstrates a financial inability, either parental, familial, or
34 personal, to bear the total cost of education for any semester or
35 quarter.

1 (2) The term "eligible institution" shall mean any (~~post-~~
2 ~~secondary~~) postsecondary institution in this state accredited by the
3 Northwest Association of Schools and Colleges, or a branch of a member
4 institution of an accrediting association recognized by rule of the
5 student financial assistance board for purposes of this section, that
6 is eligible for federal student financial aid assistance and has
7 operated as a nonprofit college or university delivering on-site
8 classroom instruction for a minimum of twenty consecutive years within
9 the state of Washington, or any public technical college in the state.

10 **Sec. 137.** RCW 28B.12.040 and 2009 c 560 s 21 are each amended to
11 read as follows:

12 The (~~higher education coordinating~~) student financial assistance
13 board shall develop and administer the state work-study program. The
14 board shall be authorized to enter into agreements with employers and
15 eligible institutions for the operation of the program. These
16 agreements shall include such provisions as the (~~higher education~~
17 ~~coordinating~~) board may deem necessary or appropriate to carry out the
18 purposes of this chapter.

19 With the exception of off-campus community service placements, the
20 share from moneys disbursed under the state work-study program of the
21 compensation of students employed under such program in accordance with
22 such agreements shall not exceed eighty percent of the total such
23 compensation paid such students.

24 By rule, the board shall define community service placements and
25 may determine any salary matching requirements for any community
26 service employers.

27 **Sec. 138.** RCW 28B.12.050 and 1994 c 130 s 5 are each amended to
28 read as follows:

29 The (~~higher education coordinating~~) student financial assistance
30 board shall disburse state work-study funds. In performing its duties
31 under this section, the board shall consult eligible institutions and
32 (~~post-secondary~~) postsecondary education advisory and governing
33 bodies. The board shall establish criteria designed to achieve such
34 distribution of assistance under this chapter among students attending
35 eligible institutions as will most effectively carry out the purposes
36 of this chapter.

1 **Sec. 139.** RCW 28B.12.055 and 2009 c 215 s 12 are each amended to
2 read as follows:

3 (1) Within existing resources, the (~~higher—education~~
4 ~~coordinating~~) student financial assistance board shall establish the
5 work-study opportunity grant for high-demand occupations, a competitive
6 grant program to encourage job placements in high-demand fields. The
7 board shall award grants to eligible institutions of higher education
8 that have developed a partnership with a proximate organization willing
9 to host work-study placements. Partner organizations may be nonprofit
10 organizations, for-profit firms, or public agencies. Eligible
11 institutions of higher education must verify that all job placements
12 will last for a minimum of one academic quarter or one academic
13 semester, depending on the system used by the eligible institution of
14 higher education.

15 (2) The board may adopt rules to identify high-demand fields for
16 purposes of this section. The legislature recognizes that the high-
17 demand fields identified by the board may differ in different regions
18 of the state.

19 (3) The board may award grants to eligible institutions of higher
20 education that cover both student wages and program administration.

21 (4) The board shall develop performance benchmarks regarding
22 program success including, but not limited to, the number of students
23 served, the amount of employer contributions, and the number of
24 participating high-demand employers.

25 **Sec. 140.** RCW 28B.12.060 and 2009 c 172 s 1 are each amended to
26 read as follows:

27 The (~~higher—education—coordinating~~) student financial assistance
28 board shall adopt rules as may be necessary or appropriate for
29 effecting the provisions of this chapter, and not in conflict with this
30 chapter, in accordance with the provisions of chapter 34.05 RCW, the
31 (~~state—higher—education~~) administrative procedure act. Such rules
32 shall include provisions designed to make employment under the work-
33 study program reasonably available, to the extent of available funds,
34 to all eligible needy students in eligible postsecondary institutions.
35 The rules shall include:

36 (1) Providing work under the state work-study program that will not

1 result in the displacement of employed workers or impair existing
2 contracts for services;

3 (2) Furnishing work only to a student who:

4 (a) Is capable, in the opinion of the eligible institution, of
5 maintaining good standing in such course of study while employed under
6 the program covered by the agreement; and

7 (b) Has been accepted for enrollment as at least a half-time
8 student at the eligible institution or, in the case of a student
9 already enrolled in and attending the eligible institution, is in good
10 standing and in at least half-time attendance there either as an
11 undergraduate, graduate or professional student; and

12 (c) Is not pursuing a degree in theology;

13 (3) Placing priority on providing:

14 (a) Work opportunities for students who are residents of the state
15 of Washington as defined in RCW 28B.15.012 and 28B.15.013, particularly
16 former foster youth as defined in RCW 28B.92.060;

17 (b) Job placements in fields related to each student's academic or
18 vocational pursuits, with an emphasis on off-campus job placements
19 whenever appropriate; and

20 (c) Off-campus community service placements;

21 (4) To the extent practicable, limiting the proportion of state
22 subsidy expended upon nonresident students to fifteen percent, or such
23 less amount as specified in the biennial appropriations act;

24 (5) Provisions to assure that in the state institutions of higher
25 education, utilization of this work-study program:

26 (a) Shall only supplement and not supplant classified positions
27 under jurisdiction of chapter 41.06 RCW;

28 (b) That all positions established which are comparable shall be
29 identified to a job classification under the director of personnel's
30 classification plan and shall receive equal compensation;

31 (c) Shall not take place in any manner that would replace
32 classified positions reduced due to lack of funds or work; and

33 (d) That work study positions shall only be established at entry
34 level positions of the classified service unless the overall scope and
35 responsibilities of the position indicate a higher level; and

36 (6) Provisions to encourage job placements in high employer demand
37 occupations that meet Washington's economic development goals,

1 including those in international trade and international relations.
2 The board shall permit appropriate job placements in other states and
3 other countries.

4 **Sec. 141.** RCW 28B.12.070 and 1994 c 130 s 7 are each amended to
5 read as follows:

6 Each eligible institution shall submit to the (~~higher education~~
7 ~~coordinating~~) student financial assistance board an annual report in
8 accordance with such requirements as are adopted by the board.

9 **Sec. 142.** RCW 28B.15.012 and 2009 c 220 s 1 are each amended to
10 read as follows:

11 Whenever used in this chapter (~~28B.15-RCW~~):

12 (1) The term "institution" shall mean a public university, college,
13 or community college within the state of Washington.

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

15 (a) A financially independent student who has had a domicile in the
16 state of Washington for the period of one year immediately prior to the
17 time of commencement of the first day of the semester or quarter for
18 which the student has registered at any institution and has in fact
19 established a bona fide domicile in this state primarily for purposes
20 other than educational;

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

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

31 (d) Any student who has spent at least seventy-five percent of both
32 his or her junior and senior years in high schools in this state, whose
33 parents or legal guardians have been domiciled in the state for a
34 period of at least one year within the five-year period before the
35 student graduates from high school, and who enrolls in a public

1 institution of higher education within six months of leaving high
2 school, for as long as the student remains continuously enrolled for
3 three quarters or two semesters in any calendar year;

4 (e) Any person who has completed the full senior year of high
5 school and obtained a high school diploma, both at a Washington public
6 high school or private high school approved under chapter 28A.195 RCW,
7 or a person who has received the equivalent of a diploma; who has lived
8 in Washington for at least three years immediately prior to receiving
9 the diploma or its equivalent; who has continuously lived in the state
10 of Washington after receiving the diploma or its equivalent and until
11 such time as the individual is admitted to an institution of higher
12 education under subsection (1) of this section; and who provides to the
13 institution an affidavit indicating that the individual will file an
14 application to become a permanent resident at the earliest opportunity
15 the individual is eligible to do so and a willingness to engage in any
16 other activities necessary to acquire citizenship, including but not
17 limited to citizenship or civics review courses;

18 (f) Any person who has lived in Washington, primarily for purposes
19 other than educational, for at least one year immediately before the
20 date on which the person has enrolled in an institution, and who holds
21 lawful nonimmigrant status pursuant to 8 U.S.C. Sec. (a)(15) (E)(iii),
22 (H)(i), or (L), or who holds lawful nonimmigrant status as the spouse
23 or child of a person having nonimmigrant status under one of those
24 subsections, or who, holding or having previously held such lawful
25 nonimmigrant status as a principal or derivative, has filed an
26 application for adjustment of status pursuant to 8 U.S.C. Sec. 1255(a);

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

29 (h) A student who is the spouse or a dependent of a person who is
30 on active military duty stationed in the state. If the person on
31 active military duty is reassigned out-of-state, the student maintains
32 the status as a resident student so long as the student is continuously
33 enrolled in a degree program;

34 (i) A student who resides in the state of Washington and is the
35 spouse or a dependent of a person who is a member of the Washington
36 national guard;

37 (j) A student of an out-of-state institution of higher education

1 who is attending a Washington state institution of higher education
2 pursuant to a home tuition agreement as described in RCW 28B.15.725; or

3 (k) A student who meets the requirements of RCW 28B.15.0131:
4 PROVIDED, That a nonresident student enrolled for more than six hours
5 per semester or quarter shall be considered as attending for primarily
6 educational purposes, and for tuition and fee paying purposes only such
7 period of enrollment shall not be counted toward the establishment of
8 a bona fide domicile of one year in this state unless such student
9 proves that the student has in fact established a bona fide domicile in
10 this state primarily for purposes other than educational.

11 (3) The term "nonresident student" shall mean any student who does
12 not qualify as a "resident student" under the provisions of this
13 section and RCW 28B.15.013. Except for students qualifying under
14 subsection (2)(e) or (j) of this section, a nonresident student shall
15 include:

16 (a) A student attending an institution with the aid of financial
17 assistance provided by another state or governmental unit or agency
18 thereof, such nonresidency continuing for one year after the completion
19 of such semester or quarter.

20 (b) A person who is not a citizen of the United States of America
21 who does not have permanent or temporary resident status or does not
22 hold "Refugee-Parolee" or "Conditional Entrant" status with the United
23 States citizenship immigration (~~(and naturalization)~~) services or is
24 not otherwise permanently residing in the United States under color of
25 law and who does not also meet and comply with all the applicable
26 requirements in this section and RCW 28B.15.013.

27 (4) The term "domicile" shall denote a person's true, fixed and
28 permanent home and place of habitation. It is the place where the
29 student intends to remain, and to which the student expects to return
30 when the student leaves without intending to establish a new domicile
31 elsewhere. The burden of proof that a student, parent or guardian has
32 established a domicile in the state of Washington primarily for
33 purposes other than educational lies with the student.

34 (5) The term "dependent" shall mean a person who is not financially
35 independent. Factors to be considered in determining whether a person
36 is financially independent shall be set forth in rules (~~(and~~
37 ~~regulations)~~) adopted by the (~~(higher education coordinating)~~) student
38 financial assistance board and shall include, but not be limited to,

1 the state and federal income tax returns of the person and/or the
2 student's parents or legal guardian filed for the calendar year prior
3 to the year in which application is made and such other evidence as the
4 board may require.

5 (6) The term "active military duty" means the person is serving on
6 active duty in:

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

8 (b) The Washington national guard; or

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

12 **Sec. 143.** RCW 28B.15.013 and 1989 c 175 s 79 are each amended to
13 read as follows:

14 (1) The establishment of a new domicile in the state of Washington
15 by a person formerly domiciled in another state has occurred if such
16 person is physically present in Washington primarily for purposes other
17 than educational and can show satisfactory proof that such person is
18 without a present intention to return to such other state or to acquire
19 a domicile at some other place outside of Washington.

20 (2) Unless proven to the contrary it shall be presumed that:

21 (a) The domicile of any person shall be determined according to the
22 individual's situation and circumstances rather than by marital status
23 or sex.

24 (b) A person does not lose a domicile in the state of Washington by
25 reason of residency in any state or country while a member of the civil
26 or military service of this state or of the United States, nor while
27 engaged in the navigation of the waters of this state or of the United
28 States or of the high seas if that person returns to the state of
29 Washington within one year of discharge from said service with the
30 intent to be domiciled in the state of Washington; any resident
31 dependent student who remains in this state when such student's
32 parents, having theretofore been domiciled in this state for a period
33 of one year immediately prior to the time of commencement of the first
34 day of the semester or quarter for which the student has registered at
35 any institution, remove from this state, shall be entitled to continued
36 classification as a resident student so long as such student's

1 attendance (except summer sessions) at an institution in this state is
2 continuous.

3 (3) To aid the institution in deciding whether a student, parent,
4 legally appointed guardian or the person having legal custody of a
5 student is domiciled in the state of Washington primarily for purposes
6 other than educational, the rules and regulations adopted by the
7 (~~higher education coordinating~~) student financial assistance board
8 shall include but not be limited to the following:

9 (a) Registration or payment of Washington taxes or fees on a motor
10 vehicle, mobile home, travel trailer, boat, or any other item of
11 personal property owned or used by the person for which state
12 registration or the payment of a state tax or fee is required will be
13 a factor in considering evidence of the establishment of a Washington
14 domicile.

15 (b) Permanent full time employment in Washington by a person will
16 be a factor in considering the establishment of a Washington domicile.

17 (c) Registration to vote for state officials in Washington will be
18 a factor in considering the establishment of a Washington domicile.

19 (4) After a student has registered at an institution such student's
20 classification shall remain unchanged in the absence of satisfactory
21 evidence to the contrary. A student wishing to apply for a change in
22 classification shall reduce such evidence to writing and file it with
23 the institution. In any case involving an application for a change
24 from nonresident to resident status, the burden of proof shall rest
25 with the applicant. Any change in classification, either nonresident
26 to resident, or the reverse, shall be based upon written evidence
27 maintained in the files of the institution and, if approved, shall take
28 effect the semester or quarter such evidence was filed with the
29 institution: PROVIDED, That applications for a change in
30 classification shall be accepted up to the thirtieth calendar day
31 following the first day of instruction of the quarter or semester for
32 which application is made.

33 **Sec. 144.** RCW 28B.15.015 and 1985 c 370 s 64 are each amended to
34 read as follows:

35 The (~~higher education coordinating~~) student financial assistance
36 board, upon consideration of advice from representatives of the state's
37 institutions with the advice of the attorney general, shall adopt rules

1 and regulations to be used by the state's institutions for determining
2 a student's resident and nonresident status and for recovery of fees
3 for improper classification of residency.

4 **Sec. 145.** RCW 28B.15.100 and 2003 c 232 s 6 are each amended to
5 read as follows:

6 (1) The governing boards of the state universities, the regional
7 universities, The Evergreen State College, and the community colleges
8 shall charge to and collect from each of the students registering at
9 the particular institution for any quarter or semester such tuition
10 fees and services and activities fees, and other fees as such board
11 shall in its discretion determine. The total of all fees shall be
12 rounded to the nearest whole dollar amount: PROVIDED, That such
13 tuition fees shall be established in accordance with RCW 28B.15.067.

14 (2) Part-time students shall be charged tuition and services and
15 activities fees proportionate to full-time student rates established
16 for residents and nonresidents: PROVIDED, That except for students
17 registered at community colleges, students registered for fewer than
18 two credit hours shall be charged tuition and services and activities
19 fees at the rate established for two credit hours: PROVIDED FURTHER,
20 That, subject to the limitations of RCW 28B.15.910, residents of Idaho
21 or Oregon who are enrolled in community college district number twenty
22 for six or fewer credits during any quarter or semester may be exempted
23 from payment of all or a portion of the nonresident tuition fees
24 differential upon a declaration by the (~~higher—education~~
25 ~~coordinating~~) student financial assistance board that it finds
26 Washington residents from the community college district are afforded
27 substantially equivalent treatment by such other states.

28 (3) Full-time students registered for more than eighteen credit
29 hours shall be charged an additional operating fee for each credit hour
30 in excess of eighteen hours at the applicable established per credit
31 hour tuition fee rate for part-time students: PROVIDED, That, subject
32 to the limitations of RCW 28B.15.910, the governing boards of the state
33 universities and the community colleges may exempt all or a portion of
34 the additional charge, for students who are registered exclusively in
35 first professional programs in medicine, dental medicine, veterinary
36 medicine, doctor of pharmacy, or law, or who are registered exclusively
37 in required courses in vocational preparatory programs.

1 **Sec. 146.** RCW 28B.15.543 and 2004 c 275 s 49 are each amended to
2 read as follows:

3 (1) Subject to the limitations of RCW 28B.15.910, the governing
4 boards of the state universities, the regional universities, The
5 Evergreen State College, and the community colleges shall waive tuition
6 and service and activities fees for students named by the (~~higher~~
7 ~~education—coordinating~~) student financial assistance board on or
8 before June 30, 1994, as recipients of the Washington scholars award
9 under RCW 28A.600.100 through 28A.600.150. The waivers shall be used
10 only for undergraduate studies. To qualify for the waiver, recipients
11 shall enter the college or university within three years of high school
12 graduation and maintain a minimum grade point average at the college or
13 university equivalent to 3.30. Students shall be eligible to receive
14 a maximum of twelve quarters or eight semesters of waivers and may
15 transfer among state-supported institutions of higher education during
16 that period and continue to have the tuition and services and
17 activities fees waived by the state-supported institution of higher
18 education that the student attends. Should the student's cumulative
19 grade point average fall below 3.30 during the first three quarters or
20 two semesters, that student may petition the (~~higher—education~~
21 ~~coordinating~~) student financial assistance board which shall have the
22 authority to establish a probationary period until such time as the
23 student's grade point average meets required standards.

24 (2) Students named by the (~~higher—education—coordinating~~) student
25 financial assistance board after June 30, 1994, as recipients of the
26 Washington scholars award under RCW 28A.600.100 through 28A.600.150
27 shall be eligible to receive a grant for undergraduate course work as
28 authorized under RCW 28B.76.660.

29 **Sec. 147.** RCW 28B.15.732 and 1985 c 370 s 70 are each amended to
30 read as follows:

31 Prior to January 1st of each odd-numbered year the (~~higher~~
32 ~~education—coordinating~~) student financial assistance board, in
33 cooperation with the state board for community and technical colleges
34 (~~education~~), and in consultation with appropriate agencies and
35 officials in the state of Oregon, shall determine for the purposes of
36 RCW 28B.15.730 the number of students for whom nonresident tuition and
37 fees have been waived for the first academic year of the biennium and

1 the fall term of the second academic year, and make an estimate of the
2 number of such students for the remainder of the second academic year,
3 and the difference between the aggregate amount of tuition and fees
4 that would have been paid to the respective states by residents of the
5 other state had such waivers not been made, and the aggregate amount of
6 tuition and fees paid by residents of the other state. Should the
7 board determine that the state of Oregon has experienced a greater net
8 tuition and fee revenue loss than institutions in Washington, it shall
9 pay from funds appropriated for this purpose to the appropriate agency
10 or institutions in Oregon an amount determined by subtracting the net
11 tuition and fee revenue loss of Washington from the net tuition and fee
12 revenue loss of Oregon, minus twenty-five thousand dollars for each
13 year of the biennium: PROVIDED, That appropriate officials in the
14 state of Oregon agree to make similar restitution to the state of
15 Washington should the net tuition and fee revenue loss in Washington be
16 greater than that in Oregon.

17 **Sec. 148.** RCW 28B.15.736 and 1985 c 370 s 72 are each amended to
18 read as follows:

19 By January 10th of each odd-numbered year, the (~~higher education~~
20 ~~coordinating~~) student financial assistance board shall review the
21 costs and benefits of this program and shall transmit copies of their
22 review to the governor and the appropriate policy and fiscal committees
23 of the legislature.

24 **Sec. 149.** RCW 28B.15.752 and 1985 c 370 s 74 are each amended to
25 read as follows:

26 Prior to January 1st of each odd-numbered year, the (~~higher~~
27 ~~education—coordinating~~) student financial assistance board, in
28 cooperation with the state board for community and technical colleges
29 (~~education~~) and in consultation with appropriate agencies and
30 officials in the state of Idaho, shall determine for the purposes of
31 RCW 28B.15.750 the number of students for whom nonresident tuition and
32 fees have been waived for the first academic year of the biennium and
33 the fall term of the second academic year, and make an estimate of the
34 number of such students for the remainder of the second academic year,
35 and the difference between the aggregate amount of tuition and fees
36 that would have been paid to the respective states by residents of the

1 other state had such waivers not been made, and the aggregate amount of
2 tuition and fees paid by residents of the other state. Should the
3 board determine that the state of Idaho has experienced a greater net
4 tuition and fee revenue loss than institutions in Washington, it shall
5 pay from funds appropriated for this purpose to the appropriate agency
6 or institution in Idaho an amount determined by subtracting the net
7 tuition and fee revenue loss of Washington from the net tuition and fee
8 revenue loss of Idaho, minus twenty-five thousand dollars for each year
9 of the biennium if the appropriate officials in the state of Idaho
10 agree to make similar restitution to the state of Washington should the
11 net tuition and fee revenue loss in Washington be greater than that in
12 Idaho.

13 **Sec. 150.** RCW 28B.15.760 and 2004 c 275 s 65 are each amended to
14 read as follows:

15 Unless the context clearly requires otherwise, the definitions in
16 this section apply throughout RCW 28B.15.762 and 28B.15.764.

17 (1) "Institution of higher education" or "institution" means a
18 college or university in the state of Washington which is a member
19 institution of an accrediting association recognized as such by rule of
20 the ((higher education coordinating)) student financial assistance
21 board.

22 (2) "Board" means the ((higher education coordinating)) student
23 financial assistance board.

24 (3) "Eligible student" means a student registered for at least ten
25 credit hours or the equivalent and demonstrates achievement of a 3.00
26 grade point average for each academic year, who is a resident student
27 as defined by RCW 28B.15.012 through 28B.15.015, who is a "needy
28 student" as defined in RCW 28B.92.030, and who has a declared major in
29 a program leading to a degree in teacher education in a field of
30 science or mathematics, or a certificated teacher who meets the same
31 credit hour and "needy student" requirements and is seeking an
32 additional degree in science or mathematics.

33 (4) "Public school" means a middle school, junior high school, or
34 high school within the public school system referred to in Article IX
35 of the state Constitution.

36 (5) "Forgiven" or "to forgive" means to collect service as a

1 teacher in a field of science or mathematics at a public school in the
2 state of Washington in lieu of monetary payment.

3 (6) "Satisfied" means paid-in-full.

4 (7) "Borrower" means an eligible student who has received a loan
5 under RCW 28B.15.762.

6 **Sec. 151.** RCW 28B.15.762 and 1996 c 107 s 2 are each amended to
7 read as follows:

8 (1) The board may make long-term loans to eligible students at
9 institutions of higher education from the funds appropriated to the
10 board for this purpose. The amount of any such loan shall not exceed
11 the demonstrated financial need of the student or two thousand five
12 hundred dollars for each academic year whichever is less, and the total
13 amount of such loans to an eligible student shall not exceed ten
14 thousand dollars. The interest rates and terms of deferral of such
15 loans shall be consistent with the terms of the guaranteed loan program
16 established by 20 U.S.C. Sec. 1701 et seq. The period for repaying the
17 loan principal and interest shall be ten years with payments accruing
18 quarterly commencing nine months from the date the borrower graduated.
19 The entire principal and interest of each loan payment shall be
20 forgiven for each payment period in which the borrower teaches science
21 or mathematics in a public school in this state until the entire loan
22 is satisfied or the borrower ceases to teach science or mathematics at
23 a public school in this state. Should the borrower cease to teach
24 science or mathematics at a public school in this state before the time
25 in which the principal and interest on the loan are satisfied, payments
26 on the unsatisfied portion of the principal and interest on the loan
27 shall begin the next payment period and continue until the remainder of
28 the loan is paid.

29 (2) The board is responsible for collection of loans made under
30 subsection (1) of this section and shall exercise due diligence in such
31 collection, maintaining all necessary records to insure that maximum
32 repayments are made. Collection and servicing of loans under
33 subsection (1) of this section shall be pursued using the full extent
34 of the law, including wage garnishment if necessary, and shall be
35 performed by entities approved for such servicing by the Washington
36 student loan guaranty association or its successor agency. The board

1 is responsible to forgive all or parts of such loans under the criteria
2 established in subsection (1) of this section and shall maintain all
3 necessary records of forgiven payments.

4 (3) Receipts from the payment of principal or interest or any other
5 subsidies to which the board as lender is entitled, which are paid by
6 or on behalf of borrowers under subsection (1) of this section, shall
7 be deposited with the (~~higher education coordinating~~) board and shall
8 be used to cover the costs of making the loans under subsection (1) of
9 this section, maintaining necessary records, and making collections
10 under subsection (2) of this section. The board shall maintain
11 accurate records of these costs, and all receipts beyond those
12 necessary to pay such costs shall be used to make loans to eligible
13 students.

14 (4) Any funds not used to make loans, or to cover the cost of
15 making loans or making collections, shall be placed in the state
16 educational trust fund for needy or disadvantaged students.

17 (5) The board shall adopt necessary rules to implement this
18 section.

19 **Sec. 152.** RCW 28B.50.030 and 2009 c 353 s 1, 2009 c 151 s 3, and
20 2009 c 64 s 3 are each reenacted and amended to read as follows:

21 The definitions in this section apply throughout this chapter
22 unless the context clearly requires otherwise.

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

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

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

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

7 (3) "Board" means the workforce training and education coordinating
8 board.

9 (4) "Board of trustees" means the local community and technical
10 college board of trustees established for each college district within
11 the state.

12 (5) "Center of excellence" means a community or technical college
13 designated by the college board as a statewide leader in
14 industry-specific, community and technical college workforce education
15 and training.

16 (6) "College board" means the state board for community and
17 technical colleges created by this chapter.

18 (7) "Common school board" means a public school district board of
19 directors.

20 (8) "Community college" includes those higher education
21 institutions that conduct education programs under RCW 28B.50.020.

22 (9) "Director" means the administrative director for the state
23 system of community and technical colleges.

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

34 (11) "Dislocated salmon fishing worker" means a finfish products
35 worker who: (a)(i) Has been terminated or received notice of
36 termination from employment and is unlikely to return to employment in
37 the individual's principal occupation or previous industry because of
38 a diminishing demand for his or her skills in that occupation or

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

6 (12) "District" means any one of the community and technical
7 college districts created by this chapter.

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

20 (14) "High employer demand program of study" means an
21 apprenticeship, or an undergraduate or graduate certificate or degree
22 program in which the number of students prepared for employment per
23 year from in-state institutions is substantially less than the number
24 of projected job openings per year in that field, statewide or in a
25 substate region.

26 (15) "K-12 system" means the public school program including
27 kindergarten through the twelfth grade.

28 (16) "Occupational education" means education or training that will
29 prepare a student for employment that does not require a baccalaureate
30 degree, and education and training that will prepare a student for
31 transfer to bachelor's degrees in professional fields, subject to rules
32 adopted by the college board.

33 (17) "Qualified institutions of higher education" means:

34 (a) Washington public community and technical colleges;

35 (b) Private career schools that are members of an accrediting
36 association recognized by rule of the ((higher education coordinating))
37 student financial assistance board for the purposes of chapter 28B.92
38 RCW; and

1 (c) Washington state apprenticeship and training council-approved
2 apprenticeship programs.

3 (18) "Rural natural resources impact area" means:

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

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

10 (c) A nonurbanized area, as defined by the 1990 decennial census,
11 that is located in a metropolitan county that meets three of the five
12 criteria set forth in subsection (19) of this section.

13 (19) For the purposes of designating rural natural resources impact
14 areas, the following criteria shall be considered:

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

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

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

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

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

36 (20) "Salmon fishing worker" means a worker in the finfish industry
37 affected by 1994 or future salmon disasters. The workers included
38 within this definition shall be determined by the employment security

1 department, but shall include workers employed in the industries
2 involved in the commercial and recreational harvesting of finfish
3 including buying and processing finfish. The commissioner may adopt
4 rules further interpreting these definitions.

5 (21) "System" means the state system of community and technical
6 colleges, which shall be a system of higher education.

7 (22) "Technical college" includes those higher education
8 institutions with the mission of conducting occupational education,
9 basic skills, literacy programs, and offering on short notice, when
10 appropriate, programs that meet specific industry needs. For purposes
11 of this chapter, technical colleges shall include Lake Washington
12 Vocational-Technical Institute, Renton Vocational-Technical Institute,
13 Bates Vocational-Technical Institute, Clover Park Vocational Institute,
14 and Bellingham Vocational-Technical Institute.

15 **Sec. 153.** RCW 28B.50.272 and 2007 c 277 s 102 are each amended to
16 read as follows:

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

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

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

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

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

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

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

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

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

6 **Sec. 154.** RCW 28B.92.020 and 2003 c 19 s 11 are each amended to
7 read as follows:

8 (1) The legislature finds that the (~~higher—education~~
9 ~~coordinating~~) board, in consultation with the higher education
10 community, has completed a review of the state need grant program. It
11 is the intent of the legislature to endorse the board's proposed
12 changes to the state need grant program, including:

13 (a) Reaffirmation that the primary purpose of the state need grant
14 program is to assist low-income, needy, and disadvantaged Washington
15 residents attending institutions of higher education;

16 (b) A goal that the base state need grant amount over time be
17 increased to be equivalent to the rate of tuition charged to resident
18 undergraduate students attending Washington state public colleges and
19 universities;

20 (c) State need grant recipients be required to contribute a portion
21 of the total cost of their education through self-help;

22 (d) State need grant recipients be required to document their need
23 for dependent care assistance after taking into account other public
24 funds provided for like purposes; and

25 (e) Institutional aid administrators be allowed to determine
26 whether a student eligible for a state need grant in a given academic
27 year may remain eligible for the ensuing year if the student's family
28 income increases by no more than a marginal amount except for funds
29 provided through the educational assistance grant program for students
30 with dependents.

31 (2) The legislature further finds that the (~~higher—education~~
32 ~~coordinating~~) board, under its authority to implement the proposed
33 changes in subsection (1) of this section, should do so in a timely
34 manner.

35 (3) The legislature also finds that:

36 (a) In most circumstances, need grant eligibility should not extend

1 beyond five years or one hundred twenty-five percent of the published
2 length of the program in which the student is enrolled or the credit or
3 clock-hour equivalent; and

4 (b) State financial aid programs should continue to adhere to the
5 principle that funding follows resident students to their choice of
6 institution of higher education.

7 **Sec. 155.** RCW 28B.92.030 and 2009 c 238 s 7 and 2009 c 215 s 5 are
8 each reenacted and amended to read as follows:

9 As used in this chapter:

10 (1) "Board" means the (~~higher education coordinating~~) student
11 financial assistance board.

12 (2) "Disadvantaged student" means a (~~post-high~~) posthigh school
13 student who by reason of adverse cultural, educational, environmental,
14 experiential, familial or other circumstances is unable to qualify for
15 enrollment as a full-time student in an institution of higher
16 education, who would otherwise qualify as a needy student, and who is
17 attending an institution of higher education under an established
18 program designed to qualify the student for enrollment as a full-time
19 student.

20 (3) "Financial aid" means loans and/or grants to needy students
21 enrolled or accepted for enrollment as a student at institutions of
22 higher education.

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

24 (a) Any public university, college, community college, or technical
25 college operated by the state of Washington or any political
26 subdivision thereof; or

27 (b) Any other university, college, school, or institute in the
28 state of Washington offering instruction beyond the high school level
29 which is a member institution of an accrediting association recognized
30 by rule of the board for the purposes of this section: PROVIDED, That
31 any institution, branch, extension or facility operating within the
32 state of Washington which is affiliated with an institution operating
33 in another state must be a separately accredited member institution of
34 any such accrediting association, or a branch of a member institution
35 of an accrediting association recognized by rule of the board for
36 purposes of this section, that is eligible for federal student
37 financial aid assistance and has operated as a nonprofit college or

1 university delivering on-site classroom instruction for a minimum of
2 twenty consecutive years within the state of Washington, and has an
3 annual enrollment of at least seven hundred full-time equivalent
4 students: PROVIDED FURTHER, That no institution of higher education
5 shall be eligible to participate in a student financial aid program
6 unless it agrees to and complies with program rules and regulations
7 adopted pursuant to RCW 28B.92.150.

8 (5) "Needy student" means a (~~post-high~~) posthigh school student
9 of an institution of higher education who demonstrates to the board the
10 financial inability, either through the student's parents, family
11 and/or personally, to meet the total cost of board, room, books, and
12 tuition and incidental fees for any semester or quarter. "Needy
13 student" also means an opportunity internship graduate as defined by
14 RCW 28C.18.162 who enrolls in a postsecondary program of study as
15 defined in RCW 28C.18.162 within one year of high school graduation.

16 (6) "Placebound student" means a student who (a) is unable to
17 complete a college program because of family or employment commitments,
18 health concerns, monetary inability, or other similar factors; and (b)
19 may be influenced by the receipt of an enhanced student financial aid
20 award to complete a baccalaureate degree at an eligible institution.

21 **Sec. 156.** RCW 28B.95.020 and 2007 c 405 s 8 are each amended to
22 read as follows:

23 The definitions in this section apply throughout this chapter,
24 unless the context clearly requires otherwise.

25 (1) "Academic year" means the regular nine-month, three-quarter, or
26 two-semester period annually occurring between August 1st and July
27 31st.

28 (2) "Account" means the Washington advanced college tuition payment
29 program account established for the deposit of all money received by
30 the board from eligible purchasers and interest earnings on investments
31 of funds in the account, as well as for all expenditures on behalf of
32 eligible beneficiaries for the redemption of tuition units and for the
33 development of any authorized college savings program pursuant to RCW
34 28B.95.150.

35 (3) "Board" means the (~~higher-education-coordinating~~) student
36 financial assistance board as defined in chapter 28B.76 RCW.

1 (4) "Committee on advanced tuition payment" or "committee" means a
2 committee of the following members: The state treasurer, the director
3 of the office of financial management, the executive director of the
4 (~~higher education coordinating~~) board, or their designees, and two
5 members to be appointed by the governor, one representing program
6 participants and one private business representative with marketing,
7 public relations, or financial expertise.

8 (5) "Governing body" means the committee empowered by the
9 legislature to administer the Washington advanced college tuition
10 payment program.

11 (6) "Contractual obligation" means a legally binding contract of
12 the state with the purchaser and the beneficiary establishing that
13 purchases of tuition units will be worth the same number of tuition
14 units at the time of redemption as they were worth at the time of the
15 purchase.

16 (7) "Eligible beneficiary" means the person for whom the tuition
17 unit will be redeemed for attendance at an institution of higher
18 education. The beneficiary is that person named by the purchaser at
19 the time that a tuition unit contract is accepted by the governing
20 body. Qualified organizations, as allowed under section 529 of the
21 federal internal revenue code, purchasing tuition unit contracts as
22 future scholarships need not designate a beneficiary at the time of
23 purchase.

24 (8) "Eligible purchaser" means an individual or organization that
25 has entered into a tuition unit contract with the governing body for
26 the purchase of tuition units for an eligible beneficiary. The state
27 of Washington may be an eligible purchaser for purposes of purchasing
28 tuition units to be held for granting Washington college bound
29 scholarships.

30 (9) "Full-time tuition charges" means resident tuition charges at
31 a state institution of higher education for enrollments between ten
32 credits and eighteen credit hours per academic term.

33 (10) "Institution of higher education" means an institution that
34 offers education beyond the secondary level and is recognized by the
35 internal revenue service under chapter 529 of the internal revenue
36 code.

37 (11) "Investment board" means the state investment board as defined
38 in chapter 43.33A RCW.

1 (12) "State institution of higher education" means institutions of
2 higher education as defined in RCW 28B.10.016.

3 (13) "Tuition and fees" means undergraduate tuition and services
4 and activities fees as defined in RCW 28B.15.020 and 28B.15.041 rounded
5 to the nearest whole dollar. For purposes of this chapter, services
6 and activities fees do not include fees charged for the payment of
7 bonds heretofore or hereafter issued for, or other indebtedness
8 incurred to pay, all or part of the cost of acquiring, constructing, or
9 installing any lands, buildings, or facilities.

10 (14) "Tuition unit contract" means a contract between an eligible
11 purchaser and the governing body, or a successor agency appointed for
12 administration of this chapter, for the purchase of tuition units for
13 a specified beneficiary that may be redeemed at a later date for an
14 equal number of tuition units.

15 (15) "Unit purchase price" means the minimum cost to purchase one
16 tuition unit for an eligible beneficiary. Generally, the minimum
17 purchase price is one percent of the undergraduate tuition and fees for
18 the current year, rounded to the nearest whole dollar, adjusted for the
19 costs of administration and adjusted to ensure the actuarial soundness
20 of the account. The analysis for price setting shall also include, but
21 not be limited to consideration of past and projected patterns of
22 tuition increases, program liability, past and projected investment
23 returns, and the need for a prudent stabilization reserve.

24 **Sec. 157.** RCW 28B.95.025 and 2000 c 14 s 2 are each amended to
25 read as follows:

26 The board shall maintain appropriate offices and employ and fix
27 compensation of such personnel as may be necessary to perform the
28 advanced college tuition payment program duties. The board shall
29 consult with the governing body on the selection, compensation, and
30 other issues relating to the employment of the program director. The
31 positions are exempt from classified service under chapter 41.06 RCW.
32 The employees shall be employees of the (~~higher—education~~
33 ~~coordinating~~) board.

34 **Sec. 158.** RCW 28B.95.040 and 1997 c 289 s 4 are each amended to
35 read as follows:

36 The governing body may, at its discretion, allow an organization to

1 purchase tuition units for future use as scholarships. Such
2 organizations electing to purchase tuition units for this purpose must
3 enter into a contract with the governing body which, at a minimum,
4 ensures that the scholarship shall be freely given by the purchaser to
5 a scholarship recipient. For such purchases, the purchaser need not
6 name a beneficiary until four months before the date when the tuition
7 units are first expected to be used.

8 The governing body shall formulate and adopt such rules as are
9 necessary to determine which organizations may qualify to purchase
10 tuition units for scholarships under this section. The governing body
11 also may consider additional rules for the use of tuition units if
12 purchased as scholarships.

13 The governing body may establish a scholarship fund with moneys
14 from the Washington advanced college tuition payment program account.
15 A scholarship fund established under this authority shall be
16 administered by the (~~higher education coordinating~~) board and shall
17 be provided to students who demonstrate financial need. Financial need
18 is not a criterion that any other organization need consider when using
19 tuition units as scholarships. The board also may establish its own
20 corporate-sponsored scholarship fund under this chapter.

21 **Sec. 159.** RCW 28B.95.060 and 2007 c 214 s 13 are each amended to
22 read as follows:

23 (1) The Washington advanced college tuition payment program account
24 is created in the custody of the state treasurer. The account shall be
25 a discrete nontreasury account retaining its interest earnings in
26 accordance with RCW 43.79A.040.

27 (2)(a) Except as provided in (b) of this subsection, the governing
28 body shall deposit in the account all money received for the program.
29 The account shall be self-sustaining and consist of payments received
30 from purchasers of tuition units and funds received from other sources,
31 public or private. With the exception of investment and operating
32 costs associated with the investment of money by the investment board
33 paid under RCW 43.33A.160 and 43.84.160, the account shall be credited
34 with all investment income earned by the account. Disbursements from
35 the account are exempt from appropriations and the allotment provisions
36 of chapter 43.88 RCW. Money used for program administration is subject
37 to the allotment of all expenditures. However, an appropriation is not

1 required for such expenditures. Program administration shall include,
2 but not be limited to: The salaries and expenses of the program
3 personnel including lease payments, travel, and goods and services
4 necessary for program operation; contracts for program promotion and
5 advertisement, audits, and account management; and other general costs
6 of conducting the business of the program.

7 (b) All money received by the program from the (~~higher education~~
8 ~~coordinating~~) board for the GET ready for math and science scholarship
9 program shall be deposited in the GET ready for math and science
10 scholarship account created in RCW 28B.105.110.

11 (3) The assets of the account may be spent without appropriation
12 for the purpose of making payments to institutions of higher education
13 on behalf of the qualified beneficiaries, making refunds, transfers, or
14 direct payments upon the termination of the Washington advanced college
15 tuition payment program. Disbursements from the account shall be made
16 only on the authorization of the governing body.

17 (4) With regard to the assets of the account, the state acts in a
18 fiduciary, not ownership, capacity. Therefore the assets of the
19 program are not considered state money, common cash, or revenue to the
20 state.

21 **Sec. 160.** RCW 28B.95.160 and 2007 c 214 s 12 are each amended to
22 read as follows:

23 Ownership of tuition units purchased by the (~~higher education~~
24 ~~coordinating~~) board for the GET ready for math and science scholarship
25 program under RCW 28B.105.070 shall be in the name of the state of
26 Washington and may be redeemed by the state of Washington on behalf of
27 recipients of GET ready for math and science scholarship program
28 scholarships for tuition and fees.

29 **Sec. 161.** RCW 28B.97.020 and 2009 c 215 s 14 are each amended to
30 read as follows:

31 The definitions in this section apply throughout this chapter
32 unless the context clearly requires otherwise.

33 (1) "Board" means the (~~higher education coordinating~~) student
34 financial assistance board.

35 (2) "Institution of higher education" means a college or university

1 in the state of Washington that is accredited by an accrediting
2 association recognized as such by rule of the board.

3 (3) "Program" means the Washington higher education loan program.

4 (4) "Resident student" has the definition in RCW 28B.15.012(2) (a)
5 through (d).

6 **Sec. 162.** RCW 28B.101.010 and 2003 c 233 s 2 are each amended to
7 read as follows:

8 The educational opportunity grant program is hereby created to
9 serve placebound financially needy students by assisting them to obtain
10 a baccalaureate degree at public and private institutions of higher
11 education approved for participation by the (~~higher education~~
12 ~~coordinating~~) student financial assistance board.

13 **Sec. 163.** RCW 28B.101.030 and 1990 c 288 s 5 are each amended to
14 read as follows:

15 The (~~higher education coordinating~~) student financial assistance
16 board shall develop and administer the educational opportunity grant
17 program. The student financial assistance board shall adopt necessary
18 rules and guidelines and develop criteria and procedures to select
19 eligible participants in the program. Payment shall be made directly
20 to the eligible participant periodically upon verification of
21 enrollment and satisfactory progress towards degree completion.

22 **Sec. 164.** RCW 28B.101.040 and 2003 c 233 s 4 are each amended to
23 read as follows:

24 Grants may be used by eligible participants to attend any public or
25 private college or university in the state of Washington that is
26 accredited by an accrediting association recognized by rule of the
27 (~~higher education coordinating~~) student financial assistance board
28 for the program and that complies with eligibility criteria established
29 by rule of the (~~higher education coordinating~~) student financial
30 assistance board. The participant shall not be eligible for a grant if
31 it will be used for any programs that include religious worship,
32 exercise, or instruction or to pursue a degree in theology. Each
33 participating student may receive up to two thousand five hundred
34 dollars per academic year, not to exceed the student's demonstrated
35 financial need for the course of study.

1 **Sec. 165.** RCW 28B.101.050 and 2009 c 215 s 2 are each amended to
2 read as follows:

3 (1) The legislature intends to consolidate the educational
4 opportunity grant program over a period of two years. As of August 1,
5 2009, no new educational opportunity grants may be made. Persons who
6 have been selected by the (~~higher education coordinating~~) student
7 financial assistance board to receive a grant before August 1, 2009,
8 shall receive the full amount of their award, not to exceed two
9 thousand five hundred dollars per academic year for a maximum of two
10 years. All persons awarded an educational opportunity grant before
11 August 1, 2009, must complete using the award before August 1, 2011.
12 For these recipients, eligibility for the grant is forfeited after this
13 period.

14 (2) This section expires August 1, 2011.

15 **Sec. 166.** RCW 28B.102.020 and 2004 c 58 s 2 are each amended to
16 read as follows:

17 Unless the context clearly requires otherwise, the definitions in
18 this section apply throughout this chapter.

19 (1) "Conditional scholarship" means a loan that is forgiven in
20 whole or in part if the recipient renders service as a teacher in an
21 approved education program in this state.

22 (2) "Institution of higher education" or "institution" means a
23 college or university in the state of Washington that is accredited by
24 an accrediting association recognized as such by rule of the (~~higher~~
25 ~~education coordinating~~) student financial assistance board.

26 (3) "Board" means the (~~higher education coordinating~~) student
27 financial assistance board.

28 (4) "Eligible student" means a student who is registered for at
29 least six credit hours or the equivalent, demonstrates high academic
30 achievement, is a resident student as defined by RCW 28B.15.012 and
31 28B.15.013, and has a declared intention to complete an approved
32 preparation program leading to initial teacher certification or
33 required for earning an additional endorsement, and commits to teaching
34 service in the state of Washington.

35 (5) "Public school" means an elementary school, a middle school,
36 junior high school, or high school within the public school system
37 referred to in Article IX of the state Constitution.

1 (6) "Forgiven" or "to forgive" or "forgiveness" means to render
2 service as a teacher in an approved education program in the state of
3 Washington in lieu of monetary repayment.

4 (7) "Satisfied" means paid-in-full.

5 (8) "Participant" means an eligible student who has received a
6 conditional scholarship or loan repayment under this chapter.

7 (9) "Loan repayment" means a federal student loan that is repaid in
8 whole or in part if the recipient renders service as a teacher in an
9 approved education program in Washington state.

10 (10) "Approved education program" means an education program in the
11 state of Washington for knowledge and skills generally learned in
12 preschool through twelfth grade. Approved education programs may
13 include but are not limited to:

14 (a) K-12 schools under Title 28A RCW; or

15 (b) Other K-12 educational sites in the state of Washington as
16 designated by the board.

17 (11) "Equalization fee" means the additional amount added to the
18 principal of a loan under this chapter to equate the debt to that which
19 the student would have incurred if the loan had been received through
20 the federal subsidized Stafford student loan program.

21 (12) "Teacher shortage area" means a shortage of elementary or
22 secondary school teachers in a specific subject area, discipline,
23 classification, or geographic area as defined by the office of the
24 superintendent of public instruction.

25 **Sec. 167.** RCW 28B.102.030 and 2004 c 58 s 3 are each amended to
26 read as follows:

27 The future teachers conditional scholarship and loan repayment
28 program is established. The program shall be administered by the
29 (~~higher education coordinating~~) board. In administering the program,
30 the board shall have the following powers and duties:

31 (1) Select students to receive conditional scholarships or loan
32 repayments;

33 (2) Adopt necessary rules and guidelines;

34 (3) Publicize the program;

35 (4) Collect and manage repayments from students who do not meet
36 their teaching obligations under this chapter; and

1 (5) Solicit and accept grants and donations from public and private
2 sources for the program.

3 **Sec. 168.** RCW 28B.105.020 and 2007 c 214 s 2 are each amended to
4 read as follows:

5 The definitions in this section apply throughout this chapter
6 unless the context clearly requires otherwise.

7 (1) "Board" means the (~~(higher education coordinating)~~) student
8 financial assistance board.

9 (2) "GET units" means tuition units under the advanced college
10 tuition payment program in chapter 28B.95 RCW.

11 (3) "Institution of higher education" has the same meaning as in
12 RCW 28B.92.030.

13 (4) "Program administrator" means the private nonprofit corporation
14 that is registered under Title 24 RCW and qualified as a tax-exempt
15 entity under section 501(c)(3) of the federal internal revenue code,
16 that will serve as the private partner in the public-private
17 partnership under this chapter.

18 (5) "Qualified program" or "qualified major" means a mathematics,
19 science, or related degree program or major line of study offered by an
20 institution of higher education that is included on the list of
21 programs or majors selected by the board and the program administrator
22 under RCW 28B.105.100.

23 **Sec. 169.** RCW 28B.106.010 and 1988 c 125 s 9 are each amended to
24 read as follows:

25 The following definitions shall apply throughout this chapter,
26 unless the context clearly indicates otherwise:

27 (1) "College savings bonds" or "bonds" are Washington state general
28 obligation bonds, issued under the authority of and in accordance with
29 this chapter.

30 (2) "Board" means the (~~(higher education coordinating)~~) student
31 financial assistance board, or any successor thereto.

32 **Sec. 170.** RCW 28B.108.010 and 2004 c 275 s 69 are each amended to
33 read as follows:

34 Unless the context clearly requires otherwise, the definitions in
35 this section apply throughout this chapter.

1 (1) "Institution of higher education" or "institution" means a
2 college or university in the state of Washington which is accredited by
3 an accrediting association recognized as such by rule of the (~~higher~~
4 ~~education coordinating~~) student financial assistance board.

5 (2) "Board" means the (~~higher education coordinating~~) student
6 financial assistance board.

7 (3) "Eligible student" or "student" means an American Indian who is
8 a financially needy student, as defined in RCW 28B.92.030, who is a
9 resident student, as defined by RCW 28B.15.012(2), who is a full-time
10 student at an institution of higher education, and who promises to use
11 his or her education to benefit other American Indians.

12 **Sec. 171.** RCW 28B.108.020 and 2009 c 259 s 1 are each amended to
13 read as follows:

14 The American Indian endowed scholarship program is created. The
15 program shall be administered by the (~~higher education coordinating~~)
16 board. In administering the program, the board's powers and duties
17 shall include but not be limited to:

18 (1) Selecting students to receive scholarships, with the assistance
19 of a screening committee composed of persons involved in helping
20 American Indian students to obtain a higher education. The membership
21 of the committee may include, but is not limited to representatives of:
22 Indian tribes, urban Indians, the governor's office of Indian affairs,
23 the Washington state Indian education association, and institutions of
24 higher education;

25 (2) Adopting necessary rules and guidelines;

26 (3) Publicizing the program;

27 (4) Accepting and depositing donations into the endowment fund
28 created in RCW 28B.108.060;

29 (5) Requesting from the state investment board and accepting from
30 the state treasurer moneys earned from the endowment fund created in
31 RCW 28B.108.060;

32 (6) Soliciting and accepting grants and donations from public and
33 private sources for the program; and

34 (7) Naming scholarships in honor of those American Indians from
35 Washington who have acted as role models.

1 **Sec. 172.** RCW 28B.108.030 and 1991 c 228 s 11 are each amended to
2 read as follows:

3 The (~~higher education coordinating~~) board shall establish an
4 advisory committee to assist in program design and to develop criteria
5 for the screening and selection of scholarship recipients. The
6 committee shall be composed of representatives of the same groups as
7 the screening committee described in RCW 28B.108.020. The criteria
8 shall assess the student's social and cultural ties to an American
9 Indian community within the state. The criteria shall include a
10 priority for upper-division or graduate students. The criteria may
11 include a priority for students who are majoring in program areas in
12 which expertise is needed by the state's American Indians.

13 **Sec. 173.** RCW 28B.108.060 and 2009 c 259 s 2 are each amended to
14 read as follows:

15 The American Indian scholarship endowment fund is created in the
16 custody of the state treasurer. The investment of the endowment fund
17 shall be managed by the state investment board. Funds appropriated by
18 the legislature for the endowment fund must be deposited into the fund.

19 (1) Moneys received from the (~~higher education coordinating~~)
20 board, private donations, state moneys, and funds received from any
21 other source may be deposited into the endowment fund. Private moneys
22 received as a gift subject to conditions may be deposited into the
23 fund.

24 (2) At the request of the (~~higher education coordinating~~) board,
25 the state investment board shall release earnings from the endowment
26 fund to the state treasurer. The state treasurer shall then release
27 those funds at the request of the (~~higher education coordinating~~)
28 board for scholarships. No appropriation is required for expenditures
29 from the endowment fund.

30 (3) When notified by the (~~higher education coordinating~~) board
31 that a condition attached to a gift of private moneys in the fund has
32 failed, the state investment board shall release those moneys to the
33 (~~higher education coordinating~~) board. The (~~higher education~~
34 ~~coordinating~~) board shall then release the moneys to the donors
35 according to the terms of the conditional gift.

36 (4) The principal of the endowment fund shall not be invaded. The

1 release of moneys under subsection (3) of this section shall not
2 constitute an invasion of corpus.

3 (5) The earnings on the fund shall be used solely for the purposes
4 set forth in RCW 28B.108.040, except when the terms of a conditional
5 gift of private moneys in the fund require that a portion of earnings
6 on such moneys be reinvested in the fund.

7 **Sec. 174.** RCW 28B.109.010 and 1996 c 253 s 401 are each amended to
8 read as follows:

9 Unless the context clearly requires otherwise, the definitions in
10 this section apply throughout this chapter.

11 (1) "Board" means the (~~(higher education coordinating)~~) student
12 financial assistance board.

13 (2) "Eligible participant" means an international student whose
14 country of residence has a trade relationship with the state of
15 Washington.

16 (3) "Institution of higher education" or "institution" means a
17 college or university in the state of Washington that is accredited by
18 an accrediting association recognized as such by rule of the board.

19 (4) "Service obligation" means volunteering for a minimum number of
20 hours as established by the board based on the amount of scholarship
21 award, to speak to or teach groups of Washington citizens, including
22 but not limited to elementary, middle, and high schools, service clubs,
23 and universities.

24 (5) "Washington international exchange scholarship program" means
25 a scholarship award for a period not to exceed one academic year to
26 attend a Washington institution of higher education made to an
27 international student whose country has an established trade
28 relationship with Washington.

29 **Sec. 175.** RCW 28B.115.020 and 1991 c 332 s 15 are each amended to
30 read as follows:

31 Unless the context clearly requires otherwise, the definitions in
32 this section apply throughout this chapter.

33 (1) "Board" means the (~~(higher education coordinating)~~) student
34 financial assistance board.

35 (2) "Department" means the state department of health.

1 (3) "Eligible education and training programs" means education and
2 training programs approved by the department that lead to eligibility
3 for a credential as a credentialed health care professional.

4 (4) "Eligible expenses" means reasonable expenses associated with
5 the costs of acquiring an education such as tuition, books, equipment,
6 fees, room and board, and other expenses determined by the board.

7 (5) "Eligible student" means a student who has been accepted into
8 an eligible education or training program and has a declared intention
9 to serve in a health professional shortage area upon completion of the
10 education or training program.

11 (6) "Forgiven" or "to forgive" or "forgiveness" means to render
12 health care services in a health professional shortage area in the
13 state of Washington in lieu of monetary repayment.

14 (7) "Health professional shortage areas" means those areas where
15 credentialed health care professionals are in short supply as a result
16 of geographic maldistribution or as the result of a short supply of
17 credentialed health care professionals in specialty health care areas
18 and where vacancies exist in serious numbers that jeopardize patient
19 care and pose a threat to the public health and safety. The department
20 shall determine health professional shortage areas as provided for in
21 RCW 28B.115.070, or until June 1, 1992, as provided for in RCW
22 28B.115.060. In making health professional shortage area designations
23 in the state the department may be guided by applicable federal
24 standards for "health manpower shortage areas," and "medically
25 underserved areas," and "medically underserved populations."

26 (8) "Credentialed health care profession" means a health care
27 profession regulated by a disciplining authority in the state of
28 Washington under RCW 18.130.040 or by the state board of pharmacy under
29 chapter 18.64 RCW and designated by the department in RCW 28B.115.070,
30 or until June 1, 1992, as established in RCW 28B.115.060 as a
31 profession having shortages of credentialed health care professionals
32 in the state.

33 (9) "Credentialed health care professional" means a person
34 regulated by a disciplining authority in the state of Washington to
35 practice a health care profession under RCW 18.130.040 or by the state
36 board of pharmacy under chapter 18.64 RCW.

37 (10) "Loan repayment" means a loan that is paid in full or in part

1 if the participant renders health care services in a health
2 professional shortage area as defined by the department.

3 (11) "Nonshortage rural area" means a nonurban area of the state of
4 Washington that has not been designated as a rural physician shortage
5 area. The department shall identify the nonshortage rural areas of the
6 state.

7 (12) "Participant" means a credentialed health care professional
8 who has received a loan repayment award and has commenced practice as
9 a credentialed health care provider in a designated health professional
10 shortage area or an eligible student who has received a scholarship
11 under this program.

12 (13) "Program" means the health professional loan repayment and
13 scholarship program.

14 (14) "Required service obligation" means an obligation by the
15 participant to provide health care services in a health professional
16 shortage area for a period to be established as provided for in this
17 chapter.

18 (15) "Rural physician shortage area" means rural geographic areas
19 where primary care physicians are in short supply as a result of
20 geographic maldistributions and where their limited numbers jeopardize
21 patient care and pose a threat to public health and safety. The
22 department shall designate rural physician shortage areas.

23 (16) "Satisfied" means paid-in-full.

24 (17) "Scholarship" means a loan that is forgiven in whole or in
25 part if the recipient renders health care services in a health
26 professional shortage area.

27 (18) "Sponsoring community" means a rural hospital or hospitals as
28 authorized in chapter 70.41 RCW, a rural health care facility or
29 facilities as authorized in chapter 70.175 RCW, or a city or county
30 government or governments.

31 **Sec. 176.** RCW 28B.115.030 and 1991 c 332 s 16 are each amended to
32 read as follows:

33 The health professional loan repayment and scholarship program is
34 established for credentialed health professionals serving in health
35 professional shortage areas. The program shall be administered by the
36 ((higher—education—coordinating)) board. In ((administrating))
37 administering this program, the board shall:

1 (1) Select credentialed health care professionals to participate in
2 the loan repayment portion of the loan repayment and scholarship
3 program and select eligible students to participate in the scholarship
4 portion of the loan repayment and scholarship program;

5 (2) Adopt rules and develop guidelines to administer the program;

6 (3) Collect and manage repayments from participants who do not meet
7 their service obligations under this chapter;

8 (4) Publicize the program, particularly to maximize participation
9 among individuals in shortage areas and among populations expected to
10 experience the greatest growth in the workforce;

11 (5) Solicit and accept grants and donations from public and private
12 sources for the program; and

13 (6) Develop criteria for a contract for service in lieu of the
14 service obligation where appropriate, that may be a combination of
15 service and payment.

16 **Sec. 177.** RCW 28B.115.130 and 1991 c 332 s 28 are each amended to
17 read as follows:

18 (1) Any funds appropriated by the legislature for the health
19 professional loan repayment and scholarship program or any other public
20 or private funds intended for loan repayments or scholarships under
21 this program shall be placed in the account created by this section.

22 (2) The health professional loan repayment and scholarship program
23 fund is created in custody of the state treasurer. All receipts from
24 the program shall be deposited into the fund. Only the ((higher
25 education—coordinating)) board, or its designee, may authorize
26 expenditures from the fund. The fund is subject to allotment
27 procedures under chapter 43.88 RCW, but no appropriation is required
28 for expenditures.

29 **Sec. 178.** RCW 28B.115.140 and 1989 1st ex.s. c 9 s 722 are each
30 amended to read as follows:

31 After consulting with the ((higher education—coordinating)) board,
32 the governor may transfer the administration of this program to another
33 agency with an appropriate mission.

34 **Sec. 179.** RCW 28B.116.010 and 2005 c 215 s 2 are each amended to
35 read as follows:

1 Unless the context clearly requires otherwise, the definitions in
2 this section apply throughout this chapter.

3 (1) "Institution of higher education" means a college or university
4 in the state of Washington that is accredited by an accrediting
5 association recognized as such by rule of the (~~higher education~~
6 ~~coordinating board~~) office of financial management.

7 (2) "Eligible student" means a student who:

8 (a) Is between the ages of sixteen and twenty-three;

9 (b) Has been in foster care in the state of Washington for a
10 minimum of six months since his or her fourteenth birthday;

11 (c) Is a financially needy student, as defined in RCW 28B.92.030;

12 (d) Is a resident student, as defined in RCW 28B.15.012(2);

13 (e) Has entered or will enter an institution of higher education in
14 Washington state within three years of high school graduation or having
15 successfully completed his or her GED;

16 (f) Is not pursuing a degree in theology; and

17 (g) Makes satisfactory progress towards the completion of a degree
18 or certificate program.

19 (3) "Cost of attendance" means the cost associated with the
20 attendance of the institution of higher education as determined by the
21 (~~higher education coordinating~~) student financial assistance board,
22 including but not limited to tuition, room, board, and books.

23 (4) "Board" means the student financial assistance board.

24 **Sec. 180.** RCW 28B.116.020 and 2009 c 560 s 20 are each amended to
25 read as follows:

26 (1) The foster care endowed scholarship program is created. The
27 purpose of the program is to help students who were in foster care
28 attend an institution of higher education in the state of Washington.
29 The foster care endowed scholarship program shall be administered by
30 the (~~higher education coordinating~~) board.

31 (2) In administering the program, the (~~higher education~~
32 ~~coordinating~~) board's powers and duties shall include but not be
33 limited to:

34 (a) Adopting necessary rules and guidelines; and

35 (b) Administering the foster care endowed scholarship trust fund
36 and the foster care scholarship endowment fund.

1 (3) In administering the program, the (~~higher education~~
2 ~~coordinating~~) board's powers and duties may include but not be limited
3 to:

4 (a) Working with the department of social and health services and
5 the superintendent of public instruction to provide information about
6 the foster care endowed scholarship program to children in foster care
7 in the state of Washington and to students over the age of sixteen who
8 could be eligible for this program;

9 (b) Publicizing the program; and

10 (c) Contracting with a private agency to perform outreach to the
11 potentially eligible students.

12 **Sec. 181.** RCW 28B.116.030 and 2005 c 215 s 4 are each amended to
13 read as follows:

14 (1) The (~~higher education coordinating~~) board may award
15 scholarships to eligible students from the foster care scholarship
16 endowment fund in RCW 28B.116.060, from funds appropriated to the board
17 for this purpose, from any private donations, or from any other funds
18 given to the board for the program.

19 (2) The board may award scholarships to eligible students from
20 moneys earned from the foster care scholarship endowment fund created
21 in RCW 28B.116.060, or from funds appropriated to the board for this
22 purpose, or from any private donations, or from any other funds given
23 to the board for this program. For an undergraduate student, the
24 amount of the scholarship shall not exceed the student's demonstrated
25 financial need. For a graduate student, the amount of the scholarship
26 shall not exceed the student's demonstrated need; or the stipend of a
27 teaching assistant, including tuition, at the University of Washington;
28 whichever is higher. In calculating a student's need, the board shall
29 consider the student's costs for tuition, fees, books, supplies,
30 transportation, room, board, personal expenses, and child care. The
31 student's scholarship awarded under this chapter shall not exceed the
32 amount received by a student attending a state research university. A
33 student is eligible to receive a scholarship for a maximum of five
34 years. However, the length of the scholarship shall be determined at
35 the discretion of the board.

36 (3) Grants under this chapter shall not affect eligibility for the
37 state student financial aid program.

1 **Sec. 182.** RCW 28B.116.050 and 2005 c 215 s 6 are each amended to
2 read as follows:

3 (1) The foster care endowed scholarship trust fund is created in
4 the custody of the state treasurer.

5 (2) Funds appropriated by the legislature for the foster care
6 endowed scholarship trust fund shall be deposited in the foster care
7 endowed scholarship trust fund. When conditions in RCW 28B.116.070 are
8 met, the ((higher education coordinating)) board shall deposit state
9 matching moneys from the trust fund into the foster care scholarship
10 endowment fund.

11 (3) No appropriation is required for expenditures from the trust
12 fund.

13 **Sec. 183.** RCW 28B.116.060 and 2007 c 73 s 3 are each amended to
14 read as follows:

15 The foster care scholarship endowment fund is created in the
16 custody of the state treasurer. The investment of the endowment fund
17 shall be managed by the state investment board.

18 (1) Moneys received from the ((higher education coordinating))
19 student financial assistance board, private donations, state matching
20 moneys, and funds received from any other source may be deposited into
21 the foster care scholarship endowment fund. Private moneys received as
22 a gift subject to conditions may be deposited into the endowment fund
23 if the conditions do not violate state or federal law.

24 (2) At the request of the ((higher education coordinating)) board,
25 the state investment board shall release earnings from the endowment
26 fund to the state treasurer. The state treasurer shall then release
27 those funds at the request of the ((higher education coordinating))
28 board for scholarships. No appropriation is required for expenditures
29 from the endowment fund.

30 (3) The ((higher education coordinating)) board may disburse grants
31 to eligible students from the foster care scholarship endowment fund.
32 No appropriation is required for expenditures from the endowment fund.

33 (4) When notified by court order that a condition attached to a
34 gift of private moneys from the foster care scholarship endowment fund
35 has failed, the ((higher education coordinating)) board shall release
36 those moneys to the donors according to the terms of the conditional
37 gift.

1 (5) The principal of the foster care scholarship endowment fund
2 shall not be invaded. For the purposes of this section, only the first
3 twenty-five thousand dollars deposited into the foster care scholarship
4 endowment fund shall be considered the principal. The release of
5 moneys under subsection (4) of this section shall not constitute an
6 invasion of the corpus.

7 (6) The foster care scholarship endowment fund shall be used solely
8 for the purposes in this chapter, except when the conditional gift of
9 private moneys in the endowment fund require a portion of the earnings
10 on such moneys be reinvested in the endowment fund.

11 **Sec. 184.** RCW 28B.116.070 and 2005 c 215 s 8 are each amended to
12 read as follows:

13 (1) The (~~higher education coordinating~~) board may deposit twenty-
14 five thousand dollars of state matching funds into the foster care
15 scholarship endowment fund when the board can match state funds with an
16 equal amount of private cash donations.

17 (2) After the initial match of twenty-five thousand dollars, state
18 matching funds from the foster care endowed scholarship trust fund
19 shall be released to the foster care scholarship endowment fund
20 semiannually so long as there are funds available in the foster care
21 endowed scholarship trust fund.

22 **Sec. 185.** RCW 28B.117.020 and 2007 c 314 s 2 are each amended to
23 read as follows:

24 The definitions in this section apply throughout this chapter
25 unless the context clearly requires otherwise.

26 (1) "Cost of attendance" means the cost associated with attending
27 a particular institution of higher education as determined by the
28 (~~higher education coordinating~~) board, including but not limited to
29 tuition, fees, room, board, books, personal expenses, and
30 transportation, plus the cost of reasonable additional expenses
31 incurred by an eligible student and approved by a financial aid
32 administrator at the student's school of attendance.

33 (2) "Emancipated from foster care" means a person who was a
34 dependent of the state in accordance with chapter 13.34 RCW and who was
35 receiving foster care in the state of Washington when he or she reached
36 his or her eighteenth birthday.

1 (3) "Financial need" means the difference between a student's cost
2 of attendance and the student's total family contribution as determined
3 by the method prescribed by the United States department of education.

4 (4) "Independent college or university" means a private, nonprofit
5 institution of higher education, open to residents of the state,
6 providing programs of education beyond the high school level leading to
7 at least the baccalaureate degree, and accredited by the Northwest
8 association of schools and colleges, and other institutions as may be
9 developed that are approved by the (~~higher education coordinating~~)
10 board as meeting equivalent standards as those institutions accredited
11 under this section.

12 (5) "Institution of higher education" means:

13 (a) Any public university, college, community college, or technical
14 college operated by the state of Washington or any political
15 subdivision thereof; or

16 (b) Any independent college or university in Washington; or

17 (c) Any other university, college, school, or institute in the
18 state of Washington offering instruction beyond the high school level
19 that is a member institution of an accrediting association recognized
20 by rule of the (~~higher education coordinating board~~) office of
21 financial management for the purposes of this section: PROVIDED, That
22 any institution, branch, extension, or facility operating within the
23 state of Washington that is affiliated with an institution operating in
24 another state must be a separately accredited member institution of any
25 such accrediting association, or a branch of a member institution of an
26 accrediting association recognized by rule of the (~~board~~) office of
27 financial management for purposes of this section, that is eligible for
28 federal student financial aid assistance and has operated as a
29 nonprofit college or university delivering on-site classroom
30 instruction for a minimum of twenty consecutive years within the state
31 of Washington, and has an annual enrollment of at least seven hundred
32 full-time equivalent students.

33 (6) "Program" means the passport to college promise pilot program
34 created in this chapter.

35 (7) "Board" means student financial assistance board.

36 **Sec. 186.** RCW 28B.117.030 and 2007 c 314 s 4 are each amended to
37 read as follows:

1 (1) The ((higher education coordinating)) board shall design and,
2 to the extent funds are appropriated for this purpose, implement, a
3 program of supplemental scholarship and student assistance for students
4 who have emancipated from the state foster care system after having
5 spent at least one year in care.

6 (2) The board shall convene and consult with an advisory committee
7 to assist with program design and implementation. The committee shall
8 include but not be limited to former foster care youth and their
9 advocates; representatives from the state board for community and
10 technical colleges, and from public and private agencies that assist
11 current and former foster care recipients in their transition to
12 adulthood; and student support specialists from public and private
13 colleges and universities.

14 (3) To the extent that sufficient funds have been appropriated for
15 this purpose, a student is eligible for assistance under this section
16 if he or she:

17 (a) Emancipated from foster care on or after January 1, 2007, after
18 having spent at least one year in foster care subsequent to his or her
19 sixteenth birthday;

20 (b) Is a resident student, as defined in RCW 28B.15.012(2);

21 (c) Is enrolled with or will enroll on at least a half-time basis
22 with an institution of higher education in Washington state by the age
23 of twenty-one;

24 (d) Is making satisfactory academic progress toward the completion
25 of a degree or certificate program, if receiving supplemental
26 scholarship assistance;

27 (e) Has not earned a bachelor's or professional degree; and

28 (f) Is not pursuing a degree in theology.

29 (4) A passport to college scholarship under this section:

30 (a) Shall not exceed resident undergraduate tuition and fees at the
31 highest-priced public institution of higher education in the state; and

32 (b) Shall not exceed the student's financial need, less a
33 reasonable self-help amount defined by the board, when combined with
34 all other public and private grant, scholarship, and waiver assistance
35 the student receives.

36 (5) An eligible student may receive a passport to college
37 scholarship under this section for a maximum of five years after the
38 student first enrolls with an institution of higher education or until

1 the student turns age twenty-six, whichever occurs first. If a student
2 turns age twenty-six during an academic year, and would otherwise be
3 eligible for a scholarship under this section, the student shall
4 continue to be eligible for a scholarship for the remainder of the
5 academic year.

6 (6) The ((~~higher education coordinating~~)) board, in consultation
7 with and with assistance from the state board for community and
8 technical colleges, shall perform an annual analysis to verify that
9 those institutions of higher education at which students have received
10 a scholarship under this section have awarded the student all available
11 need-based and merit-based grant and scholarship aid for which the
12 student qualifies.

13 (7) In designing and implementing the passport to college student
14 support program under this section, the board, in consultation with and
15 with assistance from the state board for community and technical
16 colleges, shall ensure that a participating college or university:

17 (a) Has a viable plan for identifying students eligible for
18 assistance under this section, for tracking and enhancing their
19 academic progress, for addressing their unique needs for assistance
20 during school vacations and academic interims, and for linking them to
21 appropriate sources of assistance in their transition to adulthood;

22 (b) Receives financial and other incentives for achieving
23 measurable progress in the recruitment, retention, and graduation of
24 eligible students.

25 **Sec. 187.** RCW 28B.117.040 and 2007 c 314 s 5 are each amended to
26 read as follows:

27 Effective operation of the passport to college promise pilot
28 program requires early and accurate identification of former foster
29 care youth so that they can be linked to the financial and other
30 assistance that will help them succeed in college. To that end:

31 (1) All institutions of higher education that receive funding for
32 student support services under RCW 28B.117.030 shall include on their
33 applications for admission or on their registration materials a
34 question asking whether the applicant has been in foster care in
35 Washington state for at least one year since his or her sixteenth
36 birthday. All other institutions of higher education are strongly
37 encouraged to include such a question. No institution may consider

1 whether an applicant may be eligible for a scholarship or student
2 support services under this chapter when deciding whether the applicant
3 will be granted admission.

4 (2) The department of social and health services shall devise and
5 implement procedures for efficiently, promptly, and accurately
6 identifying students and applicants who are eligible for services under
7 RCW 28B.117.030, and for sharing that information with the (~~higher~~
8 ~~education—coordinating~~) board and with institutions of higher
9 education. The procedures shall include appropriate safeguards for
10 consent by the applicant or student before disclosure.

11 **Sec. 188.** RCW 28B.117.050 and 2007 c 314 s 6 are each amended to
12 read as follows:

13 (1) To the extent funds are appropriated for this purpose, the
14 (~~higher education—coordinating~~) board, with input from the state
15 board for community and technical colleges, the foster care
16 partnership, and institutions of higher education, shall develop and
17 maintain an internet web site and outreach program to serve as a
18 comprehensive portal for foster care youth in Washington state to
19 obtain information regarding higher education including, but not
20 necessarily limited to:

21 (a) Academic, social, family, financial, and logistical information
22 important to successful postsecondary educational success;

23 (b) How and when to obtain and complete college applications;

24 (c) What college placement tests, if any, are generally required
25 for admission to college and when and how to register for such tests;

26 (d) How and when to obtain and complete a federal free application
27 for federal student aid (FAFSA); and

28 (e) Detailed sources of financial aid likely available to eligible
29 former foster care youth, including the financial aid provided by this
30 chapter.

31 (2) The board shall determine whether to design, build, and operate
32 such program and web site directly or to use, support, and modify
33 existing web sites created by government or nongovernmental entities
34 for a similar purpose.

35 **Sec. 189.** RCW 28B.117.060 and 2007 c 314 s 7 are each amended to
36 read as follows:

1 (1) To the extent funds are appropriated for this purpose, the
2 department of social and health services, with input from the state
3 board for community and technical colleges, the (~~higher education~~
4 ~~coordinating~~) board, and institutions of higher education, shall
5 contract with at least one nongovernmental entity through a request for
6 proposals process to develop, implement, and administer a program of
7 supplemental educational transition planning for youth in foster care
8 in Washington state.

9 (2) The nongovernmental entity or entities chosen by the department
10 shall have demonstrated success in working with foster care youth and
11 assisting foster care youth in successfully making the transition from
12 foster care to independent adulthood.

13 (3) The selected nongovernmental entity or entities shall provide
14 supplemental educational transition planning to foster care youth in
15 Washington state beginning at age fourteen and then at least every six
16 months thereafter. The supplemental transition planning shall include:

17 (a) Comprehensive information regarding postsecondary educational
18 opportunities including, but not limited to, sources of financial aid,
19 institutional characteristics and record of support for former foster
20 care youth, transportation, housing, and other logistical
21 considerations;

22 (b) How and when to apply to postsecondary educational programs;

23 (c) What precollege tests, if any, the particular foster care youth
24 should take based on his or her postsecondary plans and when to take
25 the tests;

26 (d) What courses to take to prepare the particular foster care
27 youth to succeed at his or her postsecondary plans;

28 (e) Social, community, educational, logistical, and other issues
29 that frequently impact college students and their success rates; and

30 (f) Which web sites, nongovernmental entities, public agencies, and
31 other foster care youth support providers specialize in which services.

32 (4) The selected nongovernmental entity or entities shall work
33 directly with the school counselors at the foster care youths' high
34 schools to ensure that a consistent and complete transition plan has
35 been prepared for each foster care youth who emancipates out of the
36 foster care system in Washington state.

1 **Sec. 190.** RCW 28B.117.070 and 2007 c 314 s 8 are each amended to
2 read as follows:

3 (1) The ((~~higher education coordinating~~)) student financial
4 assistance board shall report to appropriate committees of the
5 legislature by January 15, 2008, on the status of program design and
6 implementation. The report shall include a discussion of proposed
7 scholarship and student support service approaches; an estimate of the
8 number of students who will receive such services; baseline information
9 on the extent to which former foster care youth who meet the
10 eligibility criteria in RCW 28B.117.030 have enrolled and persisted in
11 postsecondary education; and recommendations for any statutory changes
12 needed to promote achievement of program objectives.

13 (2) The state board for community and technical colleges and the
14 ((~~higher education coordinating~~)) student financial assistance board
15 shall monitor and analyze the extent to which eligible young people are
16 increasing their participation, persistence, and progress in
17 postsecondary education, and shall jointly submit a report on their
18 findings to appropriate committees of the legislature by December 1,
19 2009, and by December 1, 2011.

20 (3) The Washington state institute for public policy shall complete
21 an evaluation of the passport to college promise pilot program and
22 shall submit a report to appropriate committees of the legislature by
23 December 1, 2012. The report shall estimate the impact of the program
24 on eligible students' participation and success in postsecondary
25 education, and shall include recommendations for program revision and
26 improvement.

27 **Sec. 191.** RCW 28B.118.010 and 2008 c 321 s 9 are each amended to
28 read as follows:

29 The ((~~higher education coordinating~~)) student financial assistance
30 board shall design the Washington college bound scholarship program in
31 accordance with this section.

32 (1) "Eligible students" are those students who qualify for free or
33 reduced-price lunches. If a student qualifies in the seventh grade,
34 the student remains eligible even if the student does not receive free
35 or reduced-price lunches thereafter.

36 (2) Eligible students shall be notified of their eligibility for

1 the Washington college bound scholarship program beginning in their
2 seventh grade year. Students shall also be notified of the
3 requirements for award of the scholarship.

4 (3) To be eligible for a Washington college bound scholarship, a
5 student must sign a pledge during seventh or eighth grade that includes
6 a commitment to graduate from high school with at least a C average and
7 with no felony convictions. Students who were in the eighth grade
8 during the 2007-08 school year may sign the pledge during the 2008-09
9 school year. The pledge must be witnessed by a parent or guardian and
10 forwarded to the (~~higher education coordinating~~) student financial
11 assistance board by mail or electronically, as indicated on the pledge
12 form.

13 (4)(a) Scholarships shall be awarded to eligible students
14 graduating from public high schools, approved private high schools
15 under chapter 28A.195 RCW, or who received home-based instruction under
16 chapter 28A.200 RCW.

17 (b) To receive the Washington college bound scholarship, a student
18 must graduate with at least a "C" average from a public high school or
19 an approved private high school under chapter 28A.195 RCW in Washington
20 or have received home-based instruction under chapter 28A.200 RCW, must
21 have no felony convictions, and must be a resident student as defined
22 in RCW 28B.15.012(2) (a) through (d).

23 (5) A student's family income will be assessed upon graduation
24 before awarding the scholarship.

25 (6) If at graduation from high school the student's family income
26 does not exceed sixty-five percent of the state median family income,
27 scholarship award amounts shall be as provided in this section.

28 (a) For students attending two or four-year institutions of higher
29 education as defined in RCW 28B.10.016, the value of the award shall be
30 (i) the difference between the student's tuition and required fees,
31 less the value of any state-funded grant, scholarship, or waiver
32 assistance the student receives; (ii) plus five hundred dollars for
33 books and materials.

34 (b) For students attending private four-year institutions of higher
35 education in Washington, the award amount shall be the representative
36 average of awards granted to students in public research universities
37 in Washington.

1 (c) For students attending private vocational schools in
2 Washington, the award amount shall be the representative average of
3 awards granted to students in public community and technical colleges
4 in Washington.

5 (7) Recipients may receive no more than four full-time years' worth
6 of scholarship awards.

7 (8) Institutions of higher education shall award the student all
8 need-based and merit-based financial aid for which the student would
9 otherwise qualify. The Washington college bound scholarship is
10 intended to replace unmet need, loans, and, at the student's option,
11 work-study award before any other grants or scholarships are reduced.

12 (9) The first scholarships shall be awarded to students graduating
13 in 2012.

14 (10) The state of Washington retains legal ownership of tuition
15 units awarded as scholarships under this chapter until the tuition
16 units are redeemed. These tuition units shall remain separately held
17 from any tuition units owned under chapter 28B.95 RCW by a Washington
18 college bound scholarship recipient.

19 (11) The scholarship award must be used within five years of
20 receipt. Any unused scholarship tuition units revert to the Washington
21 college bound scholarship account.

22 (12) Should the recipient terminate his or her enrollment for any
23 reason during the academic year, the unused portion of the scholarship
24 tuition units shall revert to the Washington college bound scholarship
25 account.

26 **Sec. 192.** RCW 28B.118.020 and 2007 c 405 s 3 are each amended to
27 read as follows:

28 The office of the superintendent of public instruction shall:

29 (1) Notify elementary, middle, and junior high schools about the
30 Washington college bound scholarship program using methods in place for
31 communicating with schools and school districts; and

32 (2) Work with the (~~higher education coordinating~~) student
33 financial assistance board to develop application collection and
34 student tracking procedures.

35 **Sec. 193.** RCW 28B.118.040 and 2007 c 405 s 5 are each amended to
36 read as follows:

1 The ((higher education coordinating)) student financial assistance
2 board shall:

3 (1) With the assistance of the office of the superintendent of
4 public instruction, implement and administer the Washington college
5 bound scholarship program;

6 (2) Develop and distribute, to all schools with students enrolled
7 in grade seven or eight, a pledge form that can be completed and
8 returned electronically or by mail by the student or the school to the
9 ((higher education coordinating)) student financial assistance board;

10 (3) Develop and implement a student application, selection, and
11 notification process for scholarships;

12 (4) Track scholarship recipients to ensure continued eligibility
13 and determine student compliance for awarding of scholarships;

14 (5) Subject to appropriation, deposit funds into the state
15 educational trust fund;

16 (6) Purchase tuition units under the advanced college tuition
17 payment program in chapter 28B.95 RCW to be owned and held in trust by
18 the board, for the purpose of scholarship awards as provided for in
19 this section; and

20 (7) Distribute scholarship funds, in the form of tuition units
21 purchased under the advanced college tuition payment program in chapter
22 28B.95 RCW or through direct payments from the state educational trust
23 fund, to institutions of higher education on behalf of scholarship
24 recipients identified by the board, as long as recipients maintain
25 satisfactory academic progress.

26 **Sec. 194.** RCW 28B.118.050 and 2007 c 405 s 6 are each amended to
27 read as follows:

28 The ((higher education coordinating)) student financial assistance
29 board may accept grants, gifts, bequests, and devises of real and
30 personal property from any source for the purpose of granting financial
31 aid in addition to that funded by the state.

32 **Sec. 195.** RCW 28B.118.060 and 2007 c 405 s 7 are each amended to
33 read as follows:

34 The ((higher education coordinating)) student financial assistance
35 board may adopt rules to implement this chapter.

1 **Sec. 196.** RCW 28B.119.010 and 2004 c 275 s 60 are each amended to
2 read as follows:

3 The ((~~higher education coordinating~~)) student financial assistance
4 board shall design the Washington promise scholarship program based on
5 the following parameters:

6 (1) Scholarships shall be awarded to students graduating from
7 public and approved private high schools under chapter 28A.195 RCW,
8 students participating in home-based instruction as provided in chapter
9 28A.200 RCW, and persons twenty-one years of age or younger receiving
10 a GED certificate, who meet both an academic and a financial
11 eligibility criteria.

12 (a) Academic eligibility criteria shall be defined as follows:

13 (i) Beginning with the graduating class of 2002, students
14 graduating from public and approved private high schools under chapter
15 28A.195 RCW must be in the top fifteen percent of their graduating
16 class, as identified by each respective high school at the completion
17 of the first term of the student's senior year; or

18 (ii) Students graduating from public high schools, approved private
19 high schools under chapter 28A.195 RCW, students participating in home-
20 based instruction as provided in chapter 28A.200 RCW, and persons
21 twenty-one years of age or younger receiving a GED certificate, must
22 equal or exceed a cumulative scholastic assessment test I score of
23 twelve hundred on their first attempt or must equal or exceed a
24 composite American college test score of twenty-seven on their first
25 attempt.

26 (b) To meet the financial eligibility criteria, a student's family
27 income shall not exceed one hundred thirty-five percent of the state
28 median family income adjusted for family size, as determined by the
29 ((~~higher education coordinating~~)) student financial assistance board
30 for each graduating class. Students not meeting the eligibility
31 requirements for the first year of scholarship benefits may reapply for
32 the second year of benefits, but must still meet the income standard
33 set by the board for the student's graduating class.

34 (2) Promise scholarships are not intended to supplant any grant,
35 scholarship, or tax program related to postsecondary education. If the
36 student financial assistance board finds that promise scholarships
37 supplant or reduce any grant, scholarship, or tax program for

1 categories of students, then the student financial assistance board
2 shall adjust the financial eligibility criteria or the amount of
3 scholarship to the level necessary to avoid supplanting.

4 (3) Within available funds, each qualifying student shall receive
5 two consecutive annual awards, the value of each not to exceed the
6 full-time annual resident tuition rates charged by Washington's
7 community colleges. The ((~~higher education coordinating~~)) student
8 financial assistance board shall award scholarships to as many students
9 as possible from among those qualifying under this section.

10 (4) By October 15th of each year, the student financial assistance
11 board shall determine the award amount of the scholarships, after
12 taking into consideration the availability of funds.

13 (5) The scholarships may only be used for undergraduate coursework
14 at accredited institutions of higher education in the state of
15 Washington.

16 (6) The scholarships may be used for undergraduate coursework at
17 Oregon institutions of higher education that are part of the border
18 county higher education opportunity project in RCW 28B.76.685 when
19 those institutions offer programs not available at accredited
20 institutions of higher education in Washington state.

21 (7) The scholarships may be used for college-related expenses,
22 including but not limited to, tuition, room and board, books, and
23 materials.

24 (8) The scholarships may not be awarded to any student who is
25 pursuing a degree in theology.

26 (9) The ((~~higher education coordinating~~)) student financial
27 assistance board may establish satisfactory progress standards for the
28 continued receipt of the promise scholarship.

29 (10) The ((~~higher education coordinating~~)) student financial
30 assistance board shall establish the time frame within which the
31 student must use the scholarship.

32 **Sec. 197.** RCW 28B.119.020 and 2002 c 204 s 3 are each amended to
33 read as follows:

34 The ((~~higher education coordinating~~)) student financial assistance
35 board, with the assistance of the office of the superintendent of
36 public instruction, shall implement and administer the Washington
37 promise scholarship program described in RCW 28B.119.010 as follows:

1 (1) The first scholarships shall be awarded to eligible students
2 enrolling in postsecondary education in the 2002-03 academic year.

3 (2) The office of the superintendent of public instruction shall
4 provide information to the (~~higher education coordinating~~) student
5 financial assistance board that is necessary for implementation of the
6 program. The (~~higher education coordinating~~) student financial
7 assistance board and the office of the superintendent of public
8 instruction shall jointly establish a timeline and procedures necessary
9 for accurate and timely data reporting.

10 (a) For students meeting the academic eligibility criteria as
11 provided in RCW 28B.119.010(1)(a), the office of the superintendent of
12 public instruction shall provide the (~~higher education coordinating~~)
13 student financial assistance board with student names, addresses, birth
14 dates, and unique numeric identifiers.

15 (b) Public and approved private high schools under chapter 28A.195
16 RCW shall provide requested information necessary for implementation of
17 the program to the office of the superintendent of public instruction
18 within the established timeline.

19 (c) All student data is confidential and may be used solely for the
20 purposes of providing scholarships to eligible students.

21 (3) The (~~higher education coordinating~~) student financial
22 assistance board may adopt rules to implement this chapter.

23 **Sec. 198.** RCW 28B.119.030 and 2004 c 275 s 71 are each amended to
24 read as follows:

25 The Washington promise scholarship program shall not be funded at
26 the expense of the state need grant program as defined in chapter
27 28B.92 RCW. In administering the state need grant and promise
28 scholarship programs, the (~~higher education coordinating~~) student
29 financial assistance board shall first ensure that eligibility for
30 state need grant recipients is at least fifty-five percent of state
31 median family income.

32 **Sec. 199.** RCW 28B.119.050 and 2002 c 204 s 6 are each amended to
33 read as follows:

34 (1) The Washington promise scholarship account is created in the
35 custody of the state treasurer. The account shall be a nontreasury

1 account retaining its interest earnings in accordance with RCW
2 43.79A.040.

3 (2) The (~~higher education coordinating~~) student financial
4 assistance board shall deposit in the account all money received for
5 the program. The account shall be self-sustaining and consist of funds
6 appropriated by the legislature for the Washington promise scholarship
7 program, private contributions to the program, and refunds of
8 Washington promise scholarships.

9 (3) Expenditures from the account shall be used for scholarships to
10 eligible students.

11 (4) With the exception of the operating costs associated with the
12 management of the account by the treasurer's office as authorized in
13 chapter 43.79A RCW, the account shall be credited with all investment
14 income earned by the account.

15 (5) Disbursements from the account are exempt from appropriations
16 and the allotment provisions of chapter 43.88 RCW.

17 (6) Disbursements from the account shall be made only on the
18 authorization of the (~~higher education coordinating~~) student
19 financial assistance board.

20 **Sec. 200.** RCW 28B.120.010 and 1999 c 169 s 5 are each amended to
21 read as follows:

22 The Washington fund for innovation and quality in higher education
23 program is established. The (~~higher education coordinating~~) student
24 financial assistance board shall administer the program for the purpose
25 of awarding grants in which a four-year institution of higher education
26 is named as the lead institution. The state board for community and
27 technical colleges shall administer the program for the purpose of
28 awarding grants in which a community or technical college is named as
29 the lead institution. Through this program the boards may award on a
30 competitive basis incentive grants to state public institutions of
31 higher education or consortia of institutions to encourage cooperative
32 programs designed to address specific system problems. Grants shall
33 not exceed a two-year period. Each institution or consortia of
34 institutions receiving the award shall contribute some financial
35 support, either by covering part of the costs for the program during
36 its implementation, or by assuming continuing support at the end of the
37 grant period. Strong priority will be given to proposals that involve

1 more than one sector of education, and to proposals that show
2 substantive institutional commitment. Institutions are encouraged to
3 solicit nonstate funds to support these cooperative programs.

4 **Sec. 201.** RCW 28B.120.020 and 1999 c 169 s 3 are each amended to
5 read as follows:

6 The ((~~higher education coordinating~~)) student financial assistance
7 board shall have the following powers and duties in administering the
8 program for those proposals in which a four-year institution of higher
9 education is named as the lead institution and fiscal agent:

- 10 (1) To adopt rules necessary to carry out the program;
- 11 (2) To establish one or more review committees to assist in the
12 evaluation of proposals for funding. The review committee shall
13 include individuals with significant experience in higher education in
14 areas relevant to one or more of the funding period priorities and
15 shall include representatives from both the four-year and two-year
16 sectors of higher education;
- 17 (3) To award grants no later than September 1st in those years when
18 funding is available by June 30th;
- 19 (4) To establish each biennium specific guidelines for submitting
20 grant proposals consistent with the overall goals of the program and
21 consistent with the guidelines established by the state board for
22 community and technical colleges under RCW 28B.120.025. During the
23 1999-01 biennium the guidelines shall be consistent with the following
24 desired outcomes of:
- 25 (a) Minority and diversity initiatives that encourage the
26 participation of minorities in higher education, including students
27 with disabilities;
- 28 (b) K-12 teacher preparation models that encourage collaboration
29 between higher education and K-12 to improve the preparedness of
30 teachers, including provisions for higher education faculty involved
31 with teacher preparation to spend time teaching in K-12 schools;
- 32 (c) Collaborative instructional programs involving K-12, community
33 and technical colleges, and four-year institutions of higher education
34 to develop a three-year degree program, or reduce the time to degree;
- 35 (d) Contracts with public or private institutions or businesses to
36 provide services or the development of collaborative programs;

1 (e) Articulation and transfer activities to smooth the transfer of
2 students from K-12 to higher education, or from the community colleges
3 and technical colleges to four-year institutions;

4 (f) Projects that further the development of learner-centered,
5 technology-assisted course delivery; and

6 (g) Projects that further the development of competency-based
7 measurements of student achievement to be used as the basis for
8 awarding degrees and certificates.

9 After June 30, 2001, and each biennium thereafter, the board shall
10 determine funding priorities for collaborative proposals for the
11 biennium in consultation with the governor, the legislature, the office
12 of the superintendent of public instruction, the state board for
13 community and technical colleges, the workforce training and education
14 coordinating board, higher education institutions, educational
15 associations, and business and community groups consistent with
16 statewide needs;

17 (5) To solicit grant proposals and provide information to the
18 institutions of higher education about the program; and

19 (6) To establish reporting, evaluation, accountability, monitoring,
20 and dissemination requirements for the recipients of the grants awarded
21 by the (~~higher education coordinating~~) student financial assistance
22 board.

23 **Sec. 202.** RCW 28B.120.025 and 1999 c 169 s 4 are each amended to
24 read as follows:

25 The state board for community and technical colleges has the
26 following powers and duties in administering the program for those
27 proposals in which a community or technical college is named as the
28 lead institution and fiscal agent:

29 (1) To adopt rules necessary to carry out the program;

30 (2) To establish one or more review committees to assist in the
31 evaluation of proposals for funding. The review committee shall
32 include individuals with significant experience in higher education in
33 areas relevant to one or more of the funding period priorities and
34 shall include representatives from both the four-year and two-year
35 sectors of higher education;

36 (3) To award grants no later than September 1st in those years when
37 funding is available by June 30th;

1 (4) To establish each biennium specific guidelines for submitting
2 grant proposals consistent with the overall goals of the program and
3 consistent with the guidelines established by the (~~higher education~~
4 ~~coordinating~~) student financial assistance board under RCW
5 28B.120.020. During the 1999-01 biennium the guidelines shall be
6 consistent with the following desired outcomes of:

7 (a) Minority and diversity initiatives that encourage the
8 participation of minorities in higher education, including students
9 with disabilities;

10 (b) K-12 teacher preparation models that encourage collaboration
11 between higher education and K-12 to improve the preparedness of
12 teachers, including provisions for higher education faculty involved
13 with teacher preparation to spend time teaching in K-12 schools;

14 (c) Collaborative instructional programs involving K-12, community
15 and technical colleges, and four-year institutions of higher education
16 to develop a three-year degree program, or reduce the time to degree;

17 (d) Contracts with public or private institutions or businesses to
18 provide services or the development of collaborative programs;

19 (e) Articulation and transfer activities to smooth the transfer of
20 students from K-12 to higher education, or from the community colleges
21 and technical colleges to four-year institutions;

22 (f) Projects that further the development of learner-centered,
23 technology-assisted course delivery; and

24 (g) Projects that further the development of competency-based
25 measurements of student achievement to be used as the basis for
26 awarding degrees and certificates;

27 (5) To solicit grant proposals and provide information to the
28 community and technical colleges and private career schools; and

29 (6) To establish reporting, evaluation, accountability, monitoring,
30 and dissemination requirements for the recipients of the grants awarded
31 by the state board for community and technical colleges.

32 **Sec. 203.** RCW 28B.120.030 and 1999 c 169 s 6 are each amended to
33 read as follows:

34 The (~~higher education coordinating~~) student financial assistance
35 board and the state board for community and technical colleges may
36 solicit and receive such gifts, grants, and endowments from public or
37 private sources as may be made from time to time, in trust or

1 otherwise, for the use and benefit of the purposes of the program and
2 may expend the same or any income therefrom according to the terms of
3 the gifts, grants, or endowments.

4 **Sec. 204.** RCW 28B.120.040 and 1999 c 169 s 7 are each amended to
5 read as follows:

6 The higher education coordinating board fund for innovation and
7 quality is hereby established in the custody of the state treasurer.
8 The (~~higher education coordinating~~) student financial assistance
9 board shall deposit in the fund all moneys received under RCW
10 28B.120.030. Moneys in the fund may be spent only for the purposes of
11 RCW 28B.120.010 and 28B.120.020. Disbursements from the fund shall be
12 on the authorization of the (~~higher education coordinating~~) student
13 financial assistance board. The fund is subject to the allotment
14 procedure provided under chapter 43.88 RCW, but no appropriation is
15 required for disbursements.

16 **Sec. 205.** RCW 28B.133.030 and 2003 c 19 s 4 are each amended to
17 read as follows:

18 (1) The students with dependents grant account is created in the
19 custody of the state treasurer. All receipts from the program shall be
20 deposited into the account. Only the (~~higher education coordinating~~)
21 student financial assistance board, or its designee, may authorize
22 expenditures from the account. Disbursements from the account are
23 exempt from appropriations and the allotment procedures under chapter
24 43.88 RCW.

25 (2) The board may solicit and receive gifts, grants, or endowments
26 from private sources that are made from time to time, in trust or
27 otherwise, for the use and benefit of the purposes of the educational
28 assistance grant program. The executive director, or the executive
29 director's designee, may spend gifts, grants, or endowments or income
30 from the private sources according to their terms unless the receipt of
31 the gifts, grants, or endowments violates RCW 42.17.710.

32 (3) The earnings on the account shall be used solely for the
33 purposes in RCW 28B.133.010, except when the terms of a conditional
34 gift of private moneys in the account require that a portion of
35 earnings on such moneys be reinvested in the account.

1 **Sec. 206.** RCW 28B.133.040 and 2003 c 19 s 5 are each amended to
2 read as follows:

3 The (~~higher education coordinating~~) student financial assistance
4 board shall develop and administer the educational assistance grant
5 program for students with dependents. In administering the program,
6 once the balance in the students with dependents grant account is five
7 hundred thousand dollars, the board's powers and duties shall include
8 but not be limited to:

9 (1) Adopting necessary rules and guidelines;

10 (2) Publicizing the program;

11 (3) Accepting and depositing donations into the grant account
12 established in RCW 28B.133.030; and

13 (4) Soliciting and accepting grants and donations from private
14 sources for the program.

15 **Sec. 207.** RCW 28B.133.050 and 2004 c 275 s 74 are each amended to
16 read as follows:

17 The educational assistance grant program for students with
18 dependents grants may be used by eligible participants to attend any
19 public or private college or university in the state of Washington as
20 defined in RCW 28B.92.030. Each participating student may receive an
21 amount to be determined by the (~~higher education coordinating~~)
22 student financial assistance board, with a minimum amount of one
23 thousand dollars per academic year, not to exceed the student's
24 documented financial need for the course of study as determined by the
25 institution.

26 Educational assistance grants for students with dependents are not
27 intended to supplant any grant scholarship or tax program related to
28 postsecondary education. If the (~~higher education coordinating~~)
29 student financial assistance board finds that the educational
30 assistance grants for students with dependents supplant or reduce any
31 grant, scholarship, or tax program for categories of students, then the
32 (~~higher education coordinating~~) student financial assistance board
33 shall adjust the financial eligibility criteria or the amount of the
34 grant to the level necessary to avoid supplanting.

35 **Sec. 208.** RCW 28B.135.010 and 2008 c 162 s 2 are each amended to
36 read as follows:

1 Two Washington accounts for student child care in higher education
2 are established. The (~~higher education coordinating~~) student
3 financial assistance board shall administer the program for the
4 four-year institutions of higher education and the state board for
5 community and technical colleges shall administer the program for the
6 two-year institutions of higher education. Through these programs the
7 boards shall award either competitive or matching child care grants to
8 state institutions of higher education to encourage programs to address
9 the need for high quality, accessible, and affordable child care for
10 students at higher education institutions. The grants shall be used
11 exclusively for the provision of quality child care services for
12 students at institutions of higher education. The university or
13 college administration and student government association, or its
14 equivalent, of each institution receiving the award may contribute
15 financial support in an amount equal to or greater than the child care
16 grant received by the institution.

17 **Sec. 209.** RCW 28B.135.030 and 2008 c 162 s 3 are each amended to
18 read as follows:

19 The (~~higher education coordinating~~) student financial assistance
20 board shall have the following powers and duties in administering the
21 program for the four-year institutions of higher education:

- 22 (1) To adopt rules necessary to carry out the program;
- 23 (2) To establish one or more review committees to assist in the
24 evaluation of proposals for funding. The review committees may receive
25 input from parents, educators, and other experts in the field of early
26 childhood education for this purpose;
- 27 (3) To establish each biennium specific guidelines for submitting
28 grant proposals consistent with the overall goals of the program. The
29 guidelines shall be consistent with the following desired outcomes of
30 increasing access to quality child care for students, providing
31 affordable child care alternatives for students, creating a partnership
32 between university or college administrations, university or college
33 foundations, and student government associations, or their equivalents;
- 34 (4) To proportionally distribute the amount of money available in
35 the trust fund based on the financial support for child care received
36 by the student government associations or their equivalents. Student

1 government associations may solicit funds from private organizations
2 and targeted fund-raising campaigns as part of their financial support
3 for child care;

4 (5) To solicit grant proposals and provide information to the
5 institutions of higher education about the program;

6 (6) To establish reporting, evaluation, accountability, monitoring,
7 and dissemination requirements for the recipients of the grants; and

8 (7) To report to the appropriate committees of the legislature by
9 December 15, 2008, and every two years thereafter, on the status of
10 program design and implementation at the four-year institutions of
11 higher education. The report shall include but not be limited to
12 summary information on the institutions receiving child care grant
13 allocations, the amount contributed by each university or college
14 administration and student government association for the purposes of
15 child care including expenditures and reports for the previous
16 biennium, services provided by each institutional child care center,
17 the number of students using such services, and identifiable unmet
18 need.

19 **Sec. 210.** RCW 28B.135.040 and 1999 c 375 s 4 are each amended to
20 read as follows:

21 Two accounts for student child care in higher education are
22 established in the custody of the state treasurer. Moneys in the
23 accounts may be spent only for the purposes of RCW 28B.135.010.
24 Disbursements from one of the accounts shall be on the authorization of
25 the ((higher education coordinating)) student financial assistance
26 board and disbursements from the other account shall be on the
27 authorization of the state board for community and technical colleges.
28 The accounts are subject to the allotment procedures under chapter
29 43.88 RCW, but no appropriation is required for disbursements.

30 **Sec. 211.** RCW 28C.18.166 and 2009 c 238 s 5 are each amended to
31 read as follows:

32 On an annual basis, each opportunity internship consortium shall
33 provide the board with a list of the opportunity internship graduates
34 from the consortium. The board shall compile the lists from all
35 consortia and shall notify the ((higher education coordinating))
36 student financial assistance board of the eligibility of each graduate

1 on the lists to receive a state need grant under chapter 28B.92 RCW if
2 the graduate enrolls in a postsecondary program of study within one
3 year of high school graduation.

4 **Sec. 212.** RCW 39.86.130 and 1987 c 297 s 4 are each amended to
5 read as follows:

6 (1) In granting an allocation, reallocation, or carryforward of the
7 state ceiling as provided in this chapter, the agency shall consider
8 existing state priorities and other such criteria, including but not
9 limited to, the following criteria:

10 (a) Need of issuers to issue private activity bonds within a bond
11 use category;

12 (b) Amount of the state ceiling available;

13 (c) Public benefit and purpose to be satisfied, including economic
14 development, educational opportunity, and public health, safety, or
15 welfare;

16 (d) Cost or availability of alternative methods of financing for
17 the project or program; and

18 (e) Certainty of using the allocation which is being requested.

19 (2) In determining whether to allocate an amount of the state
20 ceiling to an issuer within any bond use category, the agency shall
21 consider, but is not limited to, the following criteria for each of the
22 bond use categories:

23 (a) Housing: Criteria which comply with RCW 43.180.200.

24 (b) Student loans: Criteria which comply with the applicable
25 provisions of Title 28B RCW and rules adopted by the (~~higher education~~
26 ~~coordinating~~) student financial assistance board or applicable state
27 agency dealing with student financial aid.

28 (c) Small issue: Recommendation by the board regarding how the
29 amount of the state ceiling set aside for the small issue bond use
30 category shall be allocated among issuers. Factors may include:

31 (i) The number of employment opportunities the project is likely to
32 create or retain in relation to the amount of the bond issuance;

33 (ii) The level of unemployment existing in the geographic area
34 likely to be affected by the project;

35 (iii) A commitment to providing employment opportunities to low-
36 income persons in cooperation with the employment security department;

37 (iv) Geographic distribution of projects;

- 1 (v) The number of persons who will benefit from the project;
- 2 (vi) Consistency with criteria identified in subsection (1) of this
3 section;
- 4 (vii) Order in which requests were received; and
- 5 (viii) Requirements of the board's umbrella bond program.
- 6 (d) Exempt facility or redevelopment: Factors which may include:
- 7 (i) State issuance needs;
- 8 (ii) Consistency with criteria identified in subsection (1) of this
9 section;
- 10 (iii) Order in which requests were received;
- 11 (iv) The proportionate number of persons in relationship to the
12 size of the community who will benefit from the project; and
- 13 (v) The unique timing and issuance needs of large scale projects
14 that may require allocations in more than one year.
- 15 (e) Public utility: Factors which may include:
- 16 (i) Consistency with criteria identified in subsection (1) of this
17 section; and
- 18 (ii) Timing needs for issuance of bonds over a multi-year period.

19 **Sec. 213.** RCW 42.17.2401 and 2009 c 565 s 24 are each amended to
20 read as follows:

21 For the purposes of RCW 42.17.240, the term "executive state
22 officer" includes:

23 (1) The chief administrative law judge, the director of
24 agriculture, the administrator of the Washington basic health plan, the
25 director of the department of services for the blind, the director of
26 the state system of community and technical colleges, the director of
27 commerce, the secretary of corrections, the director of early learning,
28 the director of ecology, the commissioner of employment security, the
29 chair of the energy facility site evaluation council, the secretary of
30 the state finance committee, the director of financial management, the
31 director of fish and wildlife, the executive secretary of the forest
32 practices appeals board, the director of the gambling commission, the
33 director of general administration, the secretary of health, the
34 administrator of the Washington state health care authority, the
35 executive secretary of the health care facilities authority, the
36 executive secretary of the higher education facilities authority, the
37 executive secretary of the horse racing commission, the executive

1 secretary of the human rights commission, the executive secretary of
2 the indeterminate sentence review board, the director of the department
3 of information services, the executive director of the state investment
4 board, the director of labor and industries, the director of licensing,
5 the director of the lottery commission, the director of the office of
6 minority and women's business enterprises, the director of parks and
7 recreation, the director of personnel, the executive director of the
8 public disclosure commission, the executive director of the Puget Sound
9 partnership, the director of the recreation and conservation office,
10 the director of retirement systems, the director of revenue, the
11 secretary of social and health services, the chief of the Washington
12 state patrol, the executive secretary of the board of tax appeals, the
13 secretary of transportation, the secretary of the utilities and
14 transportation commission, the director of veterans affairs, the
15 president of each of the regional and state universities and the
16 president of The Evergreen State College, and each district and each
17 campus president of each state community college;

18 (2) Each professional staff member of the office of the governor;

19 (3) Each professional staff member of the legislature; and

20 (4) Central Washington University board of trustees, the boards of
21 trustees of each community college and each technical college, each
22 member of the state board for community and technical colleges, state
23 convention and trade center board of directors, committee for deferred
24 compensation, Eastern Washington University board of trustees,
25 Washington economic development finance authority, The Evergreen State
26 College board of trustees, executive ethics board, forest practices
27 appeals board, forest practices board, gambling commission, life
28 sciences discovery fund authority board of trustees, Washington health
29 care facilities authority, each member of the Washington health
30 services commission, (~~higher education coordinating board,~~) higher
31 education facilities authority, horse racing commission, state housing
32 finance commission, human rights commission, indeterminate sentence
33 review board, board of industrial insurance appeals, information
34 services board, recreation and conservation funding board, state
35 investment board, commission on judicial conduct, legislative ethics
36 board, liquor control board, lottery commission, marine oversight
37 board, Pacific Northwest electric power and conservation planning
38 council, parks and recreation commission, board of pilotage

1 commissioners, pollution control hearings board, public disclosure
2 commission, public pension commission, shorelines hearings board,
3 public employees' benefits board, salmon recovery funding board,
4 student financial assistance board, board of tax appeals,
5 transportation commission, University of Washington board of regents,
6 utilities and transportation commission, Washington state maritime
7 commission, Washington personnel resources board, Washington public
8 power supply system executive board, Washington State University board
9 of regents, Western Washington University board of trustees, and fish
10 and wildlife commission.

11 **Sec. 214.** RCW 43.41.400 and 2009 c 548 s 201 are each amended to
12 read as follows:

13 (1) An education data center shall be established in the office of
14 financial management. The education data center shall jointly, with
15 the legislative evaluation and accountability program committee,
16 conduct collaborative analyses of early learning, K-12, and higher
17 education programs and education issues across the P-20 system, which
18 includes the department of early learning, the superintendent of public
19 instruction, the professional educator standards board, the state board
20 of education, the state board for community and technical colleges, the
21 workforce training and education coordinating board, the (~~higher~~
22 ~~education coordinating~~) student financial assistance board, public and
23 private nonprofit four-year institutions of higher education, and the
24 employment security department. The education data center shall
25 conduct collaborative analyses under this section with the legislative
26 evaluation and accountability program committee and provide data
27 electronically to the legislative evaluation and accountability program
28 committee, to the extent permitted by state and federal confidentiality
29 requirements. The education data center shall be considered an
30 authorized representative of the state educational agencies in this
31 section under applicable federal and state statutes for purposes of
32 accessing and compiling student record data for research purposes.

33 (2) The education data center shall:

34 (a) In consultation with the legislative evaluation and
35 accountability program committee and the agencies and organizations
36 participating in the education data center, identify the critical

1 research and policy questions that are intended to be addressed by the
2 education data center and the data needed to address the questions;

3 (b) Coordinate with other state education agencies to compile and
4 analyze education data, including data on student demographics that is
5 disaggregated by distinct ethnic categories within racial subgroups,
6 and complete P-20 research projects;

7 (c) Collaborate with the legislative evaluation and accountability
8 program committee and the education and fiscal committees of the
9 legislature in identifying the data to be compiled and analyzed to
10 ensure that legislative interests are served;

11 (d) Annually provide to the K-12 data governance group a list of
12 data elements and data quality improvements that are necessary to
13 answer the research and policy questions identified by the education
14 data center and have been identified by the legislative committees in
15 (c) of this subsection. Within three months of receiving the list, the
16 K-12 data governance group shall develop and transmit to the education
17 data center a feasibility analysis of obtaining or improving the data,
18 including the steps required, estimated time frame, and the financial
19 and other resources that would be required. Based on the analysis, the
20 education data center shall submit, if necessary, a recommendation to
21 the legislature regarding any statutory changes or resources that would
22 be needed to collect or improve the data;

23 (e) Monitor and evaluate the education data collection systems of
24 the organizations and agencies represented in the education data center
25 ensuring that data systems are flexible, able to adapt to evolving
26 needs for information, and to the extent feasible and necessary,
27 include data that are needed to conduct the analyses and provide
28 answers to the research and policy questions identified in (a) of this
29 subsection;

30 (f) Track enrollment and outcomes through the public centralized
31 higher education enrollment system;

32 (g) Assist other state educational agencies' collaborative efforts
33 to develop a long-range enrollment plan for higher education including
34 estimates to meet demographic and workforce needs;

35 (h) Provide research that focuses on student transitions within and
36 among the early learning, K-12, and higher education sectors in the P-
37 20 system; and

1 (i) Make recommendations to the legislature as necessary to help
2 ensure the goals and objectives of this section and RCW 28A.655.210 and
3 28A.300.507 are met.

4 (3) The department of early learning, superintendent of public
5 instruction, professional educator standards board, state board of
6 education, state board for community and technical colleges, workforce
7 training and education coordinating board, (~~higher education~~
8 ~~coordinating~~) student financial assistance board, public four-year
9 institutions of higher education, and employment security department
10 shall work with the education data center to develop data-sharing and
11 research agreements, consistent with applicable security and
12 confidentiality requirements, to facilitate the work of the center.
13 Private, nonprofit institutions of higher education that provide
14 programs of education beyond the high school level leading at least to
15 the baccalaureate degree and are accredited by the Northwest
16 association of schools and colleges or their peer accreditation bodies
17 may also develop data-sharing and research agreements with the
18 education data center, consistent with applicable security and
19 confidentiality requirements. The education data center shall make
20 data from collaborative analyses available to the education agencies
21 and institutions that contribute data to the education data center to
22 the extent allowed by federal and state security and confidentiality
23 requirements applicable to the data of each contributing agency or
24 institution.

25 **Sec. 215.** RCW 43.105.800 and 1999 c 285 s 2 are each amended to
26 read as follows:

27 The K-20 educational network board is created. The purpose of the
28 K-20 board is to ensure that the K-20 educational telecommunications
29 network is operated in a way that serves the broad public interest
30 above the interest of any network user.

31 (1) The K-20 board shall comprise eleven voting and seven nonvoting
32 members as follows:

33 (a) Voting members shall include: A person designated by the
34 governor; one member of each caucus of the senate, appointed by the
35 president of the senate; one member of each caucus of the house of
36 representatives, appointed by the speaker of the house of
37 representatives; the superintendent of public instruction or his or her

1 designee; the executive director of the ((higher—education
2 ~~coordinating~~)) student financial assistance board or his or her
3 designee; the executive director of the state board for community and
4 technical colleges or his or her designee; the chair of the information
5 services board, or his or her designee; the director of the department
6 of information services or his or her designee; and one citizen member.

7 The citizen member shall be appointed to a four-year term by the
8 governor with the consent of the senate. The governor shall appoint
9 the citizen member of the K-20 board by July 30, 1999.

10 (b) Nonvoting members shall include one community or technical
11 college president, appointed by the state board for technical and
12 community colleges; one president of a public baccalaureate
13 institution, appointed by the council of presidents; the state
14 librarian; one educational service district superintendent, one school
15 district superintendent, and one representative of an approved private
16 school, appointed by the superintendent of public instruction; and one
17 representative of independent baccalaureate institutions, appointed by
18 the Washington association of independent colleges and universities.

19 (2) The director of the department of information services or his
20 or her designee shall serve as chair of the K-20 board. The department
21 of information services shall provide staffing to the K-20 board. A
22 majority of the voting members of the K-20 board shall constitute a
23 quorum for the transaction of business.

24 (3) The citizen member of the K-20 board shall be compensated in
25 accordance with RCW 43.03.250.

26 **Sec. 216.** RCW 43.105.810 and 1999 c 285 s 6 are each amended to
27 read as follows:

28 The K-20 network technical steering committee is established, and
29 shall report to the information services board.

30 (1) The committee consists of the following seven voting members:
31 A representative of the ((higher—education—coordinating)) student
32 financial assistance board, appointed by its executive director; a
33 representative of the superintendent of public instruction, appointed
34 by the superintendent of public instruction; a representative of the
35 state board for community and technical colleges, appointed by its
36 executive director; a representative of the educational services
37 districts, appointed by that organization; a representative of the

1 baccalaureate institutions, appointed by the council of presidents; a
2 representative of the computer or telecommunications industry,
3 appointed by the governor; and a representative of the department,
4 appointed by the director. The committee includes as ex officio,
5 nonvoting members, a representative of the organization that operates
6 the K-20 network under RCW 43.105.815, appointed by that organization;
7 the state librarian; a representative of the independent nonprofit
8 institutions of higher education, appointed by the Washington
9 association of independent colleges and universities; and such
10 additional ex officio, nonvoting members as may be appointed by the
11 information services board. The committee shall select a chair from
12 among its members.

13 (2) The committee shall have general operational and technical
14 oversight over the K-20 network, as delegated by the information
15 services board.

16 (3) The department shall supply necessary staff support to the
17 committee.

18 **Sec. 217.** RCW 43.105.825 and 2004 c 275 s 62 are each amended to
19 read as follows:

20 (1) In overseeing the technical aspects of the K-20 network, the
21 information services board is not intended to duplicate the statutory
22 responsibilities of the ((higher education coordinating)) student
23 financial assistance board, the superintendent of public instruction,
24 the information services board, the state librarian, or the governing
25 boards of the institutions of higher education.

26 (2) The board may not interfere in any curriculum or legally
27 offered programming offered over the network.

28 (3) The responsibility to review and approve standards and common
29 specifications for the network remains the responsibility of the
30 information services board under RCW 43.105.041.

31 (4) The coordination of telecommunications planning for the common
32 schools remains the responsibility of the superintendent of public
33 instruction. Except as set forth in RCW 43.105.041(1)(d), the board
34 may recommend, but not require, revisions to the superintendent's
35 telecommunications plans.

1 **Sec. 218.** RCW 74.13.570 and 2005 c 93 s 2 are each amended to read
2 as follows:

3 (1) The department shall establish an oversight committee composed
4 of staff from the children's administration of the department, the
5 office of the superintendent of public instruction, the (~~higher~~
6 ~~education-coordinating~~) student financial assistance board, foster
7 youth, former foster youth, foster parents, and advocacy agencies to
8 develop strategies for maintaining foster children in the schools they
9 were attending at the time they entered foster care and to promote
10 opportunities for foster youth to participate in postsecondary
11 education or training.

12 (2) The duties of the oversight committee shall include, but are
13 not limited to:

14 (a) Developing strategies for school-based recruitment of foster
15 homes;

16 (b) Monitoring the progress of current pilot projects that assist
17 foster children to continue attending the schools they were attending
18 at the time they entered foster care;

19 (c) Overseeing the expansion of the number of pilot projects;

20 (d) Promoting the use of best practices, throughout the state,
21 demonstrated by the pilot projects and other programs relating to
22 maintaining foster children in the schools they were attending at the
23 time they entered foster care;

24 (e) Informing the legislature of the status of efforts to maintain
25 foster children in the schools they were attending at the time they
26 entered foster care;

27 (f) Assessing the scope and nature of statewide need among current
28 and former foster youth for assistance to pursue and participate in
29 postsecondary education or training opportunities;

30 (g) Identifying available sources of funding available in the state
31 for services to former foster youth to pursue and participate in
32 postsecondary education or training opportunities;

33 (h) Reviewing the effectiveness of activities in the state to
34 support former foster youth to pursue and participate in postsecondary
35 education or training opportunities;

36 (i) Identifying new activities, or existing activities that should
37 be modified or expanded, to best meet statewide needs; and

1 (j) Reviewing on an ongoing basis the progress toward improving
2 educational and vocational outcomes for foster youth.

3 NEW SECTION. **Sec. 219.** The following acts or parts of acts are
4 each repealed:

5 (1) RCW 28B.76.040 (Members--Appointment) and 2002 c 348 s 1, 2002
6 c 129 s 1, & 1985 c 370 s 10;

7 (2) RCW 28B.76.050 (Members--Terms) and 2007 c 458 s 101, 2004 c
8 275 s 3, 2002 c 129 s 2, & 1985 c 370 s 11;

9 (3) RCW 28B.76.060 (Members--Vacancies) and 1985 c 370 s 12;

10 (4) RCW 28B.76.100 (Advisory council) and 2007 c 458 s 103, 2004 c
11 275 s 2, & 1985 c 370 s 9; and

12 (5) RCW 28B.76.210 (Budget priorities and levels of funding--
13 Guidelines for institutions--Review and evaluation of budget requests--
14 Recommendations) and 2008 c 205 s 4, 2007 c 458 s 202, 2004 c 275 s 7,
15 2003 c 130 s 3, 1997 c 369 s 10, 1996 c 174 s 1, 1993 c 363 s 6, & 1985
16 c 370 s 4.

17 NEW SECTION. **Sec. 220.** (1) The higher education coordinating
18 board is abolished. All powers, duties, and functions of the higher
19 education coordinating board pertaining to student financial assistance
20 are transferred to the student financial assistance board. All
21 references to the director or the higher education coordinating board
22 in the Revised Code of Washington shall be construed to mean the
23 director or the student financial assistance board when referring to
24 the functions transferred in this section.

25 (2)(a) All reports, documents, surveys, books, records, files,
26 papers, or written material in the possession of the higher education
27 coordinating board pertaining to the powers, functions, and duties
28 transferred shall be delivered to the custody of the student financial
29 assistance board. All cabinets, furniture, office equipment, motor
30 vehicles, and other tangible property employed by the higher education
31 coordinating board in carrying out the powers, functions, and duties
32 transferred shall be made available to the student financial assistance
33 board. All funds, credits, or other assets held in connection with the
34 powers, functions, and duties transferred shall be assigned to the
35 student financial assistance board.

1 (b) Any appropriations made to the higher education coordinating
2 board for carrying out the powers, functions, and duties transferred
3 shall, on the effective date of this section, be transferred and
4 credited to the student financial assistance board.

5 (c) Whenever any question arises as to the transfer of any
6 personnel, funds, books, documents, records, papers, files, equipment,
7 or other tangible property used or held in the exercise of the powers
8 and the performance of the duties and functions transferred, the
9 director of financial management shall make a determination as to the
10 proper allocation and certify the same to the state agencies concerned.

11 (3) All employees of the higher education coordinating board
12 engaged in performing the powers, functions, and duties transferred are
13 transferred to the jurisdiction of the student financial assistance
14 board. All employees classified under chapter 41.06 RCW, the state
15 civil service law, are assigned to the student financial assistance
16 board to perform their usual duties upon the same terms as formerly,
17 without any loss of rights, subject to any action that may be
18 appropriate thereafter in accordance with the laws and rules governing
19 state civil service.

20 (4) All rules and all pending business before the higher education
21 coordinating board pertaining to the powers, functions, and duties
22 transferred shall be continued and acted upon by the student financial
23 assistance board. All existing contracts and obligations shall remain
24 in full force and shall be performed by the student financial
25 assistance board.

26 (5) The transfer of the powers, duties, functions, and personnel of
27 the higher education coordinating board shall not affect the validity
28 of any act performed before the effective date of this section.

29 (6) If apportionments of budgeted funds are required because of the
30 transfers directed by this section, the director of financial
31 management shall certify the apportionments to the agencies affected,
32 the state auditor, and the state treasurer. Each of these shall make
33 the appropriate transfer and adjustments in funds and appropriation
34 accounts and equipment records in accordance with the certification.

35 (7) Nothing contained in this section may be construed to alter any
36 existing collective bargaining unit or the provisions of any existing
37 collective bargaining agreement until the agreement has expired or

1 until the bargaining unit has been modified by action of the public
2 employment relations commission as provided by law.

3 **PART II**

4 **OFFICE OF FINANCIAL MANAGEMENT**

5 **Sec. 301.** RCW 28B.76.200 and 2007 c 458 s 201 are each amended to
6 read as follows:

7 (1) The ((~~board~~)) office shall develop a statewide strategic master
8 plan for higher education that proposes a vision and identifies
9 measurable goals and priorities for the system of higher education in
10 Washington state for a ten-year time period. The ((~~board~~)) office
11 shall update the statewide strategic master plan every four years. The
12 plan shall address the goals of: (a) Expanding access; (b) using
13 methods of educational delivery that are efficient, cost-effective, and
14 productive to deliver modern educational programs; and (c) using
15 performance measures to gauge the effectiveness of the state's progress
16 towards meeting its higher education goals. The plan shall encompass
17 all sectors of higher education, including the two-year system,
18 workforce training, the four-year institutions, and financial aid. The
19 ((~~board~~)) office shall also specify strategies for expanding access,
20 affordability, quality, efficiency, and accountability among the
21 various institutions of higher education.

22 (2) In developing the statewide strategic master plan for higher
23 education, the ((~~board~~)) office shall collaborate with the four-year
24 institutions of higher education including the council of presidents,
25 the community and technical college system, and, when appropriate, the
26 workforce training and education coordinating board, the superintendent
27 of public instruction, the independent higher education institutions,
28 the business sector, and labor. The ((~~board~~)) office shall identify
29 and utilize models of regional planning and decision making before
30 initiating a statewide planning process. The ((~~board~~)) office shall
31 also seek input from students, faculty organizations, community and
32 business leaders in the state, members of the legislature, and the
33 governor.

34 (3) As a foundation for the statewide strategic master plan for
35 higher education, the ((~~board~~)) office shall review role and mission
36 statements for each of the four-year institutions of higher education,

1 as defined in RCW 28B.10.016, and the community and technical college
2 system. The purpose of the review is to ensure institutional roles and
3 missions are aligned with the overall state vision and priorities for
4 higher education.

5 (4) In assessing needs of the state's higher education system, the
6 (~~board~~) office should encourage partnerships, embrace innovation, and
7 consider, analyze, and make recommendations concerning the following
8 information:

9 (a) Demographic, social, economic, and technological trends and
10 their impact on service delivery for a twenty-year horizon;

11 (b) The changing ethnic composition of the population and the
12 special needs arising from those trends;

13 (c) Business and industrial needs for a skilled workforce;

14 (d) College attendance, retention, transfer, graduation, and
15 dropout rates;

16 (e) Needs and demands for basic and continuing education and
17 opportunities for lifelong learning by individuals of all age groups;

18 (f) Needs and demands for nontraditional populations including, but
19 not limited to, adult learners; and

20 (g) Needs and demands for access to higher education by placebound
21 students and individuals in heavily populated areas underserved by
22 public institutions.

23 (5) The statewide strategic master plan for higher education shall
24 include, but not be limited to, the following access and educational
25 delivery items:

26 (a) Recommendations based on enrollment forecasts and analysis of
27 data about demand for higher education, and policies and actions to
28 meet the goal of expanding access;

29 (b) State and regional priorities for new or expanded degree
30 programs or off-campus programs, including what models of service
31 delivery may be most cost-effective;

32 (c) Recommended policies or actions to improve the efficiency of
33 student transfer and graduation or completion;

34 (d) State and regional priorities for addressing needs in high-
35 demand fields where enrollment access is limited and employers are
36 experiencing difficulty finding enough qualified graduates to fill job
37 openings;

38 (e) Recommended tuition and fees policies and levels; and

1 (f) Priorities and recommendations including increased transparency
2 on financial aid.

3 (6) The ((~~board~~)) office shall present the vision, goals,
4 priorities, and strategies in the statewide strategic master plan for
5 higher education in a way that provides guidance for institutions, the
6 governor, and the legislature to make further decisions regarding
7 institution-level plans, policies, legislation, and operating and
8 capital funding for higher education. In the statewide strategic
9 master plan for higher education, the ((~~board~~)) office shall recommend
10 specific actions to be taken and identify measurable performance
11 indicators and benchmarks for gauging progress toward achieving the
12 goals and priorities.

13 (7) Every four years by December 15th, beginning December 15, 2007,
14 the ((~~board~~)) office shall submit an update of the ten-year statewide
15 strategic master plan for higher education to the governor and the
16 legislature. The updated plan shall reflect the expectations and
17 policy directions of the legislative higher education and fiscal
18 committees, and shall provide a timely and relevant framework for the
19 development of future budgets and policy proposals. The legislature
20 shall, by concurrent resolution, approve or recommend changes to the
21 updated plan, following public hearings. The ((~~board~~)) office shall
22 submit the final plan, incorporating legislative changes, to the
23 governor and the legislature by June of the year in which the
24 legislature approves the concurrent resolution. The plan shall then
25 become state higher education policy unless legislation is enacted to
26 alter the policies set forth in the plan. The ((~~board~~)) office shall
27 report annually to the governor and the legislature on the progress
28 being made by the institutions of higher education, as defined in RCW
29 28B.10.016, and the state to implement the strategic master plan.

30 (8) Each four-year institution of higher education, as defined in
31 RCW 28B.10.016, shall develop an institution-level ten-year strategic
32 plan that implements the vision, goals, priorities, and strategies
33 within the statewide strategic master plan for higher education based
34 on the institution's role and mission. Institutional strategic plans
35 shall encourage partnerships, embrace innovation, and contain
36 measurable performance indicators and benchmarks for gauging progress
37 toward achieving the goals and priorities with attention given to the
38 goals and strategies of increased access and program delivery methods.

1 The ((board)) office shall review the institution-level plans to ensure
2 the plans are aligned with and implement the statewide strategic master
3 plan for higher education and shall periodically monitor institutions'
4 progress toward achieving the goals and priorities within their plans.

5 (9) The ((board)) office shall also review the comprehensive master
6 plan prepared by the state board for community and technical colleges
7 for the community and technical college system under RCW 28B.50.090 to
8 ensure the plan is aligned with and implements the statewide strategic
9 master plan for higher education.

10 **Sec. 302.** RCW 28B.76.230 and 2005 c 258 s 11 are each amended to
11 read as follows:

12 (1) The ((board)) office shall develop a comprehensive and ongoing
13 assessment process to analyze the need for additional degrees and
14 programs, additional off-campus centers and locations for degree
15 programs, and consolidation or elimination of programs by the four-year
16 institutions.

17 (2) As part of the needs assessment process, the ((board)) office
18 shall examine:

19 (a) Projections of student, employer, and community demand for
20 education and degrees, including liberal arts degrees, on a regional
21 and statewide basis;

22 (b) Current and projected degree programs and enrollment at public
23 and private institutions of higher education, by location and mode of
24 service delivery; and

25 (c) Data from the workforce training and education coordinating
26 board and the state board for community and technical colleges on the
27 supply and demand for workforce education and certificates and
28 associate degrees.

29 (3) As part of the state needs assessment process, the office shall
30 assess the need for additional baccalaureate degree programs in
31 Washington that specialize in teacher preparation in mathematics,
32 science, and technology. If the office determines that there is a need
33 for additional programs, then the office shall encourage the
34 appropriate institutions of higher education or institutional sectors
35 to create such a program.

36 (4) Every two years the ((board)) office shall produce, jointly
37 with the state board for community and technical colleges and the

1 workforce training and education coordinating board, an assessment of
2 the number and type of higher education and training credentials
3 required to match employer demand for a skilled and educated workforce.
4 The assessment shall include the number of forecasted net job openings
5 at each level of higher education and training and the number of
6 credentials needed to match the forecast of net job openings.

7 ~~((+4))~~ (5) The ~~((board))~~ office shall determine whether certain
8 major lines of study or types of degrees, including applied degrees or
9 research-oriented degrees, shall be assigned uniquely to some
10 institutions or institutional sectors in order to create centers of
11 excellence that focus resources and expertise.

12 ~~((+5))~~ (6) The following activities are subject to approval by the
13 ~~((board))~~ office:

- 14 (a) New degree programs by a four-year institution;
- 15 (b) Creation of any off-campus program by a four-year institution;
- 16 (c) Purchase or lease of major off-campus facilities by a four-year
17 institution or a community or technical college;
- 18 (d) Creation of higher education centers and consortia;
- 19 (e) New degree programs and creation of off-campus programs by an
20 independent college or university in collaboration with a community or
21 technical college; and
- 22 (f) Applied baccalaureate degree programs developed by colleges
23 under RCW 28B.50.810.

24 ~~((+6))~~ (7) Institutions seeking ~~((board))~~ office approval under
25 this section must demonstrate that the proposal is justified by the
26 needs assessment developed under this section. Institutions must also
27 demonstrate how the proposals align with or implement the statewide
28 strategic master plan for higher education under RCW 28B.76.200 (as
29 recodified by this act).

30 ~~((+7))~~ (8) The ~~((board))~~ office shall develop clear guidelines and
31 objective decision-making criteria regarding approval of proposals
32 under this section, which must include review and consultation with the
33 institution and other interested agencies and individuals.

34 ~~((+8))~~ (9) The ~~((board))~~ office shall periodically recommend
35 consolidation or elimination of programs at the four-year institutions,
36 based on the needs assessment analysis.

1 **Sec. 303.** RCW 28B.76.240 and 2004 c 275 s 10 are each amended to
2 read as follows:

3 The (~~board~~) office shall adopt statewide transfer and
4 articulation policies that ensure efficient transfer of credits and
5 courses across public two and four-year institutions of higher
6 education. The intent of the policies is to create a statewide system
7 of articulation and alignment between two and four-year institutions of
8 higher education, as defined in RCW 28B.10.016. Policies may address
9 but are not limited to creation of a statewide system of course
10 equivalency, creation of transfer associate degrees, statewide
11 articulation agreements, applicability of technical courses toward
12 baccalaureate degrees, and other issues. The institutions of higher
13 education and the state board for community and technical colleges
14 shall cooperate with the (~~board~~) office in developing the statewide
15 policies and shall provide support and staff resources as necessary to
16 assist in maintaining the policies. (~~The board shall submit a~~
17 ~~progress report to the higher education committees of the senate and~~
18 ~~house of representatives by December 1, 2006, by which time the~~
19 ~~legislature expects measurable improvement in alignment and transfer~~
20 ~~efficiency.))~~

21 **Sec. 304.** RCW 28B.76.250 and 2004 c 55 s 2 are each amended to
22 read as follows:

23 (1) The (~~higher education coordinating board~~) office must convene
24 work groups to develop transfer associate degrees that will satisfy
25 lower division requirements at public four-year institutions of higher
26 education for specific academic majors. Work groups must include
27 representatives from the state board for community and technical
28 colleges and the council of presidents, as well as faculty from two and
29 four-year institutions. Work groups may include representatives from
30 independent four-year institutions.

31 (2) Each transfer associate degree developed under this section
32 must enable a student to complete the lower-division courses or
33 competencies for general education requirements and preparation for the
34 major that a direct-entry student would typically complete in the
35 freshman and sophomore years for that academic major.

36 (3) Completion of a transfer associate degree does not guarantee a
37 student admission into an institution of higher education or admission

1 into a major, minor, or professional program at an institution of
2 higher education that has competitive admission standards for the
3 program based on grade point average or other performance criteria.

4 (4) During the 2004-05 academic year, the work groups must develop
5 transfer degrees for elementary education, engineering, and nursing.
6 Each year thereafter, the (~~(higher education coordinating board)~~)
7 office must convene additional groups to identify and develop
8 additional transfer degrees. The (~~(board)~~) office must give priority
9 to majors in high demand by transfer students and majors that the
10 general direct transfer agreement associate degree does not adequately
11 prepare students to enter automatically upon transfer.

12 (5) The (~~(higher education coordinating board)~~) office, in
13 collaboration with the intercollege relations commission, must collect
14 and maintain lists of courses offered by each community and technical
15 college and public four-year institution of higher education that fall
16 within each transfer associate degree.

17 (6) The (~~(higher education coordinating board)~~) office must monitor
18 implementation of transfer associate degrees by public four-year
19 institutions to ensure compliance with subsection (2) of this section.

20 (7) Beginning January 10, 2005, the (~~(higher education coordinating~~
21 ~~board)~~) office must submit a progress report on the development of
22 transfer associate degrees to the higher education committees of the
23 house of representatives and the senate. The first progress report
24 must include measurable benchmark indicators to monitor the
25 effectiveness of the initiatives in improving transfer and baseline
26 data for those indicators before the implementation of the initiatives.
27 Subsequent reports must be submitted by January 10th of each odd-
28 numbered year and must monitor progress on the indicators, describe
29 development of additional transfer associate degrees, and provide other
30 data on improvements in transfer efficiency.

31 **Sec. 305.** RCW 28B.76.260 and 2004 c 55 s 3 are each amended to
32 read as follows:

33 (~~(1)~~) The (~~(higher education coordinating board)~~) office, in
34 collaboration with the intercollege relations commission, must create
35 a statewide system of course equivalency for public institutions of
36 higher education, so that courses from one institution can be

1 transferred and applied toward academic majors and degrees in the same
2 manner as equivalent courses at the receiving institution.

3 ~~((2) The board must convene a work group including representatives
4 from the state board for community and technical colleges and the
5 council of presidents, as well as faculty from two and four-year
6 institutions, to:~~

7 ~~(a) Identify equivalent courses between community and technical
8 colleges and public four-year institutions and among public four-year
9 institutions, including identifying how courses meet requirements for
10 academic majors and degrees; and~~

11 ~~(b) Develop strategies for communicating course equivalency to
12 students, faculty, and advisors.~~

13 ~~(3) The work group may include representatives from independent
14 four-year institutions. The work group must take into account the
15 unique nature of the curriculum of The Evergreen State College in
16 developing the course equivalency system.~~

17 ~~(4) The higher education coordinating board must make a progress
18 report on the development of the course equivalency system to the
19 higher education committees of the senate and house of representatives
20 by January 10, 2005. The report must include options and cost
21 estimates for ongoing maintenance of the system.))~~

22 **Sec. 306.** RCW 28B.76.270 and 2004 c 275 s 11 are each amended to
23 read as follows:

24 (1) The ~~((board))~~ office shall establish an accountability
25 monitoring and reporting system as part of a continuing effort to make
26 meaningful and substantial progress towards the achievement of long-
27 term performance goals in higher education.

28 (2) Based on guidelines prepared by the ~~((board))~~ office, each
29 four-year institution and the state board for community and technical
30 colleges shall submit a biennial plan to achieve measurable and
31 specific improvements each academic year on statewide and institution-
32 specific performance measures. Plans shall be submitted to the
33 ~~((board))~~ office along with the biennial budget requests from the
34 institutions of higher education, as defined in RCW 28B.10.016, and the
35 state board for community and technical colleges. Performance measures
36 established for the community and technical colleges shall reflect the
37 role and mission of the colleges.

1 (3) The ((~~board~~)) office shall approve biennial performance targets
2 for each four-year institution and for the community and technical
3 college system and shall review actual achievements annually. The
4 state board for community and technical colleges shall set biennial
5 performance targets for each college or district, where appropriate.

6 (4) The ((~~board~~)) office shall submit a report on progress towards
7 the statewide goals, with recommendations for the ensuing biennium, to
8 the fiscal and higher education committees of the legislature along
9 with the ((~~board's~~)) office's biennial budget recommendations.

10 (5) The ((~~board~~)) office, in collaboration with the four-year
11 institutions of higher education, as defined in RCW 28B.10.016, and the
12 state board for community and technical colleges, shall periodically
13 review and update the accountability monitoring and reporting system.

14 (6) The ((~~board~~)) office shall develop measurable indicators and
15 benchmarks for its own performance regarding cost, quantity, quality,
16 and timeliness and including the performance of committees and advisory
17 groups convened under this chapter to accomplish such tasks as
18 improving transfer and articulation, improving articulation with the K-
19 12 education system, measuring educational costs, or developing data
20 protocols. The ((~~board~~)) office shall submit its accountability plan
21 to the legislature concurrently with the biennial report on institution
22 progress.

23 **Sec. 307.** RCW 28B.76.280 and 2004 c 275 s 12 are each amended to
24 read as follows:

25 (1) In consultation with the institutions of higher education and
26 state education agencies, the ((~~board~~)) office shall identify the data
27 needed to carry out its responsibilities for policy analysis,
28 accountability, program improvements, and public information. The
29 primary goals of the ((~~board's~~)) office's data collection and research
30 are to describe how students and other beneficiaries of higher
31 education are being served; to support higher education accountability;
32 and to assist state policymakers and institutions in making policy
33 decisions.

34 (2) The ((~~board~~)) office shall convene a research advisory group
35 and shall collaborate with the group to identify the most cost-
36 effective manner for the ((~~board~~)) office to collect data or access
37 existing data. The ((~~board~~)) office shall work with the advisory group

1 to develop research priorities, policies, and common definitions to
2 maximize the reliability and consistency of data across institutions.
3 The advisory group shall include representatives of public and
4 independent higher education institutions and other state agencies,
5 including the state board for community and technical colleges, the
6 office of the superintendent of public instruction, the office of
7 financial management, the employment security department, the workforce
8 training and education coordinating board, and other agencies as
9 appropriate.

10 (3) Specific protocols shall be developed by the ((board)) office
11 and the advisory group to protect the privacy of individual student
12 records while ensuring the availability of student data for legitimate
13 research purposes.

14 **Sec. 308.** RCW 28B.76.290 and 1993 c 77 s 2 are each amended to
15 read as follows:

16 The ((board)) office shall coordinate educational activities among
17 all segments of higher education taking into account the educational
18 programs, facilities, and other resources of both public and
19 independent two and four-year colleges and universities. The four-year
20 institutions and the state board for community and technical colleges
21 shall coordinate information and activities with the ((board)) office.
22 The ((board)) office shall have the following additional
23 responsibilities:

- 24 (1) Promote interinstitutional cooperation;
- 25 (2) Establish minimum admission standards for four-year
26 institutions, including a requirement that coursework in American sign
27 language or an American Indian language shall satisfy any requirement
28 for instruction in a language other than English that the ((board))
29 office or the institutions may establish as a general undergraduate
30 admissions requirement;
- 31 (3) Establish transfer policies;
- 32 (4) Adopt rules implementing statutory residency requirements;
- 33 (5) ~~((Develop and administer reciprocity agreements with bordering~~
34 ~~states and the province of British Columbia;~~
- 35 (6) ~~Review and recommend compensation practices and levels for~~
36 ~~administrative employees, exempt under chapter 28B.16 RCW, and faculty~~
37 ~~using comparative data from peer institutions;~~

1 ~~(7))~~) Monitor higher education activities for compliance with all
2 relevant state policies for higher education;

3 ~~((8) Arbitrate disputes between and among four-year institutions~~
4 ~~or between and among four-year institutions and community colleges at~~
5 ~~the request of one or more of the institutions involved, or at the~~
6 ~~request of the governor, or from a resolution adopted by the~~
7 ~~legislature. The decision of the board shall be binding on the~~
8 ~~participants in the dispute;~~

9 ~~(9))~~) (6) Establish and implement a state system for collecting,
10 analyzing, and distributing information;

11 ~~((10))~~) (7) Recommend to the governor and the legislature ways to
12 remove any economic incentives to use off-campus program funds for on-
13 campus activities; and

14 ~~((11))~~) (8) Make recommendations to increase minority
15 participation, and monitor and report on the progress of minority
16 participation in higher education.

17 **Sec. 309.** RCW 28B.76.300 and 2004 c 275 s 14 are each amended to
18 read as follows:

19 (1) The ~~((board))~~ office shall annually develop information on the
20 approximate amount of state support that students at institutions of
21 higher education receive. For students at state-supported colleges and
22 universities, the information shall include the approximate level of
23 support received by students in each tuition category. That
24 information may include consideration of the following: Expenditures
25 included in the educational cost formula, revenue forgiven from waived
26 tuition and fees, state-funded financial aid awarded to students at
27 public institutions, and all or a portion of appropriated amounts not
28 reflected in the educational cost formula for institutional programs
29 and services that may affect or enhance the educational experience of
30 students at a particular institution. For students attending a private
31 college, university, or proprietary school, the information shall
32 include the amount of state-funded financial aid awarded to students
33 attending the institution.

34 (2) Beginning July 30, 1993, the ~~((board))~~ office shall annually
35 provide information appropriate to each institution's student body to
36 each state-supported four-year institution of higher education and to

1 the state board for community and technical colleges for distribution
2 to community colleges and technical colleges.

3 (3) Beginning July 30, 1993, the ((board)) office shall annually
4 provide information on the level of financial aid received by students
5 at that institution to each private university, college, or proprietary
6 school, that enrolls students receiving state-funded financial aid.

7 (4) Beginning with the 1997 fall academic term, each institution of
8 higher education described in subsection (2) or (3) of this section
9 shall provide to students at the institution information on the
10 approximate amount that the state is contributing to the support of
11 their education. Information provided to students at each state-
12 supported college and university shall include the approximate amount
13 of state support received by students in each tuition category at that
14 institution. The amount of state support shall be based on the
15 information provided by the ((board)) office under subsections (1)
16 through (3) of this section. The information shall be provided to
17 students at the beginning of each academic term through one or more of
18 the following: Registration materials, class schedules, tuition and
19 fee billing packets, student newspapers, or via e-mail or kiosk.

20 **Sec. 310.** RCW 28B.76.310 and 2004 c 275 s 15 are each amended to
21 read as follows:

22 (1) The ((board)) office, in consultation with the house of
23 representatives and senate committees responsible for higher education,
24 the respective fiscal committees of the house of representatives and
25 senate, (~~the office of financial management,~~) the state board for
26 community and technical colleges, and the state institutions of higher
27 education, shall develop standardized methods and protocols for
28 measuring the undergraduate and graduate educational costs for the
29 state universities, regional universities, The Evergreen State College,
30 and community colleges, including but not limited to the costs of
31 instruction, costs to provide degrees in specific fields, and costs for
32 precollege remediation.

33 (2) (~~By December 1, 2004, the board must propose a schedule of~~
34 ~~regular cost study reports intended to meet the information needs of~~
35 ~~the governor's office and the legislature and the requirements of RCW~~
36 ~~28B.76.300 and submit the proposed schedule to the higher education and~~

1 ~~fiscal committees of the house of representatives and the senate for~~
2 ~~their review.~~

3 (3)) The institutions of higher education, as defined in RCW
4 28B.10.016, shall participate in the development of cost study methods
5 and shall provide all necessary data in a timely fashion consistent
6 with the protocols developed.

7 **Sec. 311.** RCW 28B.07.040 and 1985 c 370 s 49 are each amended to
8 read as follows:

9 The authority is authorized and empowered to do the following, on
10 such terms, with such security and undertakings, subject to such
11 conditions, and in return for such consideration, as the authority
12 shall determine in its discretion to be necessary, useful, or
13 convenient in accomplishing the purposes of this chapter:

14 (1) To (~~promulgate~~) adopt rules in accordance with chapter 34.05
15 RCW;

16 (2) To adopt an official seal and to alter the same at pleasure;

17 (3) To maintain an office at any place or places as the authority
18 may designate;

19 (4) To sue and be sued in its own name, and to plead and be
20 impleaded;

21 (5) To make and execute agreements with participants and others and
22 all other instruments necessary, useful, or convenient for the
23 accomplishment of the purposes of this chapter;

24 (6) To provide long-term or short-term financing or refinancing to
25 participants for project costs, by way of loan, lease, conditional
26 sales contract, mortgage, option to purchase, or other financing or
27 security device or any such combination;

28 (7) If, in order to provide to participants the financing or
29 refinancing of project costs described in subsection (6) of this
30 section, the authority deems it necessary or convenient for it to own
31 a project or projects or any part of a project or projects, for any
32 period of time, it may acquire, contract, improve, alter, rehabilitate,
33 repair, manage, operate, mortgage, subject to a security interest,
34 lease, sell, or convey the project;

35 (8) To fix, revise from time to time, and charge and collect from
36 participants and others rates, rents, fees, charges, and repayments as
37 necessary to fully and timely reimburse the authority for all expenses

1 incurred by it in providing the financing and refinancing and other
2 services under this section and for the repayment, when due, of all the
3 principal of, redemption premium, if any, and interest on all bonds
4 issued under this chapter to provide the financing, refinancing, and
5 services;

6 (9) To accept and receive funds, grants, gifts, pledges,
7 guarantees, mortgages, trust deeds, and other security instruments, and
8 property from the federal government or the state or other public body,
9 entity, or agency and from any public or private institution,
10 association, corporation, or organization, including participants. It
11 shall not accept or receive from the state or any taxing agency any
12 money derived from taxes, except money to be devoted to the purposes of
13 a project of the state or of a taxing agency;

14 (10) To open and maintain a bank account or accounts in one or more
15 qualified public depositories in this state and to deposit all or any
16 part of authority funds therein;

17 (11) To employ consulting engineers, architects, attorneys,
18 accountants, construction and financial experts, superintendents,
19 managers, an executive director, and such other employees and agents as
20 may be necessary in its judgment to carry out the purposes of this
21 chapter, and to fix their compensation;

22 (12) To provide financing or refinancing to two or more
23 participants for a single project or for several projects in such
24 combinations as the authority deems necessary, useful, or convenient;

25 (13) To charge to and equitably apportion among participants the
26 administrative costs and expenses incurred in the exercise of the
27 powers and duties conferred by this chapter;

28 (14) To consult with the (~~higher education coordinating board~~)
29 office of financial management to determine project priorities under
30 the purposes of this chapter; and

31 (15) To do all other things necessary, useful, or convenient to
32 carry out the purposes of this chapter.

33 In the exercise of any of these powers, the authority shall incur
34 no expense or liability which shall be an obligation, either general or
35 special, of the state, or a general obligation of the authority, and
36 shall pay no expense or liability from funds other than funds of the
37 authority. Funds of the state shall not be used for such purpose.

1 **Sec. 312.** RCW 28B.10.020 and 2004 c 275 s 47 are each amended to
2 read as follows:

3 The boards of regents of the University of Washington and
4 Washington State University, respectively, and the boards of trustees
5 of Central Washington University, Eastern Washington University,
6 Western Washington University, and The Evergreen State College,
7 respectively, shall have the power and authority to acquire by
8 exchange, gift, purchase, lease, or condemnation in the manner provided
9 by chapter 8.04 RCW for condemnation of property for public use, such
10 lands, real estate and other property, and interests therein as they
11 may deem necessary for the use of said institutions respectively.
12 However, the purchase or lease of major off-campus facilities is
13 subject to the approval of the (~~higher education coordinating board~~)
14 office of financial management under RCW 28B.76.230 (as recodified by
15 this act).

16 **Sec. 313.** RCW 28B.10.056 and 2006 c 180 s 2 are each amended to
17 read as follows:

18 (1) A state priority is established for institutions of higher
19 education, including community colleges, to encourage growing numbers
20 of enrollments and degrees in the fields of engineering, technology,
21 biotechnology, sciences, computer sciences, and mathematics.

22 (2) In meeting this state priority, the legislature understands and
23 recognizes that the demands of the economic marketplace and the desires
24 of students are not always on parallel tracks. Therefore, institutions
25 of higher education shall determine local student demand for programs
26 in the fields of engineering, technology, biotechnology, sciences,
27 computer sciences, and mathematics and submit findings and proposed
28 alternatives to meet demand to the higher education coordinating board
29 and the legislature by November 1, 2008.

30 (3) While it is understood that these areas of emphasis should not
31 be the sole focus of institutions of higher education. It is the
32 intent of the legislature that steady progress in these areas occur.
33 The (~~higher education coordinating board~~) office of financial
34 management shall track and report progress in the fields of
35 engineering, technology, biotechnology, sciences, computer sciences,
36 and mathematics including, but not limited to, the following
37 information:

1 (a) The number of students enrolled in these fields on a biennial
2 basis;

3 (b) The number of associate, bachelor's, and master's degrees
4 conferred in these fields on a biennial basis;

5 (c) The amount of expenditures in enrollment and degree programs in
6 these fields; and

7 (d) The number and type of public-private partnerships established
8 relating to these fields among institutions of higher education,
9 including community colleges, and leading corporations in Washington
10 state.

11 (4) Institutions of higher education, including community colleges,
12 shall be provided discretion and flexibility in achieving the
13 objectives under this section. Examples of the types of institutional
14 programs that may help achieve these objectives include, but are not
15 limited to, establishment of institutes of technology, new polytechnic-
16 based institutions, new divisions of existing institutions, and a
17 flexible array of delivery models, including face-to-face learning,
18 interactive courses, internet-based offerings, and instruction on main
19 campuses, branch campuses, and other educational centers.

20 (5) The legislature recognizes the global needs of the economic
21 marketplace for technologically prepared graduates, and the
22 relationship between technology industries and higher education.
23 Institutions of higher education, including community colleges, are
24 strongly urged to consider science, engineering, and technology program
25 growth in areas of the state that exhibit a high concentration of
26 aerospace, biotechnology, and technology industrial presence. Expanded
27 science and technology programs can gain from the proximity of
28 experienced and knowledgeable industry leaders, while industry can
29 benefit from access to new sources of highly trained and educated
30 graduates.

31 **Sec. 314.** RCW 28B.10.5691 and 2008 c 168 s 2 are each amended to
32 read as follows:

33 (1) Each institution of higher education shall take the following
34 actions:

35 (a) By October 30, 2008, submit a self-study assessing its ability
36 to facilitate the safety of students, faculty, staff, administration,
37 and visitors on each campus, including an evaluation of the

1 effectiveness of these measures, an assessment of the institution's
2 ability to disseminate information in a timely and efficient manner to
3 students, faculty, and staff, an evaluation of the institution's
4 ability to provide an appropriate level of mental health services, and
5 an action plan and timelines describing plans to maximize program
6 effectiveness for the next two biennia. Four-year institutions shall
7 submit their studies to the (~~higher education coordinating board~~)
8 office of financial management. Community and technical colleges shall
9 submit their studies to the state board for community and technical
10 colleges.

11 (b) By October 30th of each even-numbered year, beginning in 2010,
12 each institution shall submit an update to its (~~campus safety~~)
13 campus safety plan, including an assessment of the results of
14 activities undertaken under any previous plan to address unmet safety
15 issues, and additional activities, or modifications of current
16 activities, to be undertaken to address remaining safety issues at the
17 institution.

18 (2) The (~~higher education coordinating board~~) office of financial
19 management and the state board for community and technical colleges
20 shall report biennially, beginning December 31, 2010, to the governor
21 and the higher education committees of the house of representatives and
22 the senate on:

23 (a) The efforts of each institution and the extent to which it has
24 complied with RCW 28B.10.569 and subsection (1)(b) of this section; and

25 (b) Recommendations on measures to assist institutions to ensure
26 and enhance campus safety.

27 **Sec. 315.** RCW 28B.10.682 and 1995 c 310 s 2 are each amended to
28 read as follows:

29 By June 30, 1996, in consultation with the commission on student
30 learning, the superintendent of public instruction, the state board of
31 education, faculty, teachers from institutions of higher education and
32 high schools, and others as appropriate, the (~~higher education~~
33 ~~coordinating board~~) office of financial management shall adopt common
34 definitions of remedial and precollege material and course work. The
35 definitions adopted by the board shall be rigorous, challenging
36 students to come to college well prepared to engage in college and

1 university work, and shall be adopted by each institution of higher
2 education as defined in RCW 28B.10.016.

3 **Sec. 316.** RCW 28B.10.784 and 1993 sp.s. c 15 s 6 are each amended
4 to read as follows:

5 The participation rate used to calculate enrollment levels under
6 RCW 28B.10.776 and 28B.10.782 shall be based on fall enrollment
7 reported in the higher education enrollment report as maintained by the
8 office of financial management, fall enrollment as reported in the
9 management information system of the state board for community and
10 technical colleges, and the corresponding fall population forecast by
11 the office of financial management. Formal estimates of the state
12 participation rates and enrollment levels necessary to fulfill the
13 requirements of RCW 28B.10.776 and 28B.10.782 shall be determined by
14 the office of financial management as part of its responsibility to
15 develop and maintain student enrollment forecasts for colleges and
16 universities under RCW 43.62.050. Formal estimates of the state
17 participation rates and enrollment levels required by this section
18 shall be based on procedures and standards established by a technical
19 work group consisting of staff from (~~the higher education coordinating~~
20 ~~board,~~) the public four-year institutions of higher education, the
21 state board for community and technical colleges, the fiscal and higher
22 education committees of the house of representatives and the senate,
23 and the office of financial management. Formal estimates of the state
24 participation rates and enrollment levels required by this section
25 shall be submitted to the fiscal committees of the house of
26 representatives and senate on or before November 15th of each even-
27 numbered year. The (~~higher education coordinating board~~) office of
28 financial management shall periodically review the enrollment goals set
29 forth in RCW 28B.10.776 and 28B.10.782 and submit recommendations
30 concerning modification of these goals to the governor and to the
31 higher education committees of the house of representatives and the
32 senate.

33 **Sec. 317.** RCW 28B.10.922 and 2008 c 160 s 4 are each amended to
34 read as follows:

35 (1) A state performance agreement committee is created to represent
36 the state in developing performance agreements under this section and

1 RCW 28B.10.920 and 28B.10.921. The committee is composed of
2 representatives from the governor's office, the office of financial
3 management, (~~the higher education coordinating board,~~) the office of
4 the superintendent of public instruction, two members of the senate
5 appointed by the secretary of the senate, and two members of the house
6 of representatives appointed by the speaker of the house of
7 representatives. The state performance agreement committee shall be
8 staffed by personnel from the (~~higher education coordinating board~~)
9 office of financial management.

10 (2) Each of the participating institutions shall develop a
11 preliminary draft of a performance agreement with input from students
12 and faculty. The governing boards of the public four-year institutions
13 of higher education shall designate performance agreement
14 representatives for each institution respectively that shall include
15 two faculty members at those institutions bargaining under chapter
16 41.76 RCW, at least one of whom shall be appointed by the exclusive
17 collective bargaining agent and the other appointed by the faculty
18 governance organization of that institution. If the participating
19 pilot institution does not bargain under chapter 41.76 RCW, then two
20 faculty members shall be appointed by the faculty governance
21 organization of that institution. The associated student governments
22 or their equivalents shall designate two performance agreement
23 representatives at those institutions. Starting with the preliminary
24 drafts, the state performance agreement committee and representatives
25 of each institution shall develop revised draft performance agreements
26 for each institution and submit the revised drafts to the governor and
27 the fiscal and higher education committees of the legislature no later
28 than September 1, 2008.

29 (3) After receiving informal input on the revised draft performance
30 agreements, particularly regarding the levels of resources assumed in
31 the agreements, the state committee and institution representatives
32 shall develop final proposed performance agreements and submit the
33 agreements to the governor and the office of financial management by
34 November 1, 2008, for consideration in development of the governor's
35 2009-2011 operating and capital budget recommendations.

36 (4) The state committee shall submit any legislation necessary to
37 implement a performance agreement to the higher education committees of
38 the senate and house of representatives.

1 (5) All cost items contained within a performance agreement are
2 subject to legislative appropriation.

3 (6) If the legislature affirms, through a proviso in the 2009-2011
4 omnibus appropriations act, that the omnibus appropriations act and the
5 2009 capital budget act enacted by the legislature align with the
6 proposed performance agreements, the performance agreements shall take
7 effect beginning July 1, 2009, through June 30, 2015. If the
8 legislature affirms, through a proviso in the 2009-2011 omnibus
9 appropriations act or through inaction, that the omnibus appropriations
10 act and/or the 2009 capital budget act are not aligned with the
11 proposed performance agreements, the state committee and institution
12 representatives shall redraft the agreements to align with the enacted
13 budgets, and the redrafted agreements shall take effect beginning
14 September 1, 2009, through June 30, 2015.

15 (7) The legislature, the state committee, and the institution
16 representatives shall repeat the process described in subsection (6) of
17 this section for each subsequent omnibus appropriations and capital
18 budget act enacted between the 2010 and 2014 legislative sessions to
19 ensure that the performance agreements are updated as necessary to
20 align with enacted omnibus appropriations and capital budget acts.

21 **Sec. 318.** RCW 28B.15.069 and 2005 c 258 s 10 are each amended to
22 read as follows:

23 (1) The building fee for each academic year shall be a percentage
24 of total tuition fees. This percentage shall be calculated by the
25 (~~higher education coordinating board~~) office of financial management
26 and be based on the actual percentage the building fee is of total
27 tuition for each tuition category in the 1994-95 academic year, rounded
28 up to the nearest half percent.

29 (2) The governing boards of each institution of higher education,
30 except for the technical colleges, shall charge to and collect from
31 each student a services and activities fee. A governing board may
32 increase the existing fee annually, consistent with budgeting
33 procedures set forth in RCW 28B.15.045, by a percentage not to exceed
34 the annual percentage increase in student tuition fees for resident
35 undergraduate students: PROVIDED, That such percentage increase shall
36 not apply to that portion of the services and activities fee previously
37 committed to the repayment of bonded debt. These rate adjustments may

1 exceed the fiscal growth factor. For the 2003-04 academic year, the
2 services and activities fee shall be based upon the resident
3 undergraduate services and activities fee in 2002-03. The services and
4 activities fee committee provided for in RCW 28B.15.045 may initiate a
5 request to the governing board for a fee increase.

6 (3) Tuition and services and activities fees consistent with
7 subsection (2) of this section shall be set by the state board for
8 community and technical colleges for community college summer school
9 students unless the community college charges fees in accordance with
10 RCW 28B.15.515.

11 (4) Subject to the limitations of RCW 28B.15.910, each governing
12 board of a community college may charge such fees for ungraded courses,
13 noncredit courses, community services courses, and self-supporting
14 courses as it, in its discretion, may determine, consistent with the
15 rules of the state board for community and technical colleges.

16 (5) The governing board of a college offering an applied
17 baccalaureate degree program under RCW 28B.50.810 may charge tuition
18 fees for those courses above the associate degree level at rates
19 consistent with rules adopted by the state board for community and
20 technical colleges, not to exceed tuition fee rates at the regional
21 universities.

22 **Sec. 319.** RCW 28B.15.460 and 1997 c 5 s 2 are each amended to read
23 as follows:

24 (1) An institution of higher education shall not grant any waivers
25 for the purpose of achieving gender equity until the 1991-92 academic
26 year, and may grant waivers for the purpose of achieving gender equity
27 in intercollegiate athletic programs as authorized in RCW 28B.15.740,
28 for the 1991-92 academic year only if the institution's governing board
29 has adopted a plan for complying with the provisions of RCW 28B.15.455
30 and submitted the plan to the (~~higher education coordinating board~~)
31 office of financial management.

32 (2)(a) Beginning in the 1992-93 academic year, an institution of
33 higher education shall not grant any waiver for the purpose of
34 achieving gender equity in intercollegiate athletic programs as
35 authorized in RCW 28B.15.740 unless the institution's plan has been
36 approved by the (~~higher education coordinating board~~) office of
37 financial management.

1 (b) Beginning in the 1999-2000 academic year, an institution that
2 did not provide, by June 30, 1998, athletic opportunities for an
3 historically underrepresented gender class at a rate that meets or
4 exceeds the current rate at which that class participates in high
5 school athletics in Washington state shall have a new institutional
6 plan approved by the (~~higher education coordinating board~~) office of
7 financial management before granting further waivers.

8 (c) Beginning in the 2003-04 academic year, an institution of
9 higher education that was not within five percent of the ratio of
10 undergraduates described in RCW 28B.15.470 by June 30, 2002, shall have
11 a new plan for achieving gender equity in intercollegiate athletic
12 programs approved by the (~~higher education coordinating board~~) office
13 of financial management before granting further waivers.

14 (3) The plan shall include, but not be limited to:

15 (a) For any institution with an historically underrepresented
16 gender class described in subsection (2)(b) of this section, provisions
17 that ensure that by July 1, 2000, the institution shall provide
18 athletic opportunities for the underrepresented gender class at a rate
19 that meets or exceeds the current rate at which that class participates
20 in high school interscholastic athletics in Washington state not to
21 exceed the point at which the underrepresented gender class is no
22 longer underrepresented;

23 (b) For any institution with an underrepresented gender class
24 described in subsection (2)(c) of this section, provisions that ensure
25 that by July 1, 2004, the institution will have reached substantial
26 proportionality in its athletic program;

27 (c) Activities to be undertaken by the institution to increase
28 participation rates of any underrepresented gender class in
29 interscholastic and intercollegiate athletics. These activities may
30 include, but are not limited to: Sponsoring equity conferences,
31 coaches clinics and sports clinics; and taking a leadership role in
32 working with athletic conferences to reduce barriers to participation
33 by those gender classes in interscholastic and intercollegiate
34 athletics;

35 (d) An identification of barriers to achieving and maintaining
36 equitable intercollegiate athletic opportunities for men and women; and

37 (e) Measures to achieve institutional compliance with the
38 provisions of RCW 28B.15.455.

1 **Sec. 320.** RCW 28B.15.465 and 1997 c 5 s 3 are each amended to read
2 as follows:

3 (1) The (~~higher education coordinating board~~) office of financial
4 management shall report every four years, beginning December 1998, to
5 the governor and the house of representatives and senate committees on
6 higher education, on institutional efforts to comply with the
7 requirements of RCW 28B.15.740, 28B.15.455, and 28B.15.460. Each
8 report shall include recommendations on measures to assist institutions
9 with compliance.

10 (2) Before the board makes its report in December 2006, the board
11 shall assess the extent of institutional compliance with the
12 requirements of RCW 28B.15.740, 28B.15.455, and 28B.15.460.

13 (3) The report in this section may be combined with the report
14 required in RCW 28B.110.040(3).

15 **Sec. 321.** RCW 28B.20.130 and 2004 c 275 s 52 are each amended to
16 read as follows:

17 General powers and duties of the board of regents are as follows:

18 (1) To have full control of the university and its property of
19 various kinds, except as otherwise provided by law.

20 (2) To employ the president of the university, his or her
21 assistants, members of the faculty, and employees of the institution,
22 who except as otherwise provided by law, shall hold their positions
23 during the pleasure of said board of regents.

24 (3) Establish entrance requirements for students seeking admission
25 to the university which meet or exceed the standards specified under
26 RCW 28B.76.290(2) (as recodified by this act). Completion of
27 examinations satisfactory to the university may be a prerequisite for
28 entrance by any applicant at the university's discretion. Evidence of
29 completion of public high schools and other educational institutions
30 whose courses of study meet the approval of the university may be
31 acceptable for entrance.

32 (4) Establish such colleges, schools, or departments necessary to
33 carry out the purpose of the university and not otherwise proscribed by
34 law.

35 (5) With the assistance of the faculty of the university, prescribe
36 the course of study in the various colleges, schools, and departments
37 of the institution and publish the necessary catalogues thereof.

1 (6) Grant to students such certificates or degrees as recommended
2 for such students by the faculty. The board, upon recommendation of
3 the faculty, may also confer honorary degrees upon persons other than
4 graduates of this university in recognition of their learning or
5 devotion to literature, art, or science: PROVIDED, That no degree
6 shall ever be conferred in consideration of the payment of money or the
7 giving of property of whatsoever kind.

8 (7) Accept such gifts, grants, conveyances, bequests, and devises,
9 whether real or personal property, or both, in trust or otherwise, for
10 the use or benefit of the university, its colleges, schools,
11 departments, or agencies; and sell, lease or exchange, invest or expend
12 the same or the proceeds, rents, profits, and income thereof except as
13 limited by the terms of said gifts, grants, conveyances, bequests, and
14 devises. The board shall adopt proper rules to govern and protect the
15 receipt and expenditure of the proceeds of all fees, and the proceeds,
16 rents, profits, and income of all gifts, grants, conveyances, bequests,
17 and devises above-mentioned.

18 (8) Except as otherwise provided by law, to enter into such
19 contracts as the regents deem essential to university purposes.

20 (9) To submit upon request such reports as will be helpful to the
21 governor and to the legislature in providing for the institution.

22 (10) Subject to the approval of the (~~higher education coordinating~~
23 ~~board~~) office of financial management pursuant to RCW 28B.76.230 (as
24 recodified by this act), offer new degree programs, offer off-campus
25 programs, participate in consortia or centers, contract for off-campus
26 educational programs, and purchase or lease major off-campus
27 facilities.

28 **Sec. 322.** RCW 28B.20.280 and 1985 c 370 s 82 are each amended to
29 read as follows:

30 The board of regents of the University of Washington may offer
31 masters level and doctorate level degrees in technology subject to
32 review and approval by the (~~higher education coordinating board~~)
33 office of financial management.

34 **Sec. 323.** RCW 28B.30.150 and 2004 c 275 s 53 are each amended to
35 read as follows:

1 The regents of Washington State University, in addition to other
2 duties prescribed by law, shall:

3 (1) Have full control of the university and its property of various
4 kinds, except as otherwise provided by law.

5 (2) Employ the president of the university, his or her assistants,
6 members of the faculty, and employees of the university, who, except as
7 otherwise provided by law, shall hold their positions during the
8 pleasure of said board of regents.

9 (3) Establish entrance requirements for students seeking admission
10 to the university which meet or exceed the standards specified under
11 RCW 28B.76.290(2) (as recodified by this act). Completion of
12 examinations satisfactory to the university may be a prerequisite for
13 entrance by any applicant, at the university's discretion. Evidence of
14 completion of public high schools and other educational institutions
15 whose courses of study meet the approval of the university may be
16 acceptable for entrance.

17 (4) Establish such colleges, schools, or departments necessary to
18 carry out the purpose of the university and not otherwise proscribed by
19 law.

20 (5) Subject to the approval of the (~~higher education coordinating~~
21 ~~board~~) office of financial management pursuant to RCW 28B.76.230 (as
22 recodified by this act), offer new degree programs, offer off-campus
23 programs, participate in consortia or centers, contract for off-campus
24 educational programs, and purchase or lease major off-campus
25 facilities.

26 (6) With the assistance of the faculty of the university, prescribe
27 the courses of instruction in the various colleges, schools, and
28 departments of the institution and publish the necessary catalogues
29 thereof.

30 (7) Collect such information as the (~~board~~) office of financial
31 management deems desirable as to the schemes of technical instruction
32 adopted in other parts of the United States and foreign countries.

33 (8) Provide for holding agricultural institutes including farm
34 marketing forums.

35 (9) Provide that instruction given in the university, as far as
36 practicable, be conveyed by means of laboratory work and provide in
37 connection with the university one or more physical, chemical, and
38 biological laboratories, and suitably furnish and equip the same.

1 (10) Provide training in military tactics for those students
2 electing to participate therein.

3 (11) Establish a department of elementary science and in connection
4 therewith provide instruction in elementary mathematics, including
5 elementary trigonometry, elementary mechanics, elementary and
6 mechanical drawing, and land surveying.

7 (12) Establish a department of agriculture and in connection
8 therewith provide instruction in physics with special application of
9 its principles to agriculture, chemistry with special application of
10 its principles to agriculture, morphology and physiology of plants with
11 special reference to common grown crops and fungus enemies, morphology
12 and physiology of the lower forms of animal life, with special
13 reference to insect pests, morphology and physiology of the higher
14 forms of animal life and in particular of the horse, cow, sheep, and
15 swine, agriculture with special reference to the breeding and feeding
16 of livestock and the best mode of cultivation of farm produce, and
17 mining and metallurgy, appointing demonstrators in each of these
18 subjects to superintend the equipment of a laboratory and to give
19 practical instruction therein.

20 (13) Establish agricultural experiment stations in connection with
21 the department of agriculture, including at least one in the western
22 portion of the state, and appoint the officers and prescribe
23 regulations for their management.

24 (14) Grant to students such certificates or degrees, as recommended
25 for such students by the faculty.

26 (15) Confer honorary degrees upon persons other than graduates of
27 the university in recognition of their learning or devotion to
28 literature, art, or science when recommended thereto by the faculty:
29 PROVIDED, That no degree shall ever be conferred in consideration of
30 the payment of money or the giving of property of whatsoever kind.

31 (16) Adopt plans and specifications for university buildings and
32 facilities or improvements thereto and employ skilled architects and
33 engineers to prepare such plans and specifications and supervise the
34 construction of buildings or facilities which the ((board)) office of
35 financial management is authorized to erect, and fix the compensation
36 for such services. The ((board)) office of financial management shall
37 enter into contracts with one or more contractors for such suitable
38 buildings, facilities, or improvements as the available funds will

1 warrant, upon the most advantageous terms offered at a public
2 competitive letting, pursuant to public notice under rules established
3 by the ((board)) office of financial management. The ((board)) office
4 of financial management shall require of all persons with whom they
5 contract for construction and improvements a good and sufficient bond
6 for the faithful performance of the work and full protection against
7 all liens.

8 (17) Except as otherwise provided by law, direct the disposition of
9 all money appropriated to or belonging to the state university.

10 (18) Receive and expend the money appropriated under the act of
11 congress approved May 8, 1914, entitled "An Act to provide for
12 cooperative agricultural extension work between the agricultural
13 colleges in the several States receiving the benefits of the Act of
14 Congress approved July 2, 1862, and Acts supplemental thereto and the
15 United States Department of Agriculture" and organize and conduct
16 agricultural extension work in connection with the state university in
17 accordance with the terms and conditions expressed in the acts of
18 congress.

19 (19) Except as otherwise provided by law, to enter into such
20 contracts as the regents deem essential to university purposes.

21 (20) Acquire by lease, gift, or otherwise, lands necessary to
22 further the work of the university or for experimental or
23 demonstrational purposes.

24 (21) Establish and maintain at least one agricultural experiment
25 station in an irrigation district to conduct investigational work upon
26 the principles and practices of irrigational agriculture including the
27 utilization of water and its relation to soil types, crops, climatic
28 conditions, ditch and drain construction, fertility investigations,
29 plant disease, insect pests, marketing, farm management, utilization of
30 fruit by-products, and general development of agriculture under
31 irrigation conditions.

32 (22) Supervise and control the agricultural experiment station at
33 Puyallup.

34 (23) Establish and maintain at Wenatchee an agricultural experiment
35 substation for the purpose of conducting investigational work upon the
36 principles and practices of orchard culture, spraying, fertilization,
37 pollenization, new fruit varieties, fruit diseases and pests, by-
38 products, marketing, management, and general horticultural problems.

1 (24) Accept such gifts, grants, conveyances, devises, and bequests,
2 whether real or personal property, in trust or otherwise, for the use
3 or benefit of the university, its colleges, schools, or departments;
4 and sell, lease or exchange, invest or expend the same or the proceeds,
5 rents, profits, and income thereof except as limited by the terms of
6 said gifts, grants, conveyances, bequests, and devises; and adopt
7 proper rules to govern and protect the receipt and expenditure of the
8 proceeds of all fees, and the proceeds, rents, profits, and income of
9 all gifts, grants, conveyances, bequests, and devises.

10 (25) Construct when the (~~board~~) office of financial management so
11 determines a new foundry and a mining, physical, technological
12 building, and fabrication shop at the university, or add to the present
13 foundry and other buildings, in order that both instruction and
14 research be expanded to include permanent molding and die casting with
15 a section for new fabricating techniques, especially for light metals,
16 including magnesium and aluminum; purchase equipment for the shops and
17 laboratories in mechanical, electrical, and civil engineering;
18 establish a pilot plant for the extraction of alumina from native clays
19 and other possible light metal research; purchase equipment for a
20 research laboratory for technological research generally; and purchase
21 equipment for research in electronics, instrumentation, energy sources,
22 plastics, food technology, mechanics of materials, hydraulics, and
23 similar fields.

24 (26) Make and transmit to the governor and members of the
25 legislature upon request such reports as will be helpful in providing
26 for the institution.

27 **Sec. 324.** RCW 28B.30.500 and 1985 c 370 s 83 are each amended to
28 read as follows:

29 The board of regents of Washington State University may offer
30 masters level and doctorate level degrees in technology subject to
31 review and approval by the (~~higher education coordinating board~~)
32 office of financial management.

33 **Sec. 325.** RCW 28B.35.120 and 2006 c 263 s 824 are each amended to
34 read as follows:

35 In addition to any other powers and duties prescribed by law, each
36 board of trustees of the respective regional universities:

1 (1) Shall have full control of the regional university and its
2 property of various kinds, except as otherwise provided by law.

3 (2) Shall employ the president of the regional university, (~~his~~)
4 the president's assistants, members of the faculty, and other employees
5 of the institution, who, except as otherwise provided by law, shall
6 hold their positions, until discharged therefrom by the (~~board~~)
7 office of financial management for good and lawful reason.

8 (3) With the assistance of the faculty of the regional university,
9 shall prescribe the course of study in the various schools and
10 departments thereof and publish such catalogues thereof as the
11 (~~board~~) office of financial management deems necessary: PROVIDED,
12 That the Washington professional educator standards board shall
13 determine the requisites for and give program approval of all courses
14 leading to teacher certification by such board.

15 (4) Establish such divisions, schools or departments necessary to
16 carry out the purposes of the regional university and not otherwise
17 proscribed by law.

18 (5) Except as otherwise provided by law, may establish and erect
19 such new facilities as determined by the board to be necessary for the
20 regional university.

21 (6) May acquire real and other property as provided in RCW
22 28B.10.020, as now or hereafter amended.

23 (7) Except as otherwise provided by law, may purchase all supplies
24 and purchase or lease equipment and other personal property needed for
25 the operation or maintenance of the regional university.

26 (8) May establish, lease, operate, equip and maintain self-
27 supporting facilities in the manner provided in RCW 28B.10.300 through
28 28B.10.330, as now or hereafter amended.

29 (9) Except as otherwise provided by law, to enter into such
30 contracts as the trustees deem essential to regional university
31 purposes.

32 (10) May receive such gifts, grants, conveyances, devises and
33 bequests of real or personal property from whatsoever source, as may be
34 made from time to time, in trust or otherwise, whenever the terms and
35 conditions thereof will aid in carrying out the regional university
36 programs; sell, lease or exchange, invest or expend the same or the
37 proceeds, rents, profits and income thereof except as limited by the

1 terms and conditions thereof; and adopt regulations to govern the
2 receipt and expenditure of the proceeds, rents, profits and income
3 thereof.

4 (11) Subject to the approval of the (~~higher education coordinating~~
5 ~~board~~) office of financial management pursuant to RCW 28B.76.230 (as
6 recodified by this act), offer new degree programs, offer off-campus
7 programs, participate in consortia or centers, contract for off-campus
8 educational programs, and purchase or lease major off-campus
9 facilities.

10 (12) May promulgate such rules and regulations, and perform all
11 other acts not forbidden by law, as the board of trustees may in its
12 discretion deem necessary or appropriate to the administration of the
13 regional university.

14 **Sec. 326.** RCW 28B.35.205 and 2009 c 295 s 1 are each amended to
15 read as follows:

16 In addition to all other powers and duties given to them by law,
17 Central Washington University, Eastern Washington University, and
18 Western Washington University are hereby authorized to grant any degree
19 through the master's degree to any student who has completed a program
20 of study and/or research in those areas which are determined by the
21 faculty and board of trustees of the college to be appropriate for the
22 granting of such degree: PROVIDED, That before any degree is
23 authorized under this section it shall be subject to the review and
24 approval of the (~~higher education coordinating board~~) office of
25 financial management.

26 The board of trustees, upon recommendation of the faculty, may also
27 confer honorary bachelor's, master's, or doctorate level degrees upon
28 persons in recognition of their learning or devotion to education,
29 literature, art, or science. No degree may be conferred in
30 consideration of the payment of money or the donation of any kind of
31 property.

32 **Sec. 327.** RCW 28B.35.215 and 2001 c 252 s 1 are each amended to
33 read as follows:

34 The board of trustees of Eastern Washington University may offer
35 applied, but not research, doctorate level degrees in physical therapy

1 subject to review and approval by the (~~higher education coordinating~~
2 ~~board~~) office of financial management.

3 **Sec. 328.** RCW 28B.38.010 and 2004 c 275 s 55 are each amended to
4 read as follows:

5 (1) The Spokane intercollegiate research and technology institute
6 is created.

7 (2) The institute shall be operated and administered as a multi-
8 institutional education and research center, housing appropriate
9 programs conducted in Spokane under the authority of institutions of
10 higher education as defined in RCW 28B.10.016. Washington independent
11 and private institutions of higher education may participate as full
12 partners in any academic and research activities of the institute.

13 (3) The institute shall house education and research programs
14 specifically designed to meet the needs of eastern Washington.

15 (4) The establishment of any education program at the institute and
16 the lease, purchase, or construction of any site or facility for the
17 institute is subject to the approval of the (~~higher education~~
18 ~~coordinating board~~) office of financial management under RCW
19 28B.76.230 (as recodified by this act).

20 (5) The institute shall be headquartered in Spokane.

21 (6) The mission of the institute is to perform and commercialize
22 research that benefits the intermediate and long-term economic vitality
23 of eastern Washington and to develop and strengthen university-industry
24 relationships through the conduct of research that is primarily of
25 interest to eastern Washington-based companies or state economic
26 development programs. The institute shall:

27 (a) Perform and facilitate research supportive of state science and
28 technology objectives, particularly as they relate to eastern
29 Washington industries;

30 (b) Provide leading edge collaborative research and technology
31 transfer opportunities primarily to eastern Washington industries;

32 (c) Provide substantial opportunities for training undergraduate
33 and graduate students through direct involvement in research and
34 industry interactions;

35 (d) Emphasize and develop nonstate support of the institute's
36 research activities; and

1 (e) Provide a forum for effective interaction between the state's
2 technology-based industries and its academic institutions through
3 promotion of faculty collaboration with industry, particularly within
4 eastern Washington.

5 **Sec. 329.** RCW 28B.40.120 and 2006 c 263 s 825 are each amended to
6 read as follows:

7 In addition to any other powers and duties prescribed by law, the
8 board of trustees of The Evergreen State College:

9 (1) Shall have full control of the state college and its property
10 of various kinds, except as otherwise provided by law.

11 (2) Shall employ the president of the state college, (~~his~~) the
12 president's assistants, members of the faculty, and other employees of
13 the institution, who, except as otherwise provided by law, shall hold
14 their positions, until discharged therefrom by the (~~board~~) office of
15 financial management for good and lawful reason.

16 (3) With the assistance of the faculty of the state college, shall
17 prescribe the course of study in the various schools and departments
18 thereof and publish such catalogues thereof as the (~~board~~) office of
19 financial management deems necessary: PROVIDED, That the Washington
20 professional educator standards board shall determine the requisites
21 for and give program approval of all courses leading to teacher
22 certification by such board.

23 (4) Establish such divisions, schools or departments necessary to
24 carry out the purposes of the college and not otherwise proscribed by
25 law.

26 (5) Except as otherwise provided by law, may establish and erect
27 such new facilities as determined by the (~~board~~) office of financial
28 management to be necessary for the college.

29 (6) May acquire real and other property as provided in RCW
30 28B.10.020, as now or hereafter amended.

31 (7) Except as otherwise provided by law, may purchase all supplies
32 and purchase or lease equipment and other personal property needed for
33 the operation or maintenance of the college.

34 (8) May establish, lease, operate, equip and maintain self-
35 supporting facilities in the manner provided in RCW 28B.10.300 through
36 28B.10.330, as now or hereafter amended.

1 (9) Except as otherwise provided by law, to enter into such
2 contracts as the trustees deem essential to college purposes.

3 (10) May receive such gifts, grants, conveyances, devises and
4 bequests of real or personal property from whatsoever source, as may be
5 made from time to time, in trust or otherwise, whenever the terms and
6 conditions thereof will aid in carrying out the college programs; sell,
7 lease or exchange, invest or expend the same or the proceeds, rents,
8 profits and income thereof except as limited by the terms and
9 conditions thereof; and adopt (~~regulations~~) rules to govern the
10 receipt and expenditure of the proceeds, rents, profits and income
11 thereof.

12 (11) Subject to the approval of the (~~higher education coordinating~~
13 ~~board~~) office of financial management pursuant to RCW 28B.76.230 (as
14 recodified by this act), offer new degree programs, offer off-campus
15 programs, participate in consortia or centers, contract for off-campus
16 educational programs, and purchase or lease major off-campus
17 facilities.

18 (12) May (~~promulgate~~) adopt such rules (~~and regulations~~), and
19 perform all other acts not forbidden by law, as the board of trustees
20 may in its discretion deem necessary or appropriate to the
21 administration of the college.

22 **Sec. 330.** RCW 28B.40.206 and 1991 c 58 s 3 are each amended to
23 read as follows:

24 In addition to all other powers and duties given to them by law,
25 the board of trustees of The Evergreen State College is hereby
26 authorized to grant any degree through the master's degree to any
27 student who has completed a program of study and/or research in those
28 areas which are determined by the faculty and board of trustees of the
29 college to be appropriate for the granting of such degree: PROVIDED,
30 That any degree authorized under this section shall be subject to the
31 review and approval of the (~~higher education coordinating board~~)
32 office of financial management.

33 The board of trustees, upon recommendation of the faculty, may also
34 confer honorary bachelor's or master's degrees upon persons other than
35 graduates of the institution, in recognition of their learning or
36 devotion to education, literature, art, or science. No degree may be

1 conferred in consideration of the payment of money or the donation of
2 any kind of property.

3 **Sec. 331.** RCW 28B.45.014 and 2005 c 258 s 2 are each amended to
4 read as follows:

5 (1) The primary mission of the higher education branch campuses
6 created under this chapter remains to expand access to baccalaureate
7 and master's level graduate education in underserved urban areas of the
8 state in collaboration with community and technical colleges. The top
9 priority for each of the campuses is to expand courses and degree
10 programs for transfer and graduate students. New degree programs
11 should be driven by the educational needs and demands of students and
12 the community, as well as the economic development needs of local
13 businesses and employers.

14 (2) Branch campuses shall collaborate with the community and
15 technical colleges in their region to develop articulation agreements,
16 dual admissions policies, and other partnerships to ensure that branch
17 campuses serve as innovative models of a two plus two educational
18 system. Other possibilities for collaboration include but are not
19 limited to joint development of curricula and degree programs,
20 colocation of instruction, and arrangements to share faculty.

21 (3) In communities where a private postsecondary institution is
22 located, representatives of the private institution may be invited to
23 participate in the conversation about meeting the baccalaureate and
24 master's level graduate needs in underserved urban areas of the state.

25 (4) However, the legislature recognizes there are alternative
26 models for achieving this primary mission. Some campuses may have
27 additional missions in response to regional needs and demands. At
28 selected branch campuses, an innovative combination of instruction and
29 research targeted to support regional economic development may be
30 appropriate to meet the region's needs for both access and economic
31 viability. Other campuses should focus on becoming models of a two
32 plus two educational system through continuous improvement of
33 partnerships and agreements with community and technical colleges.
34 Still other campuses may be best suited to transition to a four-year
35 university or be removed from designation as a branch campus entirely.

36 (5) The legislature recognizes that size, mix of degree programs,
37 and proportion of lower versus upper division and graduate enrollments

1 are factors that affect costs at branch campuses. However over time,
2 the legislature intends that branch campuses be funded more similarly
3 to regional universities.

4 (6) In consultation with the (~~higher education coordinating~~
5 ~~board~~) office of financial management, a branch campus may propose
6 legislation to authorize practice-oriented or professional doctoral
7 programs if: (a) Unique research facilities and equipment are located
8 near the campus; or (b) the campus can clearly demonstrate student and
9 employer demand in the region that is linked to regional economic
10 development.

11 (7) It is not the legislature's intent to have each campus chart
12 its own future path without legislative guidance. Instead, the
13 legislature intends to consider carefully the mission and model of
14 education that best suits each campus and best meets the needs of
15 students, the community, and the region. The (~~higher education~~
16 ~~coordinating board~~) office of financial management shall monitor and
17 evaluate the addition of lower division students to the branch campuses
18 and periodically report and make recommendations to the higher
19 education committees of the legislature to ensure the campuses continue
20 to follow the priorities established under this chapter.

21 **Sec. 332.** RCW 28B.45.020 and 2005 c 258 s 3 are each amended to
22 read as follows:

23 (1) The University of Washington is responsible for ensuring the
24 expansion of baccalaureate and graduate educational programs in the
25 central Puget Sound area under rules or guidelines adopted by the
26 (~~higher education coordinating board~~) office of financial management
27 and in accordance with proportionality agreements emphasizing access
28 for transfer students developed with the state board for community and
29 technical colleges. The University of Washington shall meet that
30 responsibility through the operation of at least two branch campuses.
31 One branch campus shall be located in the Tacoma area. Another branch
32 campus shall be collocated with Cascadia Community College in the
33 Bothell-Woodinville area.

34 (2) At the University of Washington Tacoma, a top priority is
35 expansion of upper division capacity for transfer students and graduate
36 capacity and programs. Beginning in the fall of 2006, the campus may
37 offer lower division courses linked to specific majors in fields not

1 addressed at local community colleges. The campus shall admit lower
2 division students through coadmission or coenrollment agreements with
3 a community college, or through direct transfer for students who have
4 accumulated approximately one year of transferable college credits. In
5 addition to offering lower division courses linked to specific majors
6 as addressed above, the campus may also directly admit freshmen and
7 sophomores gradually and deliberately in accordance with the campus
8 plan submitted to the higher education coordinating board in 2004.

9 (3) At the University of Washington Bothell, a top priority is
10 expansion of upper division capacity for transfer students and graduate
11 capacity and programs. The campus shall also seek additional
12 opportunities to collaborate with and maximize its (~~collocation~~
13 ~~relocation~~) colocation with Cascadia Community College. Beginning
14 in the fall of 2006, the campus may offer lower division courses linked
15 to specific majors in fields not addressed at local community colleges.
16 The campus may admit lower division students through coadmission or
17 coenrollment agreements with a community college, or through direct
18 transfer for students who have accumulated approximately one year of
19 transferable college credits. In addition to offering lower division
20 courses linked to specific majors as addressed above, the campus may
21 also directly admit freshmen and sophomores gradually and deliberately
22 in accordance with the campus plan submitted to the higher education
23 coordinating board in 2004.

24 **Sec. 333.** RCW 28B.45.030 and 2006 c 166 s 1 are each amended to
25 read as follows:

26 (1) Washington State University is responsible for providing
27 baccalaureate and graduate level higher education programs to the
28 citizens of the Tri-Cities area, under rules or guidelines adopted by
29 the (~~higher education coordinating board~~) office of financial
30 management and in accordance with proportionality agreements
31 emphasizing access for transfer students developed with the state board
32 for community and technical colleges. Washington State University
33 shall meet that responsibility through the operation of a branch campus
34 in the Tri-Cities area. The branch campus shall replace and supersede
35 the Tri-Cities university center. All land, facilities, equipment, and
36 personnel of the Tri-Cities university center shall be transferred from
37 the University of Washington to Washington State University.

1 (2) In 2005, the legislature authorized the expansion on a limited
2 basis of Washington State University's branch campus in the Tri-Cities
3 area. The legislature authorized the Tri-Cities branch campus to
4 continue providing innovative coadmission and coenrollment options with
5 Columbia Basin College, and to expand its upper-division capacity for
6 transfer students and graduate capacity and programs. The branch
7 campus was given authority beginning in fall 2006 to offer lower-
8 division courses linked to specific majors in fields not addressed at
9 the local community colleges. The campus was also authorized to
10 directly admit freshmen and sophomores for a bachelor's degree program
11 in biotechnology subject to approval by the (~~higher education~~
12 ~~coordinating board~~) office of financial management. The legislature
13 finds that the Tri-Cities community is very engaged in and committed to
14 exploring the further expansion of Washington State University Tri-
15 Cities branch campus into a four-year institution and considers this
16 issue to be a top priority for the larger Tri-Cities region.

17 (3) Washington State University Tri-Cities shall continue providing
18 innovative coadmission and coenrollment options with Columbia Basin
19 College, and expand its upper division capacity for transfer students
20 and graduate capacity and programs. The campus shall also seek
21 additional opportunities to collaborate with the Pacific Northwest
22 national laboratory. Beginning in the fall of 2006, the campus may
23 offer lower division courses linked to specific majors in fields not
24 addressed at local community colleges. The campus may admit lower
25 division students through coadmission or coenrollment agreements with
26 a community college, or through direct transfer for students who have
27 accumulated approximately one year of transferable college credits. In
28 addition to offering lower division courses linked to specific majors
29 as addressed above, the campus may also directly admit freshmen and
30 sophomores for a bachelor's degree program in biotechnology subject to
31 approval by the (~~higher education coordinating board~~) office of
32 financial management.

33 (4) The Washington State University Tri-Cities branch campus shall
34 develop a plan for expanding into a four-year institution and shall
35 identify new degree programs and course offerings focused on areas of
36 specific need in higher education that exist in southeastern
37 Washington. The branch campus's plan should examine the resources and
38 talent available in the Tri-Cities area, including but not limited to

1 resources and talent available at the Pacific Northwest national
2 laboratory, and how these resources and talent may best be used by the
3 Tri-Cities branch campus to expand into a four-year institution. The
4 branch campus shall submit its plan to the legislature and the higher
5 education coordinating board by November 30, 2006.

6 (5) Beginning in the fall of 2007, the Washington State University
7 Tri-Cities branch campus may begin, subject to approval by the (~~higher~~
8 ~~education coordinating board~~) office of financial management,
9 admitting lower-division students directly into programs beyond the
10 biotechnology field that are identified in its plan as being in high
11 need in southeastern Washington. Such fields may include but need not
12 be limited to science, engineering and technology, biomedical sciences,
13 alternative energy, and computational and information sciences. By
14 gradually and deliberately admitting freshmen and sophomores in
15 accordance with its plan, increasing transfer enrollment, and
16 coadmitting transfer students, the campus shall develop into a four-
17 year institution serving the southeastern Washington region.

18 **Sec. 334.** RCW 28B.45.040 and 2005 c 258 s 5 are each amended to
19 read as follows:

20 (1) Washington State University is responsible for providing
21 baccalaureate and graduate level higher education programs to the
22 citizens of the southwest Washington area, under rules or guidelines
23 adopted by the (~~higher education coordinating board~~) office of
24 financial management and in accordance with proportionality agreements
25 emphasizing access for transfer students developed with the state board
26 for community and technical colleges. Washington State University
27 shall meet that responsibility through the operation of a branch campus
28 in the southwest Washington area.

29 (2) Washington State University Vancouver shall expand upper
30 division capacity for transfer students and graduate capacity and
31 programs and continue to collaborate with local community colleges on
32 coadmission and coenrollment programs. In addition, beginning in the
33 fall of 2006, the campus may admit lower division students directly.
34 By simultaneously admitting freshmen and sophomores, increasing
35 transfer enrollment, coadmitting transfer students, and expanding
36 graduate and professional programs, the campus shall develop into a
37 four-year institution serving the southwest Washington region.

1 **Sec. 335.** RCW 28B.45.060 and 1989 1st ex.s. c 7 s 7 are each
2 amended to read as follows:

3 Central Washington University is responsible for providing upper-
4 division and graduate level higher education programs to the citizens
5 of the Yakima area, under rules or guidelines adopted by the (~~higher~~
6 ~~education coordinating board~~) office of financial management.

7 **Sec. 336.** RCW 28B.50.140 and 2009 c 64 s 5 are each amended to
8 read as follows:

9 Each board of trustees:

10 (1) Shall operate all existing community and technical colleges in
11 its district;

12 (2) Shall create comprehensive programs of community and technical
13 college education and training and maintain an open-door policy in
14 accordance with the provisions of RCW 28B.50.090(3);

15 (3) Shall employ for a period to be fixed by the board a college
16 president for each community and technical college and, may appoint a
17 president for the district, and fix their duties and compensation,
18 which may include elements other than salary. Compensation under this
19 subsection shall not affect but may supplement retirement, health care,
20 and other benefits that are otherwise applicable to the presidents as
21 state employees. The board shall also employ for a period to be fixed
22 by the board members of the faculty and such other administrative
23 officers and other employees as may be necessary or appropriate and fix
24 their salaries and duties. Compensation and salary increases under
25 this subsection shall not exceed the amount or percentage established
26 for those purposes in the state appropriations act by the legislature
27 as allocated to the board of trustees by the state board for community
28 and technical colleges. The state board for community and technical
29 colleges shall adopt rules defining the permissible elements of
30 compensation under this subsection;

31 (4) May establish, under the approval and direction of the college
32 board, new facilities as community needs and interests demand.
33 However, the authority of boards of trustees to purchase or lease major
34 off-campus facilities shall be subject to the approval of the (~~higher~~
35 ~~education coordinating board~~) office of financial management pursuant
36 to RCW 28B.76.230 (as recodified by this act);

1 (5) May establish or lease, operate, equip and maintain
2 dormitories, food service facilities, bookstores and other self-
3 supporting facilities connected with the operation of the community and
4 technical college;

5 (6) May, with the approval of the college board, borrow money and
6 issue and sell revenue bonds or other evidences of indebtedness for the
7 construction, reconstruction, erection, equipping with permanent
8 fixtures, demolition and major alteration of buildings or other capital
9 assets, and the acquisition of sites, rights-of-way, easements,
10 improvements or appurtenances, for dormitories, food service
11 facilities, and other self-supporting facilities connected with the
12 operation of the community and technical college in accordance with the
13 provisions of RCW 28B.10.300 through 28B.10.330 where applicable;

14 (7) May establish fees and charges for the facilities authorized
15 hereunder, including reasonable rules and regulations for the
16 government thereof, not inconsistent with the rules of the college
17 board; each board of trustees operating a community and technical
18 college may enter into agreements, subject to rules of the college
19 board, with owners of facilities to be used for housing regarding the
20 management, operation, and government of such facilities, and any board
21 entering into such an agreement may:

22 (a) Make rules for the government, management and operation of such
23 housing facilities deemed necessary or advisable; and

24 (b) Employ necessary employees to govern, manage and operate the
25 same;

26 (8) May receive such gifts, grants, conveyances, devises and
27 bequests of real or personal property from private sources, as may be
28 made from time to time, in trust or otherwise, whenever the terms and
29 conditions thereof will aid in carrying out the community and technical
30 college programs as specified by law and the rules of the state college
31 board; sell, lease or exchange, invest or expend the same or the
32 proceeds, rents, profits and income thereof according to the terms and
33 conditions thereof; and adopt rules to govern the receipt and
34 expenditure of the proceeds, rents, profits and income thereof;

35 (9) May establish and maintain night schools whenever in the
36 discretion of the board of trustees it is deemed advisable, and
37 authorize classrooms and other facilities to be used for summer or

1 night schools, or for public meetings and for any other uses consistent
2 with the use of such classrooms or facilities for community and
3 technical college purposes;

4 (10) May make rules for pedestrian and vehicular traffic on
5 property owned, operated, or maintained by the district;

6 (11) Shall prescribe, with the assistance of the faculty, the
7 course of study in the various departments of the community and
8 technical college or colleges under its control, and publish such
9 catalogues and bulletins as may become necessary;

10 (12) May grant to every student, upon graduation or completion of
11 a course of study, a suitable diploma, degree, or certificate under the
12 rules of the state board for community and technical colleges that are
13 appropriate to their mission. The purposes of these diplomas,
14 certificates, and degrees are to lead individuals directly to
15 employment in a specific occupation or prepare individuals for a
16 bachelor's degree or beyond. Technical colleges may only offer
17 transfer degrees that prepare students for bachelor's degrees in
18 professional fields, subject to rules adopted by the college board. In
19 adopting rules, the college board, where possible, shall create
20 consistency between community and technical colleges and may address
21 issues related to tuition and fee rates; tuition waivers; enrollment
22 counting, including the use of credits instead of clock hours; degree
23 granting authority; or any other rules necessary to offer the associate
24 degrees that prepare students for transfer to bachelor's degrees in
25 professional areas. Only pilot colleges under RCW 28B.50.810 may award
26 baccalaureate degrees. The board, upon recommendation of the faculty,
27 may also confer honorary associate of arts degrees upon persons other
28 than graduates of the community college, in recognition of their
29 learning or devotion to education, literature, art, or science. No
30 degree may be conferred in consideration of the payment of money or the
31 donation of any kind of property;

32 (13) Shall enforce the rules prescribed by the state board for
33 community and technical colleges for the government of community and
34 technical colleges, students and teachers, and adopt such rules and
35 perform all other acts not inconsistent with law or rules of the state
36 board for community and technical colleges as the board of trustees may
37 in its discretion deem necessary or appropriate to the administration
38 of college districts: PROVIDED, That such rules shall include, but not

1 be limited to, rules relating to housing, scholarships, conduct at the
2 various community and technical college facilities, and discipline:
3 PROVIDED, FURTHER, That the board of trustees may suspend or expel from
4 community and technical colleges students who refuse to obey any of the
5 duly adopted rules;

6 (14) May, by written order filed in its office, delegate to the
7 president or district president any of the powers and duties vested in
8 or imposed upon it by this chapter. Such delegated powers and duties
9 may be exercised in the name of the district board;

10 (15) May perform such other activities consistent with this chapter
11 and not in conflict with the directives of the college board;

12 (16) Notwithstanding any other provision of law, may offer
13 educational services on a contractual basis other than the tuition and
14 fee basis set forth in chapter 28B.15 RCW for a special fee to private
15 or governmental entities, consistent with rules adopted by the state
16 board for community and technical colleges: PROVIDED, That the whole
17 of such special fee shall go to the college district and be not less
18 than the full instructional costs of such services including any salary
19 increases authorized by the legislature for community and technical
20 college employees during the term of the agreement: PROVIDED FURTHER,
21 That enrollments generated hereunder shall not be counted toward the
22 official enrollment level of the college district for state funding
23 purposes;

24 (17) Notwithstanding any other provision of law, may offer
25 educational services on a contractual basis, charging tuition and fees
26 as set forth in chapter 28B.15 RCW, counting such enrollments for state
27 funding purposes, and may additionally charge a special supplemental
28 fee when necessary to cover the full instructional costs of such
29 services: PROVIDED, That such contracts shall be subject to review by
30 the state board for community and technical colleges and to such rules
31 as the state board may adopt for that purpose in order to assure that
32 the sum of the supplemental fee and the normal state funding shall not
33 exceed the projected total cost of offering the educational service:
34 PROVIDED FURTHER, That enrollments generated by courses offered on the
35 basis of contracts requiring payment of a share of the normal costs of
36 the course will be discounted to the percentage provided by the
37 college;

1 (18) Shall be authorized to pay dues to any association of trustees
2 that may be formed by the various boards of trustees; such association
3 may expend any or all of such funds to submit biennially, or more often
4 if necessary, to the governor and to the legislature, the
5 recommendations of the association regarding changes which would affect
6 the efficiency of such association;

7 (19) May participate in higher education centers and consortia that
8 involve any four-year public or independent college or university:
9 PROVIDED, That new degree programs or off-campus programs offered by a
10 four-year public or independent college or university in collaboration
11 with a community or technical college are subject to approval by the
12 (~~higher education coordinating board~~) office of financial management
13 under RCW 28B.76.230 (as recodified by this act); and

14 (20) Shall perform any other duties and responsibilities imposed by
15 law or rule of the state board.

16 **Sec. 337.** RCW 28B.50.810 and 2008 c 166 s 2 are each amended to
17 read as follows:

18 (1) By April 2006, the college board shall select four community or
19 technical colleges to develop and offer programs of study leading to an
20 applied baccalaureate degree. At least one of the four pilot programs
21 chosen must lead to a baccalaureate of applied science degree which
22 builds on an associate of applied science degree. The college board
23 shall convene a task force that includes representatives of both the
24 community and technical colleges to develop objective selection
25 criteria.

26 (2) By February 2008, the college board shall select up to three
27 colleges to develop and offer programs of study leading to an applied
28 baccalaureate degree. At least one of the colleges selected must be a
29 technical college. The college board shall use the objective selection
30 criteria developed under subsections (1) and (3) of this section to
31 make the selection.

32 (3) Colleges may submit an application to become a pilot college
33 under this section. The college board shall review the applications
34 and select the pilot colleges using objective criteria, including:

35 (a) The college demonstrates the capacity to make a long-term
36 commitment of resources to build and sustain a high quality program;

1 (b) The college has or can readily engage faculty appropriately
2 qualified to develop and deliver a high quality curriculum at the
3 baccalaureate level;

4 (c) The college can demonstrate demand for the proposed program
5 from a sufficient number of students within its service area to make
6 the program cost-effective and feasible to operate;

7 (d) The college can demonstrate that employers demand the level of
8 technical training proposed within the program, making it cost-
9 effective for students to seek the degree; and

10 (e) The proposed program fills a gap in options available for
11 students because it is not offered by a public four-year institution of
12 higher education in the college's geographic area.

13 (4) A college selected as a pilot college under this section may
14 develop the curriculum for and design and deliver courses leading to an
15 applied baccalaureate degree. However, degree programs developed under
16 this section are subject to approval by the college board under RCW
17 28B.50.090 and by the (~~higher education coordinating board~~) office of
18 financial management under RCW 28B.76.230 (as recodified by this act)
19 before a pilot college may enroll students in upper division courses.
20 A pilot college approved under subsection (1) of this section may not
21 enroll students in upper division courses before the fall academic
22 quarter of 2006. A pilot college approved under subsection (2) of this
23 section may not enroll students in upper division courses before the
24 fall academic quarter of 2009.

25 **Sec. 338.** RCW 28B.65.050 and 1998 c 245 s 22 are each amended to
26 read as follows:

27 (1) The board shall oversee, coordinate, and evaluate the high-
28 technology programs.

29 (2) The board shall:

30 (a) Determine the specific high-technology occupational fields in
31 which technical training is needed and advise the institutions of
32 higher education (~~and the higher education coordinating board~~) on
33 their findings;

34 (b) Identify economic areas and high-technology industries in need
35 of technical training and research and development critical to economic
36 development and advise the institutions of higher education (~~and the~~
37 ~~higher education coordinating board~~) on their findings;

1 (c) Oversee and coordinate the Washington high-technology education
2 and training program to ensure high standards, efficiency, and
3 effectiveness;

4 (d) Work cooperatively with the superintendent of public
5 instruction to identify the skills prerequisite to the high-technology
6 programs in the institutions of higher education;

7 (e) Work cooperatively with and provide any information or advice
8 which may be requested by the (~~higher education coordinating board~~)
9 office of financial management during the board's review of new
10 baccalaureate degree program proposals which are submitted under this
11 chapter. Nothing in this chapter shall be construed as altering or
12 superseding the powers or prerogatives of the (~~higher education~~
13 ~~coordinating board~~) office of financial management over the review of
14 new degree programs as established in section 6(2) of this 1985 act;

15 (f) Work cooperatively with the department of (~~community, trade,~~
16 ~~and economic development~~) commerce to identify the high-technology
17 education and training needs of existing Washington businesses and
18 businesses with the potential to locate in Washington;

19 (g) Work towards increasing private sector participation and
20 contributions in Washington high-technology programs;

21 (h) Identify and evaluate the effectiveness of state sponsored
22 research related to high technology; and

23 (i) Establish and maintain a plan, including priorities, to guide
24 high-technology program development in public institutions of higher
25 education, which plan shall include an assessment of current high-
26 technology programs, steps to increase existing programs, new
27 initiatives and programs necessary to promote high technology, and
28 methods to coordinate and target high-technology programs to changing
29 market opportunities in business and industry.

30 (3) The board may adopt rules under chapter 34.05 RCW as it deems
31 necessary to carry out the purposes of this chapter.

32 (4) The board shall cease to exist on June 30, 1987, unless
33 extended by law for an additional fixed period of time.

34 **Sec. 339.** RCW 28B.110.030 and 1989 c 341 s 3 are each amended to
35 read as follows:

36 In consultation with institutions of higher education, the (~~higher~~
37 ~~education coordinating board~~) office of financial management shall

1 develop rules and guidelines to eliminate possible gender
2 discrimination to students, including sexual harassment, at
3 institutions of higher education as defined in RCW 28B.10.016. The
4 rules and guidelines shall include but not be limited to access to
5 academic programs, student employment, counseling and guidance
6 services, financial aid, recreational activities including club sports,
7 and intercollegiate athletics.

8 (1) With respect to higher education student employment, all
9 institutions shall be required to:

10 (a) Make no differentiation in pay scales on the basis of gender;

11 (b) Assign duties without regard to gender except where there is a
12 bona fide occupational qualification as approved by the Washington
13 human rights commission;

14 (c) Provide the same opportunities for advancement to males and
15 females; and

16 (d) Make no difference in the conditions of employment on the basis
17 of gender in areas including, but not limited to, hiring practices,
18 leaves of absence, and hours of employment.

19 (2) With respect to admission standards, admissions to academic
20 programs shall be made without regard to gender.

21 (3) Counseling and guidance services for students shall be made
22 available to all students without regard to gender. All academic and
23 counseling personnel shall be required to stress access to all career
24 and vocational opportunities to students without regard to gender.

25 (4) All academic programs shall be available to students without
26 regard to gender.

27 (5) With respect to recreational activities, recreational
28 activities shall be offered to meet the interests of students.
29 Institutions which provide the following shall do so with no
30 disparities based on gender: Equipment and supplies; medical care;
31 services and insurance; transportation and per diem allowances;
32 opportunities to receive coaching and instruction; laundry services;
33 assignment of game officials; opportunities for competition, publicity,
34 and awards; and scheduling of games and practice times, including use
35 of courts, gyms, and pools. Each institution which provides showers,
36 toilets, lockers, or training room facilities for recreational purposes
37 shall provide comparable facilities for both males and females.

1 (6) With respect to financial aid, financial aid shall be equitably
2 awarded by type of aid, with no disparities based on gender.

3 (7) With respect to intercollegiate athletics, institutions that
4 provide the following shall do so with no disparities based on gender:

5 (a) Benefits and services including, but not limited to, equipment
6 and supplies; medical services; services and insurance; transportation
7 and per diem allowances; opportunities to receive coaching and
8 instruction; scholarships and other forms of financial aid;
9 conditioning programs; laundry services; assignment of game officials;
10 opportunities for competition, publicity, and awards; and scheduling of
11 games and practice times, including use of courts, gyms, and pools.
12 Each institution which provides showers, toilets, lockers, or training
13 room facilities for athletic purposes shall provide comparable
14 facilities for both males and females.

15 (b) Opportunities to participate in intercollegiate athletics.
16 Institutions shall provide equitable opportunities to male and female
17 students.

18 (c) Male and female coaches and administrators. Institutions shall
19 attempt to provide some coaches and administrators of each gender to
20 act as role models for male and female athletes.

21 (8) Each institution shall develop and distribute policies and
22 procedures for handling complaints of sexual harassment.

23 **Sec. 340.** RCW 28B.110.040 and 1997 c 5 s 5 are each amended to
24 read as follows:

25 The ((executive)) director of the ((higher education coordinating
26 board)) office of financial management, in consultation with the
27 council of presidents and the state board for community and technical
28 colleges, shall monitor the compliance by institutions of higher
29 education with this chapter.

30 (1) The ((board)) office of financial management shall establish a
31 timetable and guidelines for compliance with this chapter.

32 (2) By November 30, 1990, each institution shall submit to the
33 higher education coordinating board for approval a plan to comply with
34 the requirements of RCW 28B.110.030. The plan shall contain measures
35 to ensure institutional compliance with the provisions of this chapter
36 by September 30, 1994. If participation in activities, such as
37 intercollegiate athletics and matriculation in academic programs is not

1 proportionate to the percentages of male and female enrollment, the
2 plan should outline efforts to identify barriers to equal participation
3 and to encourage gender equity in all aspects of college and university
4 life.

5 (3) The (~~board~~) office of financial management shall report
6 every four years, beginning December 31, (~~(1998)~~) 2010, to the governor
7 and the higher education committees of the house of representatives and
8 the senate on institutional efforts to comply with this chapter. The
9 report shall include recommendations on measures to assist institutions
10 with compliance. This report may be combined with the report required
11 in RCW 28B.15.465.

12 (4) The (~~board~~) office of financial management may delegate to
13 the state board for community and technical colleges any or all
14 responsibility for community college compliance with the provisions of
15 this chapter.

16 **Sec. 341.** RCW 28C.18.060 and 2009 c 151 s 6 are each amended to
17 read as follows:

18 The board, in cooperation with the operating agencies of the state
19 training system and private career schools and colleges, shall:

20 (1) Concentrate its major efforts on planning, coordination
21 evaluation, policy analysis, and recommending improvements to the
22 state's training system;

23 (2) Advocate for the state training system and for meeting the
24 needs of employers and the workforce for workforce education and
25 training;

26 (3) Establish and maintain an inventory of the programs of the
27 state training system, and related state programs, and perform a
28 biennial assessment of the vocational education, training, and adult
29 basic education and literacy needs of the state; identify ongoing and
30 strategic education needs; and assess the extent to which employment,
31 training, vocational and basic education, rehabilitation services, and
32 public assistance services represent a consistent, integrated approach
33 to meet such needs;

34 (4) Develop and maintain a state comprehensive plan for workforce
35 training and education, including but not limited to, goals,
36 objectives, and priorities for the state training system, and review
37 the state training system for consistency with the state comprehensive

1 plan. In developing the state comprehensive plan for workforce
2 training and education, the board shall use, but shall not be limited
3 to: Economic, labor market, and populations trends reports in office
4 of financial management forecasts; joint office of financial management
5 and employment security department labor force, industry employment,
6 and occupational forecasts; the results of scientifically based
7 outcome, net-impact and cost-benefit evaluations; the needs of
8 employers as evidenced in formal employer surveys and other employer
9 input; and the needs of program participants and workers as evidenced
10 in formal surveys and other input from program participants and the
11 labor community;

12 (5) (~~In consultation with the higher education coordinating~~
13 ~~board,~~) Review and make recommendations to the office of financial
14 management and the legislature on operating and capital facilities
15 budget requests for operating agencies of the state training system for
16 purposes of consistency with the state comprehensive plan for workforce
17 training and education;

18 (6) Provide for coordination among the different operating agencies
19 and components of the state training system at the state level and at
20 the regional level;

21 (7) Develop a consistent and reliable database on vocational
22 education enrollments, costs, program activities, and job placements
23 from publicly funded vocational education programs in this state;

24 (8)(a) Establish standards for data collection and maintenance for
25 the operating agencies of the state training system in a format that is
26 accessible to use by the board. The board shall require a minimum of
27 common core data to be collected by each operating agency of the state
28 training system;

29 (b) Develop requirements for minimum common core data in
30 consultation with the office of financial management and the operating
31 agencies of the training system;

32 (9) Establish minimum standards for program evaluation for the
33 operating agencies of the state training system, including, but not
34 limited to, the use of common survey instruments and procedures for
35 measuring perceptions of program participants and employers of program
36 participants, and monitor such program evaluation;

37 (10) Every two years administer scientifically based outcome
38 evaluations of the state training system, including, but not limited

1 to, surveys of program participants, surveys of employers of program
2 participants, and matches with employment security department payroll
3 and wage files. Every five years administer scientifically based net-
4 impact and cost-benefit evaluations of the state training system;

5 (11) In cooperation with the employment security department,
6 provide for the improvement and maintenance of quality and utility in
7 occupational information and forecasts for use in training system
8 planning and evaluation. Improvements shall include, but not be
9 limited to, development of state-based occupational change factors
10 involving input by employers and employees, and delineation of skill
11 and training requirements by education level associated with current
12 and forecasted occupations;

13 (12) Provide for the development of common course description
14 formats, common reporting requirements, and common definitions for
15 operating agencies of the training system;

16 (13) Provide for effectiveness and efficiency reviews of the state
17 training system;

18 (14) In cooperation with the (~~higher education coordinating~~
19 ~~board~~) office of financial management, facilitate transfer of credit
20 policies and agreements between institutions of the state training
21 system, and encourage articulation agreements for programs encompassing
22 two years of secondary workforce education and two years of
23 postsecondary workforce education;

24 (15) In cooperation with the (~~higher education coordinating~~
25 ~~board~~) office of financial management, facilitate transfer of credit
26 policies and agreements between private training institutions and
27 institutions of the state training system;

28 (16) Develop policy objectives for the workforce investment act,
29 P.L. 105-220, or its successor; develop coordination criteria for
30 activities under the act with related programs and services provided by
31 state and local education and training agencies; and ensure that
32 entrepreneurial training opportunities are available through programs
33 of each local workforce investment board in the state;

34 (17) Make recommendations to the commission of student assessment,
35 the state board of education, and the superintendent of public
36 instruction, concerning basic skill competencies and essential core
37 competencies for K-12 education. Basic skills for this purpose shall
38 be reading, writing, computation, speaking, and critical thinking,

1 essential core competencies for this purpose shall be English, math,
2 science/technology, history, geography, and critical thinking. The
3 board shall monitor the development of and provide advice concerning
4 secondary curriculum which integrates vocational and academic
5 education;

6 (18) Establish and administer programs for marketing and outreach
7 to businesses and potential program participants;

8 (19) Facilitate the location of support services, including but not
9 limited to, child care, financial aid, career counseling, and job
10 placement services, for students and trainees at institutions in the
11 state training system, and advocate for support services for trainees
12 and students in the state training system;

13 (20) Facilitate private sector assistance for the state training
14 system, including but not limited to: Financial assistance, rotation
15 of private and public personnel, and vocational counseling;

16 (21) Facilitate the development of programs for school-to-work
17 transition that combine classroom education and on-the-job training,
18 including entrepreneurial education and training, in industries and
19 occupations without a significant number of apprenticeship programs;

20 (22) Include in the planning requirements for local workforce
21 investment boards a requirement that the local workforce investment
22 boards specify how entrepreneurial training is to be offered through
23 the one-stop system required under the workforce investment act, P.L.
24 105-220, or its successor;

25 (23) Encourage and assess progress for the equitable representation
26 of racial and ethnic minorities, women, and people with disabilities
27 among the students, teachers, and administrators of the state training
28 system. Equitable, for this purpose, shall mean substantially
29 proportional to their percentage of the state population in the
30 geographic area served. This function of the board shall in no way
31 lessen more stringent state or federal requirements for representation
32 of racial and ethnic minorities, women, and people with disabilities;

33 (24) Participate in the planning and policy development of governor
34 set-aside grants under P.L. 97-300, as amended;

35 (25) Administer veterans' programs, licensure of private vocational
36 schools, the job skills program, and the Washington award for
37 vocational excellence;

38 (26) Allocate funding from the state job training trust fund;

1 (27) Work with the director of (~~community, trade, and economic~~
2 ~~development~~) the department of commerce and the economic development
3 commission to ensure coordination among workforce training priorities,
4 the long-term economic development strategy of the economic development
5 commission, and economic development and entrepreneurial development
6 efforts, including but not limited to assistance to industry clusters;

7 (28) Conduct research into workforce development programs designed
8 to reduce the high unemployment rate among young people between
9 approximately eighteen and twenty-four years of age. In consultation
10 with the operating agencies, the board shall advise the governor and
11 legislature on policies and programs to alleviate the high unemployment
12 rate among young people. The research shall include disaggregated
13 demographic information and, to the extent possible, income data for
14 adult youth. The research shall also include a comparison of the
15 effectiveness of programs examined as a part of the research conducted
16 in this subsection in relation to the public investment made in these
17 programs in reducing unemployment of young adults. The board shall
18 report to the appropriate committees of the legislature by November 15,
19 2008, and every two years thereafter. Where possible, the data
20 reported to the legislative committees should be reported in numbers
21 and in percentages;

22 (29) Adopt rules as necessary to implement this chapter.

23 The board may delegate to the director any of the functions of this
24 section.

25 **Sec. 342.** RCW 43.330.310 and 2008 c 14 s 9 are each amended to
26 read as follows:

27 (1) The legislature establishes a comprehensive green economy jobs
28 growth initiative based on the goal of, by 2020, increasing the number
29 of green economy jobs to twenty-five thousand from the eight thousand
30 four hundred green economy jobs the state had in 2004.

31 (2) The department, in consultation with the employment security
32 department, the state workforce training and education coordinating
33 board, the state board (~~(of [for])~~) for community and technical
34 colleges, and the (~~(higher education coordinating board)~~) office of
35 financial management, shall develop a defined list of terms, consistent
36 with current workforce and economic development terms, associated with
37 green economy industries and jobs.

1 (3)(a) The employment security department, in consultation with the
2 department, the state workforce training and education coordinating
3 board, the state board for community and technical colleges, the
4 (~~higher education coordinating board~~) office of financial management,
5 Washington State University small business development center, and the
6 Washington State University extension energy program, shall conduct
7 labor market research to analyze the current labor market and projected
8 job growth in the green economy, the current and projected recruitment
9 and skill requirement of green economy industry employers, the wage and
10 benefits ranges of jobs within green economy industries, and the
11 education and training requirements of entry-level and incumbent
12 workers in those industries.

13 (b) The University of Washington business and economic development
14 center shall: Analyze the current opportunities for and participation
15 in the green economy by minority and women-owned business enterprises
16 in Washington; identify existing barriers to their successful
17 participation in the green economy; and develop strategies with
18 specific policy recommendations to improve their successful
19 participation in the green economy. The research may be informed by
20 the research of the Puget Sound regional council prosperity
21 partnership, as well as other entities. The University of Washington
22 business and economic development center shall report to the
23 appropriate committees of the house of representatives and the senate
24 on their research, analysis, and recommendations by December 1, 2008.

25 (4) Based on the findings from subsection (3) of this section, the
26 employment security department, in consultation with the department and
27 taking into account the requirements and goals of chapter 14, Laws of
28 2008 and other state clean energy and energy efficiency policies, shall
29 propose which industries will be considered high-demand green
30 industries, based on current and projected job creation and their
31 strategic importance to the development of the state's green economy.
32 The employment security department and the department shall take into
33 account which jobs within green economy industries will be considered
34 high-wage occupations and occupations that are part of career pathways
35 to the same, based on family-sustaining wage and benefits ranges.
36 These designations, and the results of the employment security
37 department's broader labor market research, shall inform the planning
38 and strategic direction of the department, the state workforce training

1 and education coordinating board, the state board for community and
2 technical colleges, and the (~~higher education coordinating board~~)
3 office of financial management.

4 (5) The department shall identify emerging technologies and
5 innovations that are likely to contribute to advancements in the green
6 economy, including the activities in designated innovation partnership
7 zones established in RCW 43.330.270.

8 (6) The department, consistent with the priorities established by
9 the state economic development commission, shall:

10 (a) Develop targeting criteria for existing investments, and make
11 recommendations for new or expanded financial incentives and
12 comprehensive strategies, to recruit, retain, and expand green economy
13 industries and small businesses; and

14 (b) Make recommendations for new or expanded financial incentives
15 and comprehensive strategies to stimulate research and development of
16 green technology and innovation, including designating innovation
17 partnership zones linked to the green economy.

18 (7) For the purposes of this section, "target populations" means
19 (a) entry-level or incumbent workers in high-demand green industries
20 who are in, or are preparing for, high-wage occupations; (b) dislocated
21 workers in declining industries who may be retrained for high-wage
22 occupations in high-demand green industries; (c) dislocated
23 agriculture, timber, or energy sector workers who may be retrained for
24 high-wage occupations in high-demand green industries; (d) eligible
25 veterans or national guard members; (e) disadvantaged populations; or
26 (f) anyone eligible to participate in the state opportunity grant
27 program under RCW 28B.50.271.

28 (8) The legislature directs the state workforce training and
29 education coordinating board to create and pilot green industry skill
30 panels. These panels shall consist of business representatives from
31 industry sectors related to clean energy, labor unions representing
32 workers in those industries or labor affiliates administering state-
33 approved, joint apprenticeship programs or labor-management partnership
34 programs that train workers for these industries, state and local
35 veterans agencies, employer associations, educational institutions, and
36 local workforce development councils within the region that the panels
37 propose to operate, and other key stakeholders as determined by the
38 applicant. Any of these stakeholder organizations are eligible to

1 receive grants under this section and serve as the intermediary that
2 convenes and leads the panel. Panel applicants must provide labor
3 market and industry analysis that demonstrates high demand, or demand
4 of strategic importance to the development of the state's clean energy
5 economy as identified in this section, for high-wage occupations, or
6 occupations that are part of career pathways to the same, within the
7 relevant industry sector. The panel shall:

8 (a) Conduct labor market and industry analyses, in consultation
9 with the employment security department, and drawing on the findings of
10 its research when available;

11 (b) Plan strategies to meet the recruitment and training needs of
12 the industry and small businesses; and

13 (c) Leverage and align other public and private funding sources.

14 (9) The green industries jobs training account is created in the
15 state treasury. Moneys from the account must be utilized to supplement
16 the state opportunity grant program established under RCW 28B.50.271.
17 All receipts from appropriations directed to the account must be
18 deposited into the account. Expenditures from the account may be used
19 only for the activities identified in this subsection. The state board
20 for community and technical colleges, in consultation with the state
21 workforce training and education coordinating board, informed by the
22 research of the employment security department and the strategies
23 developed in this section, may authorize expenditures from the account.
24 The state board for community and technical colleges must distribute
25 grants from the account on a competitive basis.

26 (a)(i) Allowable uses of these grant funds, which should be used
27 when other public or private funds are insufficient or unavailable, may
28 include:

29 (A) Curriculum development;

30 (B) Transitional jobs strategies for dislocated workers in
31 declining industries who may be retrained for high-wage occupations in
32 green industries;

33 (C) Workforce education to target populations; and

34 (D) Adult basic and remedial education as necessary linked to
35 occupation skills training.

36 (ii) Allowable uses of these grant funds do not include student
37 assistance and support services available through the state opportunity
38 grant program under RCW 28B.50.271.

1 (b) Applicants eligible to receive these grants may be any
2 organization or a partnership of organizations that has demonstrated
3 expertise in:

4 (i) Implementing effective education and training programs that
5 meet industry demand; and

6 (ii) Recruiting and supporting, to successful completion of those
7 training programs carried out under these grants, the target
8 populations of workers.

9 (c) In awarding grants from the green industries jobs training
10 account, the state board for community and technical colleges shall
11 give priority to applicants that demonstrate the ability to:

12 (i) Use labor market and industry analysis developed by the
13 employment security department and green industry skill panels in the
14 design and delivery of the relevant education and training program, and
15 otherwise utilize strategies developed by green industry (~~skills~~
16 ~~{skill}~~) skill panels;

17 (ii) Leverage and align existing public programs and resources and
18 private resources toward the goal of recruiting, supporting, educating,
19 and training target populations of workers;

20 (iii) Work collaboratively with other relevant stakeholders in the
21 regional economy;

22 (iv) Link adult basic and remedial education, where necessary, with
23 occupation skills training;

24 (v) Involve employers and, where applicable, labor unions in the
25 determination of relevant skills and competencies and, where relevant,
26 the validation of career pathways; and

27 (vi) Ensure that supportive services, where necessary, are
28 integrated with education and training and are delivered by
29 organizations with direct access to and experience with the targeted
30 population of workers.

31 **Sec. 343.** RCW 70.180.110 and 1998 c 245 s 120 are each amended to
32 read as follows:

33 (1) The department, in consultation with at least the (~~higher~~
34 ~~education coordinating board~~) office of financial management, the
35 state board for community and technical colleges, the superintendent of
36 public instruction, and state-supported education programs in medicine,
37 pharmacy, and nursing, shall develop a plan for increasing rural

1 training opportunities for students in medicine, pharmacy, and nursing.
2 The plan shall provide for direct exposure to rural health professional
3 practice conditions for students planning careers in medicine,
4 pharmacy, and nursing.

5 (2) The department and the medical, pharmacy, and nurse education
6 programs shall:

7 (a) Inventory existing rural-based clinical experience programs,
8 including internships, clerkships, residencies, and other training
9 opportunities available to students pursuing degrees in nursing,
10 pharmacy, and medicine;

11 (b) Identify where training opportunities do not currently exist
12 and are needed;

13 (c) Develop recommendations for improving the availability of rural
14 training opportunities;

15 (d) Develop recommendations on establishing agreements between
16 education programs to assure that all students in medical, pharmacist,
17 and nurse education programs in the state have access to rural training
18 opportunities; and

19 (e) Review private and public funding sources to finance rural-
20 based training opportunities.

21 NEW SECTION. **Sec. 344.** The following sections are each recodified
22 as sections in chapter 43.41 RCW.

23 RCW 28B.76.200

24 RCW 28B.76.230

25 RCW 28B.76.240

26 RCW 28B.76.2401

27 RCW 28B.76.250

28 RCW 28B.76.260

29 RCW 28B.76.270

30 RCW 28B.76.280

31 RCW 28B.76.290

32 RCW 28B.76.300

33 RCW 28B.76.310

34 NEW SECTION. **Sec. 345.** RCW 28B.76.335 (Teacher preparation degree
35 programs in mathematics, science, and technology--Needs assessment) and
36 2007 c 396 s 17 are each repealed.

1 NEW SECTION. **Sec. 346.** (1) All powers, duties, and functions of
2 the higher education coordinating board pertaining to higher education
3 coordination are transferred to the office of financial management.

4 (2)(a) All reports, documents, surveys, books, records, files,
5 papers, or written material in the possession of the higher education
6 coordinating board pertaining to the powers, functions, and duties
7 transferred shall be delivered to the custody of the office of
8 financial management. All cabinets, furniture, office equipment, motor
9 vehicles, and other tangible property employed by the higher education
10 coordinating board in carrying out the powers, functions, and duties
11 transferred shall be made available to the office of financial
12 management. All funds, credits, or other assets held in connection
13 with the powers, functions, and duties transferred shall be assigned to
14 the office of financial management.

15 (b) Any appropriations made to the higher education coordinating
16 board for carrying out the powers, functions, and duties transferred
17 shall, on the effective date of this section, be transferred and
18 credited to the office of financial management.

19 (c) Whenever any question arises as to the transfer of any
20 personnel, funds, books, documents, records, papers, files, equipment,
21 or other tangible property used or held in the exercise of the powers
22 and the performance of the duties and functions transferred, the
23 director of financial management shall make a determination as to the
24 proper allocation and certify the same to the state agencies concerned.

25 (3) All employees of the higher education coordinating board
26 engaged in performing the powers, functions, and duties transferred are
27 transferred to the jurisdiction of the office of financial management.
28 All employees classified under chapter 41.06 RCW, the state civil
29 service law, are assigned to the office of financial management to
30 perform their usual duties upon the same terms as formerly, without any
31 loss of rights, subject to any action that may be appropriate
32 thereafter in accordance with the laws and rules governing state civil
33 service.

34 (4) All rules and all pending business before the higher education
35 coordinating board pertaining to the powers, functions, and duties
36 transferred shall be continued and acted upon by the office of
37 financial management. All existing contracts and obligations shall

1 remain in full force and shall be performed by the office of financial
2 management.

3 (5) The transfer of the powers, duties, functions, and personnel of
4 the higher education coordinating board shall not affect the validity
5 of any act performed before the effective date of this section.

6 (6) If apportionments of budgeted funds are required because of the
7 transfers directed by this section, the director of financial
8 management shall certify the apportionments to the agencies affected,
9 the state auditor, and the state treasurer. Each of these shall make
10 the appropriate transfer and adjustments in funds and appropriation
11 accounts and equipment records in accordance with the certification.

12 (7) Nothing contained in this section may be construed to alter any
13 existing collective bargaining unit or the provisions of any existing
14 collective bargaining agreement until the agreement has expired or
15 until the bargaining unit has been modified by action of the public
16 employment relations commission as provided by law.

17 PART III

18 WORKFORCE TRAINING AND EDUCATION COORDINATING BOARD

19 **Sec. 401.** RCW 28B.85.010 and 1986 c 136 s 1 are each amended to
20 read as follows:

21 Unless the context clearly requires otherwise, the definitions in
22 this section apply throughout this chapter:

23 (1) "Board" means the (~~higher~~) workforce training and education
24 coordinating board.

25 (2) "Degree" means any designation, appellation, letters, or words
26 including but not limited to "associate," "bachelor," "master,"
27 "doctor," or "fellow" which signify or purport to signify satisfactory
28 completion of the requirements of an academic program of study beyond
29 the secondary school level.

30 (3) "Degree-granting institution" means an entity that offers
31 educational credentials, instruction, or services prerequisite to or
32 indicative of an academic or professional degree beyond the secondary
33 level.

34 **Sec. 402.** RCW 28B.85.100 and 1986 c 136 s 10 are each amended to
35 read as follows:

1 Any person, group, or entity or any owner, officer, agent, or
2 employee of such entity who (~~willfully~~) willfully violates any
3 provision of this chapter or the rules adopted under this chapter shall
4 be subject to a civil penalty of not more than one hundred dollars for
5 each violation. Each day on which a violation occurs constitutes a
6 separate violation. The fine may be imposed by the (~~higher education~~
7 ~~coordinating~~) board or by any court of competent jurisdiction.

8 **Sec. 403.** RCW 28B.90.010 and 1993 c 181 s 2 are each amended to
9 read as follows:

10 Unless the context clearly requires otherwise, the definitions in
11 this section apply throughout this chapter.

12 (1) "Degree" means any designation, appellation, certificate,
13 letters or words including, but not limited to, "associate,"
14 "bachelor," "masters," "doctorate," or "fellow" that signifies, or
15 purports to signify, satisfactory and successful completion of
16 requirements of a postsecondary academic program of study.

17 (2) "Foreign degree-granting institution" means a public or private
18 college or university, either profit or nonprofit:

19 (a) That is domiciled in a foreign country;

20 (b) That offers in its country of domicile credentials,
21 instruction, or services prerequisite to the obtaining of an academic
22 or professional degree granted by such college or university; and

23 (c) That is authorized under the laws or regulations of its country
24 of domicile to operate a degree-granting institution in that country.

25 (3) "Approved branch campus" means a foreign degree-granting
26 institution's branch campus that has been approved by the (~~higher~~
27 ~~education~~) workforce training and education coordinating board to
28 operate in the state.

29 (4) "Branch campus" means an educational facility located in the
30 state that:

31 (a) Is either owned and operated directly by a foreign degree-
32 granting institution or indirectly through a Washington profit or
33 nonprofit corporation in which the foreign degree-granting institution
34 is the sole or controlling shareholder or member; and

35 (b) Provides courses solely and exclusively to students enrolled in
36 a degree-granting program offered by the foreign degree-granting
37 institution who:

1 (i) Have received academic credit for courses of study completed at
2 the foreign degree-granting institution in its country of domicile;

3 (ii) Will receive academic credit towards their degree from the
4 foreign degree-granting institution for the courses of study completed
5 at the educational facility in the state; and

6 (iii) Will return to the foreign degree-granting institution in its
7 country of domicile for completion of their degree-granting program or
8 receipt of their degree.

9 (5) "Board" means the (~~(higher education)~~) workforce training and
10 education coordinating board.

11 **Sec. 404.** RCW 35.104.020 and 2007 c 251 s 1 are each amended to
12 read as follows:

13 The definitions in this section apply throughout this chapter
14 unless the context clearly requires otherwise.

15 (1) "Authority" means a health sciences and services authority
16 created pursuant to this chapter.

17 (2) "Board" means the governing board of trustees of an authority.

18 (3) "Director" means (~~(the director of)~~) the director of the
19 (~~(higher)~~) workforce training and education coordinating board.

20 (4) "Health sciences and services" means biosciences that advance
21 new therapies and procedures to combat disease and promote public
22 health.

23 (5) "Local government" means a city, town, or county.

24 (6) "Sponsoring local government" means a city, town, or county
25 that creates a health sciences and services authority.

26 **Sec. 405.** RCW 35.104.040 and 2007 c 251 s 4 are each amended to
27 read as follows:

28 (1) The (~~(higher)~~) workforce training and education coordinating
29 board may approve applications submitted by local governments for an
30 area's designation as a health sciences and services authority under
31 this chapter. The director shall determine the division to review
32 applications submitted by local governments under this chapter. The
33 application for designation shall be in the form and manner and contain
34 such information as the (~~(higher)~~) workforce training and education
35 coordinating board may prescribe, provided the application shall:

1 (a) Contain sufficient information to enable the director to
2 determine the viability of the proposal;

3 (b) Demonstrate that an ordinance or resolution has been passed by
4 the legislative authority of a local government that delineates the
5 boundaries of an area that may be designated an authority;

6 (c) Be submitted on behalf of the local government, or, if that
7 office does not exist, by the legislative body of the local government;

8 (d) Demonstrate that the public funds directed to programs or
9 facilities in the authority will leverage private sector resources and
10 contributions to activities to be performed;

11 (e) Provide a plan or plans for the development of the authority as
12 an entity to advance as a cluster for health sciences education, health
13 sciences research, biotechnology development, biotechnology product
14 commercialization, and/or health care services; and

15 (f) Demonstrate that the state has previously provided funds to
16 health sciences and services programs or facilities in the applicant
17 city, town, or county.

18 (2) The director shall determine the division to develop criteria
19 to evaluate the application. The criteria shall include:

20 (a) The presence of infrastructure capable of spurring development
21 of the area as a center of health sciences and services;

22 (b) The presence of higher education facilities where undergraduate
23 or graduate coursework or research is conducted; and

24 (c) The presence of facilities in which health services are
25 provided.

26 (3) There shall be no more than one authority statewide.

27 (4) An authority may only be created in a county with a population
28 of less than one million persons.

29 (5) The director may reject or approve an application. When
30 denying an application, the director must specify the application's
31 deficiencies. The decision regarding such designation as it relates to
32 a specific local government is final; however, a rejected application
33 may be resubmitted.

34 (6) Applications are due by December 31, 2007, and must be
35 processed within sixty days of submission.

36 (7) The director may, at his or her discretion, amend the
37 boundaries of an authority upon the request of the local government.

1 (8) The ((higher)) workforce training and education coordinating
2 board may adopt any rules necessary to implement chapter 251, Laws of
3 2007 within one hundred twenty days of July 22, 2007.

4 (9) The ((higher)) workforce training and education coordinating
5 board must develop evaluation and performance measures in order to
6 evaluate the effectiveness of the programs in the authorities that are
7 funded with public resources. A report to the legislature shall be due
8 on a biennial basis beginning December 1, 2009. In addition, the
9 ((higher)) workforce training and education coordinating board shall
10 develop evaluation criteria that enables the local governments to
11 measure the effectiveness of the program.

12 **Sec. 406.** RCW 43.06.115 and 1998 c 245 s 47 are each amended to
13 read as follows:

14 (1) The governor may, by executive order, after consultation with
15 or notification of the executive-legislative committee on economic
16 development created by chapter . . . (Senate Bill No. 5300), Laws of
17 1993, declare a community to be a "military impacted area." A
18 "military impacted area" means a community or communities, as
19 identified in the executive order, that experience serious social and
20 economic hardships because of a change in defense spending by the
21 federal government in that community or communities.

22 (2) If the governor executes an order under subsection (1) of this
23 section, the governor shall establish a response team to coordinate
24 state efforts to assist the military impacted community. The response
25 team may include, but not be limited to, one member from each of the
26 following agencies: (a) The department of ((community, trade, and
27 economic development)) commerce; (b) the department of social and
28 health services; (c) the employment security department; (d) the state
29 board for community and technical colleges; (e) the ((higher))
30 workforce training and education coordinating board; and (f) the
31 department of transportation. The governor may appoint a response team
32 coordinator. The governor shall seek to actively involve the impacted
33 community or communities in planning and implementing a response to the
34 crisis. The governor may seek input or assistance from the community
35 diversification advisory committee, and the governor may establish task
36 forces in the community or communities to assist in the coordination

1 and delivery of services to the local community. The state and
2 community response shall consider economic development, human service,
3 and training needs of the community or communities impacted.

4 NEW SECTION. **Sec. 407.** (1) All powers, duties, and functions of
5 the higher education coordinating board pertaining to degree-granting
6 institutions are transferred to the workforce training and education
7 coordinating board.

8 (2)(a) All reports, documents, surveys, books, records, files,
9 papers, or written material in the possession of the higher education
10 coordinating board pertaining to the powers, functions, and duties
11 transferred shall be delivered to the custody of the workforce training
12 and education coordinating board. All cabinets, furniture, office
13 equipment, motor vehicles, and other tangible property employed by the
14 higher education coordinating board in carrying out the powers,
15 functions, and duties transferred shall be made available to the
16 workforce training and education coordinating board. All funds,
17 credits, or other assets held in connection with the powers, functions,
18 and duties transferred shall be assigned to the workforce training and
19 education coordinating board.

20 (b) Any appropriations made to the higher education coordinating
21 board for carrying out the powers, functions, and duties transferred
22 shall, on the effective date of this section, be transferred and
23 credited to the workforce training and education coordinating board.

24 (c) Whenever any question arises as to the transfer of any
25 personnel, funds, books, documents, records, papers, files, equipment,
26 or other tangible property used or held in the exercise of the powers
27 and the performance of the duties and functions transferred, the
28 director of financial management shall make a determination as to the
29 proper allocation and certify the same to the state agencies concerned.

30 (3) All employees of the higher education coordinating board
31 engaged in performing the powers, functions, and duties transferred are
32 transferred to the jurisdiction of the workforce training and education
33 coordinating board. All employees classified under chapter 41.06 RCW,
34 the state civil service law, are assigned to the workforce training and
35 education coordinating board to perform their usual duties upon the
36 same terms as formerly, without any loss of rights, subject to any

1 action that may be appropriate thereafter in accordance with the laws
2 and rules governing state civil service.

3 (4) All rules and all pending business before the higher education
4 coordinating board pertaining to the powers, functions, and duties
5 transferred shall be continued and acted upon by the workforce training
6 and education coordinating board. All existing contracts and
7 obligations shall remain in full force and shall be performed by the
8 workforce training and education coordinating board.

9 (5) The transfer of the powers, duties, functions, and personnel of
10 the higher education coordinating board shall not affect the validity
11 of any act performed before the effective date of this section.

12 (6) If apportionments of budgeted funds are required because of the
13 transfers directed by this section, the director of financial
14 management shall certify the apportionments to the agencies affected,
15 the state auditor, and the state treasurer. Each of these shall make
16 the appropriate transfer and adjustments in funds and appropriation
17 accounts and equipment records in accordance with the certification.

18 (7) Nothing contained in this section may be construed to alter any
19 existing collective bargaining unit or the provisions of any existing
20 collective bargaining agreement until the agreement has expired or
21 until the bargaining unit has been modified by action of the public
22 employment relations commission as provided by law.

23 **PART IV**

24 **MISCELLANEOUS REFERENCES**

25 **Sec. 501.** RCW 9A.60.070 and 2006 c 234 s 2 are each amended to
26 read as follows:

27 (1) A person is guilty of issuing a false academic credential if
28 the person knowingly:

29 (a) Grants or awards a false academic credential or offers to grant
30 or award a false academic credential in violation of this section;

31 (b) Represents that a credit earned or granted by the person in
32 violation of this section can be applied toward a credential offered by
33 another person;

34 (c) Grants or offers to grant a credit for which a representation
35 as described in (b) of this subsection is made; or

1 (d) Solicits another person to seek a credential or to earn a
2 credit the person knows is offered in violation of this section.

3 (2) A person is guilty of knowingly using a false academic
4 credential if the person knowingly uses a false academic credential or
5 falsely claims to have a credential issued by an institution of higher
6 education that is accredited by an accrediting association recognized
7 as such by rule of the (~~higher education coordinating~~) student
8 financial assistance board:

9 (a) In a written or oral advertisement or other promotion of a
10 business; or

11 (b) With the intent to:

12 (i) Obtain employment;

13 (ii) Obtain a license or certificate to practice a trade,
14 profession, or occupation;

15 (iii) Obtain a promotion, compensation or other benefit, or an
16 increase in compensation or other benefit, in employment or in the
17 practice of a trade, profession, or occupation;

18 (iv) Obtain admission to an educational program in this state; or

19 (v) Gain a position in government with authority over another
20 person, regardless of whether the person receives compensation for the
21 position.

22 (3) The definitions in this subsection apply throughout this
23 section and RCW 28B.85.220.

24 (a) "False academic credential" means a document that provides
25 evidence or demonstrates completion of an academic or professional
26 course of instruction beyond the secondary level that results in the
27 attainment of an academic certificate, degree, or rank, and that is not
28 issued by a person or entity that: (i) Is an entity accredited by an
29 agency recognized as such by rule of the (~~higher education~~
30 ~~coordinating~~) student financial assistance board or has the
31 international equivalents of such accreditation; or (ii) is an entity
32 authorized as a degree-granting institution by the (~~higher~~) workforce
33 training and education coordinating board; or (iii) is an entity exempt
34 from the requirements of authorization as a degree-granting institution
35 by the (~~higher~~) workforce training and education coordinating board;
36 or (iv) is an entity that has been granted a waiver by the (~~higher~~)
37 workforce training and education coordinating board from the
38 requirements of authorization by the workforce training and education

1 coordinating board. Such documents include, but are not limited to,
2 academic certificates, degrees, coursework, degree credits,
3 transcripts, or certification of completion of a degree.

4 (b) "Grant" means award, bestow, confer, convey, sell, or give.

5 (c) "Offer," in addition to its usual meanings, means advertise,
6 publicize, or solicit.

7 (d) "Operate" includes but is not limited to the following:

8 (i) Offering courses in person, by correspondence, or by electronic
9 media at or to any Washington location for degree credit;

10 (ii) Granting or offering to grant degrees in Washington;

11 (iii) Maintaining or advertising a Washington location, mailing
12 address, computer server, or telephone number, for any purpose, other
13 than for contact with the institution's former students for any
14 legitimate purpose related to the students having attended the
15 institution.

16 (4) Issuing a false academic credential is a class C felony.

17 (5) Knowingly using a false academic credential is a gross
18 misdemeanor.

19 **Sec. 502.** RCW 18.260.110 and 2008 c 150 s 1 are each amended to
20 read as follows:

21 Nothing in this chapter may be construed to prohibit or restrict:

22 (1) The practice of a dental assistant in the discharge of official
23 duties by dental assistants in the United States federal services on
24 federal reservations, including but not limited to the armed services,
25 coast guard, public health service, veterans' bureau, or bureau of
26 Indian affairs;

27 (2) Expanded function dental auxiliary education and training
28 programs approved by the commission and the practice as an expanded
29 function dental auxiliary by students in expanded function dental
30 auxiliary education and training programs approved by the commission,
31 when acting under the direction and supervision of persons licensed
32 under chapter 18.29 or 18.32 RCW;

33 (3) Dental assistant education and training programs, and the
34 practice of dental assisting by students in dental assistant education
35 and training programs approved by the commission or offered at a school
36 approved or licensed by the workforce training and education
37 coordinating board, (~~higher education coordinating board,~~) state

1 board for community and technical colleges, or Washington state skill
2 centers certified by the office of the superintendent of public
3 instruction, when acting under the direction and supervision of persons
4 registered or licensed under this chapter or chapter 18.29 or 18.32
5 RCW; or

6 (4) The practice of a volunteer dental assistant providing services
7 under the supervision of a licensed dentist in a charitable dental
8 clinic, as approved by the commission in rule.

9 **Sec. 503.** RCW 28A.230.100 and 2006 c 263 s 402 and 2006 c 114 s 4
10 are each reenacted and amended to read as follows:

11 The superintendent of public instruction, in consultation with
12 (~~the higher education coordinating board,~~) the state board for
13 community and technical colleges(~~(7)~~) and the workforce training and
14 education coordinating board, shall adopt rules pursuant to chapter
15 34.05 RCW, to implement the course requirements set forth in RCW
16 28A.230.090. The rules shall include, as the superintendent deems
17 necessary, granting equivalencies for and temporary exemptions from the
18 course requirements in RCW 28A.230.090 and special alterations of the
19 course requirements in RCW 28A.230.090. In developing such rules the
20 superintendent shall recognize the relevance of vocational and applied
21 courses and allow such courses to fulfill in whole or in part the
22 courses required for graduation in RCW 28A.230.090, as determined by
23 the high school or school district in accordance with RCW 28A.230.097.
24 The rules may include provisions for competency testing in lieu of such
25 courses required for graduation in RCW 28A.230.090 or demonstration of
26 specific skill proficiency or understanding of concepts through work or
27 experience.

28 **Sec. 504.** RCW 28A.230.125 and 2009 c 556 s 9 are each amended to
29 read as follows:

30 (1) The superintendent of public instruction, in consultation with
31 (~~the higher education coordinating board,~~) the state board for
32 community and technical colleges(~~(7)~~) and the workforce training and
33 education coordinating board, shall develop for use by all public
34 school districts a standardized high school transcript. The
35 superintendent shall establish clear definitions for the terms

1 "credits" and "hours" so that school programs operating on the quarter,
2 semester, or trimester system can be compared.

3 (2) The standardized high school transcript shall include a
4 notation of whether the student has earned a certificate of individual
5 achievement or a certificate of academic achievement.

6 **Sec. 505.** RCW 28A.600.280 and 2009 c 450 s 2 are each amended to
7 read as follows:

8 (1) The office of the superintendent of public instruction, in
9 collaboration with the state board for community and technical
10 colleges, the Washington state apprenticeship and training council, the
11 workforce training and education coordinating board, (~~the higher
12 education coordinating board,~~) and the public baccalaureate
13 institutions, shall report by September 1, 2010, and annually
14 thereafter to the education and higher education committees of the
15 legislature regarding participation in dual credit programs. The
16 report shall include:

17 (a) Data about student participation rates and academic performance
18 including but not limited to running start, college in the high school,
19 tech prep, international baccalaureate, advanced placement, and running
20 start for the trades;

21 (b) Data on the total unduplicated head count of students enrolled
22 in at least one dual credit program course; and

23 (c) The percentage of students who enrolled in at least one dual
24 credit program as percent of all students enrolled in grades nine
25 through twelve.

26 (2) Data on student participation shall be disaggregated by race,
27 ethnicity, gender, and receipt of free or reduced-price lunch.

28 **Sec. 506.** RCW 28A.600.290 and 2009 c 450 s 3 are each amended to
29 read as follows:

30 (1) The superintendent of public instruction, the state board for
31 community and technical colleges, (~~the higher education coordinating
32 board,~~) and the public baccalaureate institutions shall jointly
33 develop and each adopt rules governing the college in the high school
34 program. The association of Washington school principals shall be
35 consulted during the rules development. The rules shall be written to

1 encourage the maximum use of the program and may not narrow or limit
2 the enrollment options.

3 (2) College in the high school programs shall each be governed by
4 a local contract between the district and the institution of higher
5 education, in compliance with the guidelines adopted by the
6 superintendent of public instruction, the state board for community and
7 technical colleges, and the public baccalaureate institutions.

8 (3) The college in the high school program must include the
9 provisions in this subsection.

10 (a) The high school and institution of higher education together
11 shall define the criteria for student eligibility. The institution of
12 higher education may charge tuition fees to participating students.

13 (b) School districts shall report no student for more than one
14 full-time equivalent including college in the high school courses.

15 (c) The funds received by the institution of higher education may
16 not be deemed tuition or operating fees and may be retained by the
17 institution of higher education.

18 (d) Enrollment information on persons registered under this section
19 must be maintained by the institution of higher education separately
20 from other enrollment information and may not be included in official
21 enrollment reports, nor may such persons be considered in any
22 enrollment statistics that would affect higher education budgetary
23 determinations.

24 (e) A school district must grant high school credit to a student
25 enrolled in a program course if the student successfully completes the
26 course. If no comparable course is offered by the school district, the
27 school district superintendent shall determine how many credits to
28 award for the course. The determination shall be made in writing
29 before the student enrolls in the course. The credits shall be applied
30 toward graduation requirements and subject area requirements. Evidence
31 of successful completion of each program course shall be included in
32 the student's secondary school records and transcript.

33 (f) An institution of higher education must grant college credit to
34 a student enrolled in a program course if the student successfully
35 completes the course. The college credit shall be applied toward
36 general education requirements or major requirements. If no comparable
37 course is offered by the college, the institution of higher education
38 at which the teacher of the program course is employed shall determine

1 how many credits to award for the course and whether the course
2 fulfills general education or major requirements. Evidence of
3 successful completion of each program course must be included in the
4 student's college transcript.

5 (g) Eleventh and twelfth grade students or students who have not
6 yet received a high school diploma or its equivalent and are eligible
7 to be in the eleventh or twelfth grades may participate in the college
8 in the high school program.

9 (h) Participating school districts must provide general information
10 about the college in the high school program to all students in grades
11 ten, eleven, and twelve and to the parents and guardians of those
12 students.

13 (i) Full-time and part-time faculty at institutions of higher
14 education, including adjunct faculty, are eligible to teach program
15 courses.

16 (4) The definitions in this subsection apply throughout this
17 section.

18 (a) "Institution of higher education" has the meaning in RCW
19 28B.10.016 and also includes a public tribal college located in
20 Washington and accredited by the Northwest commission on colleges and
21 universities or another accrediting association recognized by the
22 United States department of education.

23 (b) "Program course" means a college course offered in a high
24 school under the college in the high school program.

25 **Sec. 507.** RCW 28A.600.310 and 2009 c 450 s 8 are each amended to
26 read as follows:

27 (1) Eleventh and twelfth grade students or students who have not
28 yet received the credits required for the award of a high school
29 diploma and are eligible to be in the eleventh or twelfth grades may
30 apply to a participating institution of higher education to enroll in
31 courses or programs offered by the institution of higher education. A
32 student receiving home-based instruction enrolling in a public high
33 school for the sole purpose of participating in courses or programs
34 offered by institutions of higher education shall not be counted by the
35 school district in any required state or federal accountability
36 reporting if the student's parents or guardians filed a declaration of
37 intent to provide home-based instruction and the student received home-

1 based instruction during the school year before the school year in
2 which the student intends to participate in courses or programs offered
3 by the institution of higher education. Students receiving home-based
4 instruction under chapter 28A.200 RCW and students attending private
5 schools approved under chapter 28A.195 RCW shall not be required to
6 meet the student learning goals, obtain a certificate of academic
7 achievement or a certificate of individual achievement to graduate from
8 high school, or to master the essential academic learning requirements.
9 However, students are eligible to enroll in courses or programs in
10 participating universities only if the board of directors of the
11 student's school district has decided to participate in the program.
12 Participating institutions of higher education, in consultation with
13 school districts, may establish admission standards for these students.
14 If the institution of higher education accepts a secondary school pupil
15 for enrollment under this section, the institution of higher education
16 shall send written notice to the pupil and the pupil's school district
17 within ten days of acceptance. The notice shall indicate the course
18 and hours of enrollment for that pupil.

19 (2) In lieu of tuition and fees, as defined in RCW 28B.15.020 and
20 28B.15.041, running start students shall pay to the community or
21 technical college all other mandatory fees as established by each
22 community or technical college; and all other institutions of higher
23 education operating a running start program may charge technology fees.
24 The fees charged shall be prorated based on credit load.

25 (3) The institutions of higher education must make available fee
26 waivers for low-income running start students. Each institution must
27 establish a written policy for the determination of low-income students
28 before offering the fee waiver. A student shall be considered low
29 income and eligible for a fee waiver upon proof that the student is
30 currently qualified to receive free or reduced-price lunch. Acceptable
31 documentation of low-income status may also include, but is not limited
32 to, documentation that a student has been deemed eligible for free or
33 reduced-price lunches in the last five years, or other criteria
34 established in the institution's policy.

35 (4) The pupil's school district shall transmit to the institution
36 of higher education an amount per each full-time equivalent college
37 student at statewide uniform rates for vocational and nonvocational
38 students. The superintendent of public instruction shall separately

1 calculate and allocate moneys appropriated for basic education under
2 RCW 28A.150.260 to school districts for purposes of making such
3 payments and for granting school districts seven percent thereof to
4 offset program related costs. The calculations and allocations shall
5 be based upon the estimated statewide annual average per full-time
6 equivalent high school student allocations under RCW 28A.150.260,
7 excluding small high school enhancements, and applicable rules adopted
8 under chapter 34.05 RCW. The superintendent of public instruction(~~(~~
9 ~~the higher education coordinating board,~~~~)~~) and the state board for
10 community and technical colleges shall consult on the calculation and
11 distribution of the funds. The funds received by the institution of
12 higher education from the school district shall not be deemed tuition
13 or operating fees and may be retained by the institution of higher
14 education. A student enrolled under this subsection shall be counted
15 for the purpose of meeting enrollment targets in accordance with terms
16 and conditions specified in the omnibus appropriations act.

17 (5) The state board for community and technical colleges, in
18 collaboration with the other institutions of higher education that
19 participate in the running start program and the office of the
20 superintendent of public instruction, shall identify, assess, and
21 report on alternatives for providing ongoing and adequate financial
22 support for the program. Such alternatives shall include but are not
23 limited to student tuition, increased support from local school
24 districts, and reallocation of existing state financial support among
25 the community and technical college system to account for differential
26 running start enrollment levels and impacts. The state board for
27 community and technical colleges shall report the assessment of
28 alternatives to the governor and to the appropriate fiscal and policy
29 committees of the legislature by September 1, 2010.

30 **Sec. 508.** RCW 28A.600.390 and 1994 c 205 s 10 are each amended to
31 read as follows:

32 The superintendent of public instruction(~~(~~) and the state board
33 for community and technical colleges(~~(~~~~and the higher education~~
34 ~~coordinating board)~~) shall jointly develop and adopt rules governing
35 RCW 28A.600.300 through 28A.600.380, if rules are necessary. The rules
36 shall be written to encourage the maximum use of the program and shall

1 not narrow or limit the enrollment options under RCW 28A.600.300
2 through 28A.600.380.

3 **Sec. 509.** RCW 28A.630.400 and 2006 c 263 s 815 are each amended to
4 read as follows:

5 (1) The professional educator standards board and the state board
6 for community and technical colleges, in consultation with the
7 superintendent of public instruction, (~~the higher education~~
8 ~~coordinating board,~~) the state apprenticeship training council, and
9 community colleges, shall adopt rules as necessary under chapter 34.05
10 RCW to implement the paraeducator associate of arts degree.

11 (2) As used in this section, a "paraeducator" is an individual who
12 has completed an associate of arts degree for a paraeducator. The
13 paraeducator may be hired by a school district to assist certificated
14 instructional staff in the direct instruction of children in small and
15 large groups, individualized instruction, testing of children,
16 recordkeeping, and preparation of materials. The paraeducator shall
17 work under the direction of instructional certificated staff.

18 (3) The training program for a paraeducator associate of arts
19 degree shall include, but is not limited to, the general requirements
20 for receipt of an associate of arts degree and training in the areas of
21 introduction to childhood education, orientation to children with
22 disabilities, fundamentals of childhood education, creative activities
23 for children, instructional materials for children, fine art
24 experiences for children, the psychology of learning, introduction to
25 education, child health and safety, child development and guidance,
26 first aid, and a practicum in a school setting.

27 (4) Consideration shall be given to transferability of credit
28 earned in this program to teacher preparation programs at colleges and
29 universities.

30 **Sec. 510.** RCW 28A.650.015 and 2009 c 556 s 17 are each amended to
31 read as follows:

32 (1) The superintendent of public instruction, to the extent funds
33 are appropriated, shall develop and implement a Washington state K-12
34 education technology plan. The technology plan shall be updated on at
35 least a biennial basis, shall be developed to coordinate and expand the

1 use of education technology in the common schools of the state. The
2 plan shall be consistent with applicable provisions of chapter 43.105
3 RCW. The plan, at a minimum, shall address:

4 (a) The provision of technical assistance to schools and school
5 districts for the planning, implementation, and training of staff in
6 the use of technology in curricular and administrative functions;

7 (b) The continued development of a network to connect school
8 districts, institutions of higher learning, and other sources of online
9 information; and

10 (c) Methods to equitably increase the use of education technology
11 by students and school personnel throughout the state.

12 (2) The superintendent of public instruction shall appoint an
13 educational technology advisory committee to assist in the development
14 and implementation of the technology plan in subsection (1) of this
15 section. The committee shall include, but is not limited to, persons
16 representing: The department of information services, educational
17 service districts, school directors, school administrators, school
18 principals, teachers, classified staff, higher education faculty,
19 parents, students, business, labor, scientists and mathematicians,
20 (~~the higher education coordinating board,~~) the workforce training and
21 education coordinating board, and the state library.

22 (3) The plan adopted and implemented under this section may not
23 impose on school districts any requirements that are not specifically
24 required by federal law or regulation, including requirements to
25 maintain eligibility for the federal schools and libraries program of
26 the universal service fund.

27 **Sec. 511.** RCW 28A.700.020 and 2008 c 170 s 102 are each amended to
28 read as follows:

29 (1) The office of the superintendent of public instruction, in
30 consultation with the workforce training and education coordinating
31 board, the Washington state apprenticeship and training council, and
32 the state board for community and technical colleges, shall develop a
33 list of statewide high-demand programs for secondary career and
34 technical education. The list shall be developed using the high-demand
35 list maintained by workforce development councils in consultation with
36 the employment security department(~~(7)~~) and the high employer demand
37 programs of study identified by the workforce training and education

1 coordinating board(~~(, and the high employer demand programs of study~~
2 ~~identified by the higher education coordinating board)~~). Local school
3 districts may recommend additional high-demand programs in consultation
4 with local career and technical education advisory committees by
5 submitting evidence of local high demand.

6 (2) As used in this section and in RCW 28A.700.040, 28A.700.050,
7 and 28A.700.060(~~(, and section 307 of this act)~~):

8 (a) "High-demand program" means a career and technical education
9 program that prepares students for either a high employer demand
10 program of study or a high-demand occupation, or both.

11 (b) "High employer demand program of study" means an apprenticeship
12 or an undergraduate or graduate certificate or degree program in which
13 the number of students per year prepared for employment from in-state
14 programs is substantially fewer than the number of projected job
15 openings per year in that field, either statewide or in a substate
16 region.

17 (c) "High-demand occupation" means an occupation with a substantial
18 number of current or projected employment opportunities.

19 **Sec. 512.** RCW 28A.700.060 and 2008 c 170 s 107 are each amended to
20 read as follows:

21 (1) The office of the superintendent of public instruction, the
22 workforce training and education coordinating board, the state board
23 for community and technical colleges, (~~(the higher education~~
24 ~~coordinating board,~~) and the council of presidents shall work with
25 local school districts, workforce education programs in colleges, tech
26 prep consortia, and four-year institutions of higher education to
27 develop model career and technical education programs of study as
28 described by this section.

29 (2) Career and technical education programs of study:

30 (a) Incorporate secondary and postsecondary education elements;

31 (b) Include coherent and rigorous academic content aligned with
32 state learning standards and relevant career and technical content in
33 a coordinated, nonduplicative progression of courses that are aligned
34 with postsecondary education in a related field;

35 (c) Include opportunities for students to earn dual high school and
36 college credit; and

1 (d) Lead to an industry-recognized credential or certificate at the
2 postsecondary level, or an associate or baccalaureate degree.

3 (3) During the 2008-09 school year, model career and technical
4 education programs of study shall be developed for the following
5 high-demand programs: Construction, health care, and information
6 technology. Each school year thereafter, the office of the
7 superintendent of public instruction, the state board for community and
8 technical colleges, (~~the higher education coordinating board,~~) and
9 the workforce training and education coordinating board shall select
10 additional programs of study to develop, with a priority on high-demand
11 programs as identified under RCW 28A.700.020.

12 **Sec. 513.** RCW 28B.10.125 and 2000 c 166 s 2 are each amended to
13 read as follows:

14 (1) Beginning in April 2000, representatives of the public
15 baccalaureate institutions designated by the council of presidents, in
16 consultation with representatives of the community and technical
17 colleges (~~and representatives of the higher education coordinating~~
18 ~~board~~), shall convene an interinstitutional group to begin to: (a)
19 Develop a definition of information and technology literacy; (b)
20 develop strategies or standards by which to measure the achievement of
21 information and technology literacy; and (c) develop a financial
22 assessment of the cost of implementation.

23 (2) The baccalaureate institutions shall provide the house of
24 representatives and senate committees on higher education with a
25 progress report in January 2001.

26 (3) By the end of January 2002, the baccalaureate institutions
27 shall deliver to the house of representatives and senate committees on
28 higher education a report detailing: (a) The definition of information
29 and technology literacy; (b) strategies or standards for measurement;
30 (c) institutionally specific plans for implementation; and (d) an
31 evaluation of the feasibility of implementation taking into
32 consideration cost.

33 (4) If the legislature determines that implementation is feasible,
34 the public baccalaureate institutions shall pilot test strategies to
35 assess and report on information and technology literacy during the
36 2002-03 academic year.

1 (5) By the end of January 2004, the institutions shall report to
2 the house of representatives and senate committees on higher education
3 the results of the 2002-03 pilot study.

4 (6) Implementation of assessment strategies shall begin in the
5 academic year 2003-04.

6 ~~((7) The higher education coordinating board shall report results
7 to the house of representatives and senate committees on higher
8 education in the 2005 legislative session.))~~

9 **Sec. 514.** RCW 28B.10.5691 and 2008 c 168 s 2 are each amended to
10 read as follows:

11 (1) Each institution of higher education shall take the following
12 actions:

13 (a) By October 30, 2008, submit a self-study assessing its ability
14 to facilitate the safety of students, faculty, staff, administration,
15 and visitors on each campus, including an evaluation of the
16 effectiveness of these measures, an assessment of the institution's
17 ability to disseminate information in a timely and efficient manner to
18 students, faculty, and staff, an evaluation of the institution's
19 ability to provide an appropriate level of mental health services, and
20 an action plan and timelines describing plans to maximize program
21 effectiveness for the next two biennia. Four-year institutions shall
22 submit their studies to the ~~((higher education coordinating board))~~
23 office of financial management. Community and technical colleges shall
24 submit their studies to the state board for community and technical
25 colleges.

26 (b) By October 30th of each even-numbered year, beginning in 2010,
27 each institution shall submit an update to its ~~((campus safety))~~
28 campus safety plan, including an assessment of the results of
29 activities undertaken under any previous plan to address unmet safety
30 issues, and additional activities, or modifications of current
31 activities, to be undertaken to address remaining safety issues at the
32 institution.

33 (2) The ~~((higher education coordinating board))~~ four-year
34 institutions of higher education and the state board for community and
35 technical colleges shall report biennially, beginning December 31,
36 2010, to the governor and the higher education committees of the house
37 of representatives and the senate on:

1 (a) The efforts of each institution and the extent to which it has
2 complied with RCW 28B.10.569 and subsection (1)(b) of this section; and

3 (b) Recommendations on measures to assist institutions to ensure
4 and enhance campus safety.

5 **Sec. 515.** RCW 28B.15.068 and 2009 c 540 s 1 are each amended to
6 read as follows:

7 (1) Beginning with the 2007-08 academic year and ending with the
8 2016-17 academic year, tuition fees charged to full-time resident
9 undergraduate students, except in academic years 2009-10 and 2010-11,
10 may increase no greater than seven percent over the previous academic
11 year in any institution of higher education. Annual reductions or
12 increases in full-time tuition fees for resident undergraduate students
13 shall be as provided in the omnibus appropriations act, within the
14 seven percent increase limit established in this section. For academic
15 years 2009-10 and 2010-11 the omnibus appropriations act may provide
16 tuition increases greater than seven percent. To the extent that state
17 appropriations combined with tuition and fee revenues are insufficient
18 to achieve the total per-student funding goals established in
19 subsection (2) of this section, the legislature may revisit state
20 appropriations, authorized enrollment levels, and changes in tuition
21 fees for any given fiscal year.

22 (2) The state shall adopt as its goal total per-student funding
23 levels, from state appropriations plus tuition and fees, of at least
24 the sixtieth percentile of total per-student funding at similar public
25 institutions of higher education in the global challenge states. In
26 defining comparable per-student funding levels, the office of financial
27 management shall adjust for regional cost-of-living differences; for
28 differences in program offerings and in the relative mix of lower
29 division, upper division, and graduate students; and for accounting and
30 reporting differences among the comparison institutions. The office of
31 financial management shall develop a funding trajectory for each four-
32 year institution of higher education and for the community and
33 technical college system as a whole that when combined with tuition and
34 fees revenue allows the state to achieve its funding goal for each
35 four-year institution and the community and technical college system as
36 a whole no later than fiscal year 2017. The state shall not reduce
37 enrollment levels below fiscal year 2007 budgeted levels in order to

1 improve or alter the per-student funding amount at any four-year
2 institution of higher education or the community and technical college
3 system as a whole. The state recognizes that each four-year
4 institution of higher education and the community and technical college
5 system as a whole have different funding requirements to achieve
6 desired performance levels, and that increases to the total per-student
7 funding amount may need to exceed the minimum funding goal.

8 (3) By September 1st of each year beginning in 2008, the office of
9 financial management shall report to the governor(~~(, the higher~~
10 ~~education coordinating board,)~~) and appropriate committees of the
11 legislature with updated estimates of the total per-student funding
12 level that represents the sixtieth percentile of funding for comparable
13 institutions of higher education in the global challenge states, and
14 the progress toward that goal that was made for each of the public
15 institutions of higher education.

16 (4) As used in this section, "global challenge states" are the top
17 performing states on the new economy index published by the progressive
18 policy institute as of July 22, 2007. The new economy index ranks
19 states on indicators of their potential to compete in the new economy.
20 At least once every five years, the office of financial management
21 shall determine if changes to the list of global challenge states are
22 appropriate. The office of financial management shall report its
23 findings to the governor and the legislature.

24 (5) During the 2009-10 and the 2010-11 academic years, institutions
25 of higher education shall include information on their billing
26 statements notifying students of tax credits available through the
27 American opportunity tax credit provided in the American recovery and
28 reinvestment act of 2009.

29 **Sec. 516.** RCW 28B.15.730 and 1993 sp.s. c 18 s 27 are each amended
30 to read as follows:

31 Subject to the limitations of RCW 28B.15.910, the state board for
32 community and technical colleges and the governing boards of the state
33 universities, the regional universities, the community colleges, and
34 The Evergreen State College may waive all or a portion of the
35 nonresident tuition fees differential for residents of Oregon, upon
36 completion of and to the extent permitted by an agreement between the

1 ((~~higher education coordinating~~)) boards and appropriate officials and
2 agencies in Oregon granting similar waivers for residents of the state
3 of Washington.

4 **Sec. 517.** RCW 28B.15.734 and 1985 c 370 s 71 are each amended to
5 read as follows:

6 The ((~~higher education coordinating board~~)) state board for
7 community and technical colleges and the governing boards of the state
8 universities, the regional universities, and The Evergreen State
9 College may enter into an agreement with appropriate officials or
10 agencies in Oregon to implement the provisions of RCW 28B.15.730
11 through 28B.15.734.

12 **Sec. 518.** RCW 28B.15.750 and 1993 sp.s. c 18 s 29 are each amended
13 to read as follows:

14 Subject to the limitations of RCW 28B.15.910, the governing boards
15 of the state universities, the regional universities, and The Evergreen
16 State College and the state board for community and technical colleges
17 may waive all or a portion of the nonresident tuition fees differential
18 for residents of Idaho, upon completion of and to the extent permitted
19 by an agreement between the ((~~higher education coordinating~~)) boards
20 and appropriate officials and agencies in Idaho granting similar
21 waivers for residents of the state of Washington.

22 **Sec. 519.** RCW 28B.15.754 and 1987 c 446 s 1 are each amended to
23 read as follows:

24 The ((~~higher education coordinating board~~)) state board for
25 community and technical colleges and the governing boards of the state
26 universities, the regional universities, and The Evergreen State
27 College may enter into an agreement with appropriate officials or
28 agencies in the state of Idaho to implement RCW 28B.15.750 and
29 28B.15.752. By January ((~~10~~)) 1st of each odd-numbered year, the
30 student financial assistance board shall review the costs and benefits
31 of any agreement entered into under RCW 28B.15.750 and shall transmit
32 copies of their review to the governor and the appropriate policy and
33 fiscal committees of the legislature.

1 **Sec. 520.** RCW 28B.15.756 and 1993 sp.s. c 18 s 30 are each amended
2 to read as follows:

3 Subject to the limitations of RCW 28B.15.910, the governing boards
4 of the state universities, the regional universities, and The Evergreen
5 State College and the state board for community and technical colleges
6 may waive all or a portion of the nonresident tuition fees differential
7 for residents of the Canadian province of British Columbia, upon
8 completion of and to the extent permitted by an agreement between the
9 (~~higher education coordinating~~) boards and appropriate officials and
10 agencies in the Canadian province of British Columbia providing for
11 enrollment opportunities for residents of the state of Washington
12 without payment of tuition or fees in excess of those charged to
13 residents of British Columbia.

14 **Sec. 521.** RCW 28B.15.758 and 1987 c 446 s 3 are each amended to
15 read as follows:

16 The (~~higher education coordinating board~~) state board for
17 community and technical colleges and the governing boards of the state
18 universities, the regional universities, and The Evergreen State
19 College may enter into an agreement with appropriate officials or
20 agencies in the Canadian province of British Columbia to implement RCW
21 28B.15.756. The agreement should provide for a balanced exchange of
22 enrollment opportunities, without payment of excess tuition or fees,
23 for residents of the state of Washington or the Canadian province of
24 British Columbia. By January 10th of each odd-numbered year, the
25 (~~board~~) state board for community and technical colleges and the
26 governing boards of the state universities, the regional universities,
27 and The Evergreen State College shall review the costs and benefits of
28 any agreement entered into under RCW 28B.15.756 and shall transmit
29 copies of their reviews to the governor and the appropriate policy and
30 fiscal committees of the legislature.

31 **Sec. 522.** RCW 28B.15.796 and 1991 c 228 s 4 are each amended to
32 read as follows:

33 The council of presidents(~~(, in consultation with the higher~~
34 ~~education coordinating board,)~~) shall convene a task force of
35 representatives from the four-year universities and colleges. The task
36 force shall:

1 (1) Review institutional policies and procedures designed to ensure
2 that faculty and teaching assistants are able to communicate
3 effectively with undergraduate students in classrooms and laboratories;

4 (2) Research methods and procedures designed to improve the
5 communication and teaching skills of any person funded by state money
6 who instructs undergraduate students in classrooms and laboratories;

7 (3) Share the results of that research with each participating
8 university and college; and

9 (4) Work with each participating university and college to assist
10 the institution in its efforts to improve the communication and
11 pedagogical skills of faculty and teaching assistants instructing
12 undergraduate students.

13 **Sec. 523.** RCW 28B.20.308 and 2009 c 466 s 2 are each amended to
14 read as follows:

15 (1) A global Asia institute is created within the Henry M. Jackson
16 School of International Studies. The mission of the institute is to
17 promote the understanding of Asia and its interactions with Washington
18 state and the world. The institute shall host visiting scholars and
19 policymakers, sponsor programs and learning initiatives, engage in
20 collaborative research projects, and facilitate broader understanding
21 and cooperation between the state of Washington and Asia through
22 general public programs and targeted collaborations with specific
23 communities in the state.

24 (2) Within existing resources, a global Asia institute advisory
25 board is established. The director of the Henry M. Jackson School of
26 International Studies shall appoint members of the advisory board and
27 determine the advisory board's roles and responsibilities. The board
28 shall include members representing academia, business, and government.

29 ~~((3) The higher education coordinating board may solicit, accept,
30 receive, and administer federal funds or private funds, in trust or
31 otherwise, and contract with foundations or with for-profit or
32 nonprofit organizations to support the purposes of this section.))~~

33 **Sec. 524.** RCW 28B.20.478 and 2009 c 465 s 1 are each amended to
34 read as follows:

35 ~~((1))~~ A University of Washington center for human rights is
36 created. The mission of the center is to expand opportunities for

1 Washington residents to receive a world-class education in human
2 rights, generate research data and expert knowledge to enhance public
3 and private policymaking, and become an academic center for human
4 rights teaching and research in the nation. The center shall align
5 with the founding principles and philosophies of the United States of
6 America and engage faculty, staff, and students in service to enhance
7 the promise of life and liberty as outlined in the Preamble of the
8 United States Constitution. Key substantive issues for the center
9 include: The rights of all persons to security against violence; the
10 rights of immigrants, native Americans, and ethnic or religious
11 minorities; human rights and the environment; health as a human right;
12 human rights and trade; the human rights of working people; and women's
13 rights as human rights. State funds may not be used to support the
14 center for human rights created in this section.

15 ~~((2) The higher education coordinating board and the University of
16 Washington may solicit, accept, receive, and administer federal funds
17 or private funds, in trust or otherwise, and contract with foundations
18 or with for-profit or nonprofit organizations to support the purposes
19 of this section.))~~

20 **Sec. 525.** RCW 28B.30.530 and 2009 c 486 s 1 are each amended to
21 read as follows:

22 (1) The board of regents of Washington State University shall
23 establish the Washington State University small business development
24 center.

25 (2) The center shall provide management and technical assistance
26 including but not limited to training, counseling, and research
27 services to small businesses throughout the state. The center shall
28 work with the department of ~~((community, trade, and economic
29 development))~~ commerce, the state board for community and technical
30 colleges, ~~((the higher education coordinating board,))~~ the workforce
31 training and education coordinating board, the employment security
32 department, the Washington state economic development commission,
33 associate development organizations, and workforce development councils
34 to:

35 (a) Integrate small business development centers with other state
36 and local economic development and workforce development programs;

37 (b) Target the centers' services to small businesses;

1 (c) Tailor outreach and services at each center to the needs and
2 demographics of entrepreneurs and small businesses located within the
3 service area;

4 (d) Establish and expand small business development center
5 satellite offices when financially feasible; and

6 (e) Coordinate delivery of services to avoid duplication.

7 (3) The administrator of the center may contract with other public
8 or private entities for the provision of specialized services.

9 (4) The small business development center may accept and disburse
10 federal grants or federal matching funds or other funds or donations
11 from any source when made, granted, or donated to carry out the
12 center's purposes. When drawing on funds from the business assistance
13 account created in RCW (~~(30.60.010)~~) 28B.30.531, the center must first
14 use the funds to make increased management and technical assistance
15 available to small and start-up businesses at satellite offices. The
16 funds may also be used to develop and expand assistance programs such
17 as small business planning workshops and small business counseling.

18 (5) The legislature directs the small business development center
19 to request United States small business administration approval of a
20 special emphasis initiative, as permitted under 13 C.F.R. 130.340(c) as
21 of April 1, 2009, to target assistance to Washington state's smaller
22 businesses. This initiative would be negotiated and included in the
23 first cooperative agreement application process that occurs after July
24 26, 2009.

25 (6) By December 1, 2009, and December 1, 2010, respectively, the
26 center shall provide a written progress report and a final report to
27 the appropriate committees of the legislature with respect to the
28 requirements in subsections (2) and (5) of this section and the amount
29 and use of funding received through the business assistance account.
30 The reports must also include data on the number, location, staffing,
31 and budget levels of satellite offices; affiliations with community
32 colleges, associate development organizations or other local
33 organizations; the number, size, and type of small businesses assisted;
34 and the types of services provided. The reports must also include
35 information on the outcomes achieved, such as jobs created or retained,
36 private capital invested, and return on the investment of state and
37 federal dollars.

1 **Sec. 526.** RCW 28B.45.080 and 2004 c 57 s 5 are each amended to
2 read as follows:

3 The ((higher education coordinating board)) state board for
4 community and technical colleges and the governing boards of the state
5 universities, the regional universities, and The Evergreen State
6 College shall adopt performance measures to ensure a collaborative
7 partnership between the community and technical colleges and the branch
8 campuses. The partnership shall be one in which the community and
9 technical colleges prepare students for transfer to the upper-division
10 programs of the branch campuses and the branch campuses work with
11 community and technical colleges to enable students to transfer and
12 obtain degrees efficiently.

13 **Sec. 527.** RCW 28B.65.040 and 1995 c 399 s 29 are each amended to
14 read as follows:

15 (1) The Washington high-technology coordinating board is hereby
16 created.

17 (2) The board shall be composed of ((eighteen)) seventeen members
18 as follows:

19 (a) Eleven shall be citizen members appointed by the governor, with
20 the consent of the senate, for four-year terms. In making the
21 appointments the governor shall ensure that a balanced geographic
22 representation of the state is achieved and shall attempt to choose
23 persons experienced in high-technology fields, including at least one
24 representative of labor. Any person appointed to fill a vacancy
25 occurring before a term expires shall be appointed only for the
26 remainder of that term; and

27 (b) ((Seven)) Six of the members shall be as follows: One
28 representative from each of the state's two research universities, one
29 representative of the state college and regional universities, the
30 director for the state system of community and technical colleges or
31 the director's designee, the superintendent of public instruction or
32 the superintendent's designee, ((a representative of the higher
33 education coordinating board,)) and the director of the department of
34 ((community, trade, and economic development)) commerce or the
35 director's designee.

36 (3) Members of the board shall not receive any salary for their

1 services, but shall be reimbursed for travel expenses under RCW
2 43.03.050 and 43.03.060 for each day actually spent in attending to
3 duties as a member of the board.

4 (4) A citizen member of the board shall not be, during the term of
5 office, a member of the governing board of any public or private
6 educational institution, or an employee of any state or local agency.

7 **Sec. 528.** RCW 28B.67.010 and 2006 c 112 s 2 are each amended to
8 read as follows:

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

11 (1) "Board" means the state board for community and technical
12 colleges.

13 (2) "Costs of training" and "training costs" means the direct costs
14 experienced under a contract with a qualified training institution for
15 formal technical or skill training, including basic skills. "Costs of
16 training" includes amounts in the contract for costs of instruction,
17 materials, equipment, rental of class space, marketing, and overhead.
18 "Costs of training" does not include employee tuition reimbursements
19 unless the tuition reimbursement is specifically included in a
20 contract.

21 (3) "Participant" means a private employer that, under this
22 chapter, undertakes a training program with a qualified training
23 institution.

24 (4) "Qualified training institution" means a public community or
25 technical college or a private vocational school licensed by ((either))
26 the workforce training and education coordinating board ((~~or the higher~~
27 ~~education coordinating board~~)).

28 (5) "Training allowance" and "allowance" means a voucher, credit,
29 or payment from the board to a participant to cover training costs.

30 (6) "Training program" means a program funded under this chapter at
31 a qualified training institution.

32 **Sec. 529.** RCW 28B.103.030 and 1994 c 234 s 7 are each amended to
33 read as follows:

34 (1) Participants in the conditional scholarship program incur an
35 obligation to repay the conditional scholarship, with interest, unless

1 they serve in the Washington national guard for one additional year for
2 each year of conditional scholarship received, under rules adopted by
3 the office.

4 (2) The entire principal and interest of each yearly repayment
5 shall be forgiven for each additional year in which a participant
6 serves in the Washington national guard, under rules adopted by the
7 office.

8 (3) If a participant elects to repay the conditional scholarship,
9 the period of repayment shall be four years, with payments accruing
10 quarterly commencing nine months from the date that the participant
11 leaves the Washington national guard or withdraws from the institution
12 of higher education, whichever comes first. The interest rate on the
13 repayments shall be eight percent per year. Provisions for deferral
14 and forgiveness shall be determined by the office.

15 (4) The office is responsible for collection of repayments made
16 under this section. The office shall exercise due diligence in such
17 collection, maintaining all necessary records to ensure that maximum
18 repayments are made. Collection and servicing of repayments under this
19 section shall be pursued using the full extent of law, including wage
20 garnishment if necessary. The office is responsible to forgive all or
21 parts of such repayments under the criteria established in this
22 section, and shall maintain all necessary records of forgiven payments.
23 The office may contract (~~with the higher education coordinating~~
24 ~~board~~) for collection of repayments under this section.

25 (5) Receipts from the payment of principal or interest paid by or
26 on behalf of participants shall be deposited with the office and shall
27 be used to cover the costs of granting the conditional scholarships,
28 maintaining necessary records, and making collections under subsection
29 (4) of this section. The office shall maintain accurate records of
30 these costs, and all receipts beyond those necessary to pay such costs
31 shall be used to grant conditional scholarships to eligible students.

32 **Sec. 530.** RCW 28C.10.030 and 1994 sp.s. c 9 s 723 are each amended
33 to read as follows:

34 This chapter does not apply to:

35 (1) Bona fide trade, business, professional, or fraternal
36 organizations sponsoring educational programs primarily for that

1 organization's membership or offered by that organization on a no-fee
2 basis;

3 (2) Entities offering education that is exclusively avocational or
4 recreational;

5 (3) Education not requiring payment of money or other consideration
6 if this education is not advertised or promoted as leading toward
7 educational credentials;

8 (4) Entities that are established, operated, and governed by this
9 state or its political subdivisions under Title 28A, 28B, or 28C RCW;

10 (5) ~~((Degree-granting programs in compliance with the rules of the
11 higher education coordinating board;~~

12 ~~(+6))~~ Any other entity to the extent that it has been exempted from
13 some or all of the provisions of this chapter under RCW 28C.10.100;

14 ~~((+7))~~ (6) Entities not otherwise exempt that are of a religious
15 character, but only as to those educational programs exclusively
16 devoted to religious or theological objectives and represented
17 accurately in institutional catalogs or other official publications;

18 ~~((+8))~~ (7) Entities offering only courses certified by the federal
19 aviation administration;

20 ~~((+9))~~ (8) Barber and cosmetology schools licensed under chapter
21 18.16 RCW;

22 ~~((+10))~~ (9) Entities which only offer courses approved to meet the
23 continuing education requirements for licensure under chapter 18.04,
24 18.79, or 48.17 RCW; and

25 ~~((+11))~~ (10) Entities not otherwise exempt offering only workshops
26 or seminars lasting no longer than three calendar days.

27 **Sec. 531.** RCW 28C.10.040 and 1994 c 38 s 5 are each amended to
28 read as follows:

29 The agency:

30 (1) Shall maintain a list of private vocational schools licensed
31 under this chapter;

32 (2) Shall adopt rules in accordance with chapter 34.05 RCW to carry
33 out this chapter;

34 (3) May investigate any entity the agency reasonably believes to be
35 subject to the jurisdiction of this chapter. In connection with the
36 investigation, the agency may administer oaths and affirmations, issue
37 subpoenas and compel attendance, take evidence, and require the

1 production of any books, papers, correspondence, memorandums, or other
2 records which the agency deems relevant or material to the
3 investigation. The agency, including its staff and any other
4 authorized persons, may conduct site inspections and examine records of
5 all schools subject to this chapter;

6 ~~((4) Shall develop an interagency agreement with the higher
7 education coordinating board to regulate degree-granting private
8 vocational schools with respect to degree and nondegree programs.))~~

9 **Sec. 532.** RCW 28C.18.030 and 1996 c 99 s 3 are each amended to
10 read as follows:

11 The purpose of the board is to provide planning, coordination,
12 evaluation, monitoring, and policy analysis for the state training
13 system as a whole, and advice to the governor and legislature
14 concerning the state training system, in cooperation with the state
15 training system ~~((and the higher education coordinating board))~~.

16 **Sec. 533.** RCW 28C.18.132 and 2008 c 258 s 2 are each amended to
17 read as follows:

18 (1) To the extent funds are appropriated specifically for this
19 purpose and in partnership with the state board for community and
20 technical colleges, the board shall convene a work group that includes
21 representatives from the prosperity partnership, the technology
22 alliance, ~~((the higher education coordinating board,))~~ a private career
23 or vocational school, a four-year public institution of higher
24 education, the council of faculty representatives, the united faculty
25 of Washington state, community and technical college faculty, and a
26 community and technical college student, to take the following actions
27 related to electronically distributed learning:

28 (a) Identify and evaluate current national private employer
29 workplace-based educational programs with electronically distributed
30 learning components provided by public colleges and universities. The
31 evaluation shall include:

32 (i) A review of the literature and interviews of practitioners
33 about promising practices and results;

34 (ii) An initial determination of feasibility based on targeted
35 populations served, subject matter, and level of education;

1 (iii) An overview of technological considerations and adult
2 learning strategies for distribution of learning to employer sites; and

3 (iv) An overview of cost factors, including shared costs or
4 coinvestments by public and private partners;

5 (b) Review and, to the extent necessary, establish standards and
6 best practices regarding electronically distributed learning and
7 related support services including online help desk support, advising,
8 mentoring, counseling, and tutoring;

9 (c) Recommend methods to increase student access to electronically
10 distributed learning programs of study and identify barriers to
11 programs of study participation and completion;

12 (d) Determine methods to increase the institutional supply and
13 quality of open course materials, with a focus on the OpenCourseWare
14 initiative at the Massachusetts Institute of Technology;

15 (e) Recommend methods to increase the availability and use of
16 digital open textbooks; and

17 (f) Review and report demographic information on electronically
18 distributed learning programs of study enrollments, retention, and
19 completions.

20 (2) The board shall work in cooperation with the state board for
21 community and technical colleges to report the preliminary results of
22 the studies to the appropriate committees of the legislature by
23 December 1, 2008, and a final report by December 1, 2009.

24 **Sec. 534.** RCW 28C.18.134 and 2008 c 258 s 3 are each amended to
25 read as follows:

26 (1) To the extent funds are appropriated specifically for this
27 purpose, the board shall use a matching fund strategy to select and
28 evaluate up to eight pilot projects operated by Washington institutions
29 of higher education. By September 2008, the board shall select up to
30 eight institutions of higher education as defined in RCW 28B.92.030
31 including at least four community or technical colleges to develop and
32 offer a pilot project providing employer workplace-based educational
33 programs with distance learning components. The board shall convene a
34 task force that includes representatives from the state board for
35 community and technical colleges (~~and the higher education~~
36 ~~coordinating board~~) to select the participant institutions. At a

1 minimum, the criteria for selecting the educational institutions shall
2 address:

3 (a) The ability to demonstrate a capacity to make a commitment of
4 resources to build and sustain a high quality program;

5 (b) The ability to readily engage faculty appropriately qualified
6 to develop and deliver a high quality curriculum;

7 (c) The ability to demonstrate demand for the proposed program from
8 a sufficient number of interested employees within its service area to
9 make the program cost-effective and feasible to operate; and

10 (d) The identification of employers that demonstrate a commitment
11 to host an on-site program. Employers shall demonstrate their
12 commitment to provide:

13 (i) Access to educational coursework and educational advice and
14 support for entry-level and semiskilled workers, including paid and
15 unpaid release time, and adequate classroom space that is equipped
16 appropriately for the selected technological distance learning
17 methodologies to be used;

18 (ii) On-site promotion and encouragement of worker participation,
19 including employee orientations, peer support and mentoring,
20 educational tutoring, and career planning;

21 (iii) Allowance of a reasonable level of worker choice in the type
22 and level of coursework available;

23 (iv) Commitment to work with college partner to ensure the
24 relevance of coursework to the skill demands and potential career
25 pathways of the employer host site and other participating employers;

26 (v) Willingness to participate in an evaluation of the pilot to
27 analyze the net benefit to the employer host site, other employer
28 partners, the worker-students, and the colleges; and

29 (vi) In firms with union representation, the mandatory
30 establishment of a labor-management committee to oversee design and
31 participation.

32 (2) Institutions of higher education may submit an application to
33 become a pilot college under this section. An institution of higher
34 education selected as a pilot college shall develop the curriculum for
35 and design and deliver courses. However, the programs developed under
36 this section are subject to approval by the state board for technical
37 and community colleges under RCW 28B.50.090 and by the (~~higher~~

1 ~~education coordinating board))~~ office of financial management under RCW
2 28B.76.230 (as recodified by this act).

3 (3) The board shall evaluate the pilot project and report the
4 outcomes to students and employers by December 1, 2012.

5 **Sec. 535.** RCW 43.09.440 and 2005 c 385 s 5 are each amended to
6 read as follows:

7 (1) The board and the state auditor shall collaborate with the
8 joint legislative audit and review committee regarding performance
9 audits of state government.

10 (a) The board shall establish criteria for performance audits
11 consistent with the criteria and standards followed by the joint
12 legislative audit and review committee. This criteria shall include,
13 at a minimum, the auditing standards of the United States government
14 accountability office, as well as legislative mandates and performance
15 objectives established by state agencies and the legislature. Mandates
16 include, but are not limited to, agency strategies, timelines, program
17 objectives, and mission and goals as required in RCW 43.88.090.

18 (b) Using the criteria developed in (a) of this subsection, the
19 state auditor shall contract for a statewide performance review to be
20 completed as expeditiously as possible as a preliminary to a draft work
21 plan for conducting performance audits. The board and the state
22 auditor shall develop a schedule and common methodology for conducting
23 these reviews. The purpose of these performance reviews is to identify
24 those agencies, programs, functions, or activities most likely to
25 benefit from performance audits and to identify likely areas warranting
26 early review, taking into account prior performance audits, if any, and
27 prior fiscal audits.

28 (c) The board and the state auditor shall develop the draft work
29 plan for performance audits based on input from citizens, state
30 employees, including front-line employees, state managers, chairs and
31 ranking members of appropriate legislative committees, the joint
32 legislative audit and review committee, public officials, and others.
33 The draft work plan may include a list of agencies, programs, or
34 systems to be audited on a timeline decided by the board and the state
35 auditor based on a number of factors including risk, importance, and
36 citizen concerns. When putting together the draft work plan, there

1 should be consideration of all audits and reports already required. On
2 average, audits shall be designed to be completed as expeditiously as
3 possible.

4 (d) Before adopting the final work plan, the board shall consult
5 with the legislative auditor and other appropriate oversight and audit
6 entities to coordinate work plans and avoid duplication of effort in
7 their planned performance audits of state government agencies. The
8 board shall defer to the joint legislative audit and review committee
9 work plan if a similar audit is included on both work plans for
10 auditing.

11 (e) The state auditor shall contract out for performance audits.
12 In conducting the audits, agency front-line employees and internal
13 auditors should be involved.

14 (f) All audits must include consideration of reports prepared by
15 other government oversight entities.

16 (g) The audits may include:

17 (i) Identification of programs and services that can be eliminated,
18 reduced, consolidated, or enhanced;

19 (ii) Identification of funding sources to the state agency, to
20 programs, and to services that can be eliminated, reduced,
21 consolidated, or enhanced;

22 (iii) Analysis of gaps and overlaps in programs and services and
23 recommendations for improving, dropping, blending, or separating
24 functions to correct gaps or overlaps;

25 (iv) Analysis and recommendations for pooling information
26 technology systems used within the state agency, and evaluation of
27 information processing and telecommunications policy, organization, and
28 management;

29 (v) Analysis of the roles and functions of the state agency, its
30 programs, and its services and their compliance with statutory
31 authority and recommendations for eliminating or changing those roles
32 and functions and ensuring compliance with statutory authority;

33 (vi) Recommendations for eliminating or changing statutes, rules,
34 and policy directives as may be necessary to ensure that the agency
35 carry out reasonably and properly those functions vested in the agency
36 by statute;

37 (vii) Verification of the reliability and validity of agency

1 performance data, self-assessments, and performance measurement systems
2 as required under RCW 43.88.090;

3 (viii) Identification of potential cost savings in the state
4 agency, its programs, and its services;

5 (ix) Identification and recognition of best practices;

6 (x) Evaluation of planning, budgeting, and program evaluation
7 policies and practices;

8 (xi) Evaluation of personnel systems operation and management;

9 (xii) Evaluation of state purchasing operations and management
10 policies and practices; and

11 (xiii) Evaluation of organizational structure and staffing levels,
12 particularly in terms of the ratio of managers and supervisors to
13 nonmanagement personnel.

14 (h) The state auditor must solicit comments on preliminary
15 performance audit reports from the audited state agency, the office of
16 the governor, the office of financial management, the board, the chairs
17 and ranking members of appropriate legislative committees, and the
18 joint legislative audit and review committee for comment. Comments
19 must be received within thirty days after receipt of the preliminary
20 performance audit report unless a different time period is approved by
21 the state auditor. All comments shall be incorporated into the final
22 performance audit report. The final performance audit report shall
23 include the objectives, scope, and methodology; the audit results,
24 including findings and recommendations; conclusions; and identification
25 of best practices.

26 (i) The board and the state auditor shall jointly release final
27 performance audit reports to the governor, the citizens of Washington,
28 the joint legislative audit and review committee, and the appropriate
29 standing legislative committees. Final performance audit reports shall
30 be posted on the internet.

31 (j) For institutions of higher education, performance audits shall
32 not duplicate, and where applicable, shall make maximum use of existing
33 audit records, accreditation reviews, and performance measures required
34 by the office of financial management, the ((higher)) student financial
35 assistance board, the workforce training and education coordinating
36 board, and nationally or regionally recognized accreditation
37 organizations including accreditation of hospitals licensed under
38 chapter 70.41 RCW and ambulatory care facilities.

1 (2) The citizen board created under RCW 44.75.030 shall be
2 responsible for performance audits for transportation related agencies
3 as defined under RCW 44.75.020.

4 **Sec. 536.** RCW 43.43.934 and 2003 c 316 s 1 are each amended to
5 read as follows:

6 Except for matters relating to the statutory duties of the chief of
7 the Washington state patrol that are to be carried out through the
8 director of fire protection, the board shall have the responsibility of
9 developing a comprehensive state policy regarding fire protection
10 services. In carrying out its duties, the board shall:

11 (1)(a) Adopt a state fire training and education master plan that
12 allows to the maximum feasible extent for negotiated agreements: (i)
13 With the state board for community and technical colleges to provide
14 academic, vocational, and field training programs for the fire service
15 and (ii) with (~~the higher education coordinating board and~~) the state
16 colleges and universities to provide instructional programs requiring
17 advanced training, especially in command and management skills;

18 (b) Adopt minimum standards for each level of responsibility among
19 personnel with fire suppression, prevention, inspection, and
20 investigation responsibilities that assure continuing assessment of
21 skills and are flexible enough to meet emerging technologies. With
22 particular respect to training for fire investigations, the master plan
23 shall encourage cross training in appropriate law enforcement skills.
24 To meet special local needs, fire agencies may adopt more stringent
25 requirements than those adopted by the state;

26 (c) Cooperate with the common schools, technical and community
27 colleges, institutions of higher education, and any department or
28 division of the state, or of any county or municipal corporation in
29 establishing and maintaining instruction in fire service training and
30 education in accordance with any act of congress and legislation
31 enacted by the legislature in pursuance thereof and in establishing,
32 building, and operating training and education facilities.

33 Industrial fire departments and private fire investigators may
34 participate in training and education programs under this chapter for
35 a reasonable fee established by rule;

36 (d) Develop and adopt a master plan for constructing, equipping,

1 maintaining, and operating necessary fire service training and
2 education facilities subject to the provisions of chapter 43.19 RCW;

3 (e) Develop and adopt a master plan for the purchase, lease, or
4 other acquisition of real estate necessary for fire service training
5 and education facilities in a manner provided by law; and

6 (f) Develop and adopt a plan with a goal of providing firefighter
7 one and wildland training, as defined by the board, to all firefighters
8 in the state. Wildland training reimbursement will be provided if a
9 fire protection district or a city fire department has and is
10 fulfilling their interior attack policy or if they do not have an
11 interior attack policy. The plan will include a reimbursement for fire
12 protection districts and city fire departments of not less than three
13 dollars for every hour of firefighter one or wildland training. The
14 Washington state patrol shall not provide reimbursement for more than
15 two hundred hours of firefighter one or wildland training for each
16 firefighter trained.

17 (2) In addition to its responsibilities for fire service training,
18 the board shall:

19 (a) Adopt a state fire protection master plan;

20 (b) Monitor fire protection in the state and develop objectives and
21 priorities to improve fire protection for the state's citizens
22 including: (i) The comprehensiveness of state and local inspections
23 required by law for fire and life safety; (ii) the level of skills and
24 training of inspectors, as well as needs for additional training; and
25 (iii) the efforts of local, regional, and state inspection agencies to
26 improve coordination and reduce duplication among inspection efforts;

27 (c) Establish and promote state arson control programs and ensure
28 development of local arson control programs;

29 (d) Provide representation for local fire protection services to
30 the governor in state-level fire protection planning matters such as,
31 but not limited to, hazardous materials control;

32 (e) Recommend to the adjutant general rules on minimum information
33 requirements of automatic location identification for the purposes of
34 enhanced 911 emergency service;

35 (f) Seek and solicit grants, gifts, bequests, devises, and matching
36 funds for use in furthering the objectives and duties of the board, and
37 establish procedures for administering them;

1 (g) Promote mutual aid and disaster planning for fire services in
2 this state;

3 (h) Assure the dissemination of information concerning the amount
4 of fire damage including that damage caused by arson, and its causes
5 and prevention; and

6 (i) Implement any legislation enacted by the legislature to meet
7 the requirements of any acts of congress that apply to this section.

8 (3) In carrying out its statutory duties, the board shall give
9 particular consideration to the appropriate roles to be played by the
10 state and by local jurisdictions with fire protection responsibilities.
11 Any determinations on the division of responsibility shall be made in
12 consultation with local fire officials and their representatives.

13 To the extent possible, the board shall encourage development of
14 regional units along compatible geographic, population, economic, and
15 fire risk dimensions. Such regional units may serve to: (a) Reinforce
16 coordination among state and local activities in fire service training,
17 reporting, inspections, and investigations; (b) identify areas of
18 special need, particularly in smaller jurisdictions with inadequate
19 resources; (c) assist the state in its oversight responsibilities; (d)
20 identify funding needs and options at both the state and local levels;
21 and (e) provide models for building local capacity in fire protection
22 programs.

23 **Sec. 537.** RCW 43.43.938 and 1995 c 369 s 18 are each amended to
24 read as follows:

25 (1) Wherever the term state fire marshal appears in the Revised
26 Code of Washington or the Washington Administrative Code it shall mean
27 the director of fire protection.

28 (2) The chief of the Washington state patrol shall appoint an
29 officer who shall be known as the director of fire protection. The
30 board, after consulting with the chief of the Washington state patrol,
31 shall prescribe qualifications for the position of director of fire
32 protection. The board shall submit to the chief of the Washington
33 state patrol a list containing the names of three persons whom the
34 board believes meet its qualifications. If requested by the chief of
35 the Washington state patrol, the board shall submit one additional list
36 of three persons whom the board believes meet its qualifications. The

1 appointment shall be from one of the lists of persons submitted by the
2 board.

3 (3) The director of fire protection may designate one or more
4 deputies and may delegate to those deputies his or her duties and
5 authorities as deemed appropriate.

6 (4) The director of fire protection, in accordance with the
7 policies, objectives, and priorities of the fire protection policy
8 board, shall prepare a biennial budget pertaining to fire protection
9 services. Such biennial budget shall be submitted as part of the
10 Washington state patrol's budget request.

11 (5) The director of fire protection, shall implement and
12 administer, within constraints established by budgeted resources, the
13 policies, objectives, and priorities of the board and all duties of the
14 chief of the Washington state patrol that are to be carried out through
15 the director of fire protection. Such administration shall include
16 negotiation of agreements with the state board for community and
17 technical colleges(~~(, the higher education coordinating board,)~~) and
18 the state colleges and universities as provided in RCW (~~(43.63A.320)~~)
19 43.43.934. Programs covered by such agreements shall include, but not
20 be limited to, planning curricula, developing and delivering
21 instructional programs and materials, and using existing instructional
22 personnel and facilities. Where appropriate, such contracts shall also
23 include planning and conducting instructional programs at the state
24 fire service training center.

25 (6) The chief of the Washington state patrol, through the director
26 of fire protection, shall seek the advice of the board in carrying out
27 his or her duties under law.

28 **Sec. 538.** RCW 43.60A.151 and 2007 c 451 s 3 are each amended to
29 read as follows:

30 (1) The department shall assist veterans enrolled in the veterans
31 conservation corps with obtaining employment in conservation programs
32 and projects that restore Washington's natural habitat, maintain and
33 steward local, state, and federal forest lands and other outdoor lands,
34 maintain and improve urban and suburban storm water management
35 facilities and other water management facilities, and other
36 environmental maintenance, stewardship, and restoration projects. The
37 department shall consult with the workforce training and education

1 coordinating board, the state board for community and technical
2 colleges, (~~the higher education coordinating board,~~) the employment
3 security department, and other state agencies administering
4 conservation corps programs, to incorporate training, education, and
5 certification in environmental restoration and management fields into
6 the program. The department may enter into agreements with community
7 colleges, private schools, state or local agencies, or other entities
8 to provide training and educational courses as part of the enrollee
9 benefits from the program.

10 (2) The department may receive gifts, grants, federal funds, or
11 other moneys from public or private sources, for the use and benefit of
12 the veterans conservation corps program. The funds shall be deposited
13 to the veterans conservation corps account created in RCW 43.60A.153.

14 (3) The department shall submit a report to the appropriate
15 committees of the legislature by December 1, 2008, on the status of the
16 veterans conservation corps program, including the number of enrollees
17 employed in projects, training provided, certifications earned,
18 employment placements achieved, program funding provided from all
19 sources, and the results of the pilot project authorized in section 4,
20 chapter 451, Laws of 2007.

21 **Sec. 539.** RCW 43.88.090 and 2005 c 386 s 2 are each amended to
22 read as follows:

23 (1) For purposes of developing budget proposals to the legislature,
24 the governor shall have the power, and it shall be the governor's duty,
25 to require from proper agency officials such detailed estimates and
26 other information in such form and at such times as the governor shall
27 direct. The governor shall communicate statewide priorities to
28 agencies for use in developing biennial budget recommendations for
29 their agency and shall seek public involvement and input on these
30 priorities. The estimates for the legislature and the judiciary shall
31 be transmitted to the governor and shall be included in the budget
32 without revision. The estimates for state pension contributions shall
33 be based on the rates provided in chapter 41.45 RCW. Copies of all
34 such estimates shall be transmitted to the standing committees on ways
35 and means of the house and senate at the same time as they are filed
36 with the governor and the office of financial management.

1 The estimates shall include statements or tables which indicate, by
2 agency, the state funds which are required for the receipt of federal
3 matching revenues. The estimates shall be revised as necessary to
4 reflect legislative enactments and adopted appropriations and shall be
5 included with the initial biennial allotment submitted under RCW
6 43.88.110. The estimates must reflect that the agency considered any
7 alternatives to reduce costs or improve service delivery identified in
8 the findings of a performance audit of the agency by the joint
9 legislative audit and review committee. Nothing in this subsection
10 requires performance audit findings to be published as part of the
11 budget.

12 (2) Each state agency shall define its mission and establish
13 measurable goals for achieving desirable results for those who receive
14 its services and the taxpayers who pay for those services. Each agency
15 shall also develop clear strategies and timelines to achieve its goals.
16 This section does not require an agency to develop a new mission or
17 goals in place of identifiable missions or goals that meet the intent
18 of this section. The mission and goals of each agency must conform to
19 statutory direction and limitations.

20 (3) For the purpose of assessing activity performance, each state
21 agency shall establish quality and productivity objectives for each
22 major activity in its budget. The objectives must be consistent with
23 the missions and goals developed under this section. The objectives
24 must be expressed to the extent practicable in outcome-based,
25 objective, and measurable form unless an exception to adopt a different
26 standard is granted by the office of financial management and approved
27 by the legislative committee on performance review. Objectives must
28 specifically address the statutory purpose or intent of the program or
29 activity and focus on data that measure whether the agency is achieving
30 or making progress toward the purpose of the activity and toward
31 statewide priorities. The office of financial management shall provide
32 necessary professional and technical assistance to assist state
33 agencies in the development of strategic plans that include the mission
34 of the agency and its programs, measurable goals, strategies, and
35 performance measurement systems.

36 (4) Each state agency shall adopt procedures for and perform
37 continuous self-assessment of each activity, using the mission, goals,
38 objectives, and measurements required under subsections (2) and (3) of

1 this section. The assessment of the activity must also include an
2 evaluation of major information technology systems or projects that may
3 assist the agency in achieving or making progress toward the activity
4 purpose and statewide priorities. The evaluation of proposed major
5 information technology systems or projects shall be in accordance with
6 the standards and policies established by the information services
7 board. Agencies' progress toward the mission, goals, objectives, and
8 measurements required by subsections (2) and (3) of this section is
9 subject to review as set forth in this subsection.

10 (a) The office of financial management shall regularly conduct
11 reviews of selected activities to analyze whether the objectives and
12 measurements submitted by agencies demonstrate progress toward
13 statewide results.

14 (b) The office of financial management shall consult with the
15 (~~higher education coordinating board and the~~) state board for
16 community and technical colleges in those reviews that involve
17 (~~institutions of higher education~~) community and technical colleges.

18 (c) The goal is for all major activities to receive at least one
19 review each year.

20 (d) The office of financial management shall consult with the
21 information services board when conducting reviews of major information
22 technology systems in use by state agencies. The goal is that reviews
23 of these information technology systems occur periodically.

24 (5) It is the policy of the legislature that each agency's budget
25 recommendations must be directly linked to the agency's stated mission
26 and program, quality, and productivity goals and objectives.
27 Consistent with this policy, agency budget proposals must include
28 integration of performance measures that allow objective determination
29 of an activity's success in achieving its goals. When a review under
30 subsection (4) of this section or other analysis determines that the
31 agency's objectives demonstrate that the agency is making insufficient
32 progress toward the goals of any particular program or is otherwise
33 underachieving or inefficient, the agency's budget request shall
34 contain proposals to remedy or improve the selected programs. The
35 office of financial management shall develop a plan to merge the budget
36 development process with agency performance assessment procedures. The
37 plan must include a schedule to integrate agency strategic plans and
38 performance measures into agency budget requests and the governor's

1 budget proposal over three fiscal biennia. The plan must identify
2 those agencies that will implement the revised budget process in the
3 1997-1999 biennium, the 1999-2001 biennium, and the 2001-2003 biennium.
4 In consultation with the legislative fiscal committees, the office of
5 financial management shall recommend statutory and procedural
6 modifications to the state's budget, accounting, and reporting systems
7 to facilitate the performance assessment procedures and the merger of
8 those procedures with the state budget process. The plan and
9 recommended statutory and procedural modifications must be submitted to
10 the legislative fiscal committees by September 30, 1996.

11 (6) In reviewing agency budget requests in order to prepare the
12 governor's biennial budget request, the office of financial management
13 shall consider the extent to which the agency's activities demonstrate
14 progress toward the statewide budgeting priorities, along with any
15 specific review conducted under subsection (4) of this section.

16 (7) In the year of the gubernatorial election, the governor shall
17 invite the governor-elect or the governor-elect's designee to attend
18 all hearings provided in RCW 43.88.100; and the governor shall furnish
19 the governor-elect or the governor-elect's designee with such
20 information as will enable the governor-elect or the governor-elect's
21 designee to gain an understanding of the state's budget requirements.
22 The governor-elect or the governor-elect's designee may ask such
23 questions during the hearings and require such information as the
24 governor-elect or the governor-elect's designee deems necessary and may
25 make recommendations in connection with any item of the budget which,
26 with the governor-elect's reasons therefor, shall be presented to the
27 legislature in writing with the budget document. Copies of all such
28 estimates and other required information shall also be submitted to the
29 standing committees on ways and means of the house and senate.

30 **Sec. 540.** RCW 43.88D.010 and 2008 c 205 s 2 are each amended to
31 read as follows:

32 (1) By October 15th of each even-numbered year, the office of
33 financial management shall complete an objective analysis and scoring
34 of all capital budget projects proposed by the public four-year
35 institutions of higher education and submit the results of the scoring
36 process to the legislative fiscal committees(~~(, the higher education~~
37 ~~coordinating board,~~)) and the four-year institutions, except that, for

1 2008, the office of financial management shall complete the objective
2 analysis and scoring by November 1st. Each project must be reviewed
3 and scored within one of the following categories, according to the
4 project's principal purpose. Each project may be scored in only one
5 category. The categories are:

6 (a) Access-related projects to accommodate enrollment growth at
7 main and branch campuses, at existing or new university centers, or
8 through distance learning. Growth projects should provide significant
9 additional student capacity. Proposed projects must demonstrate that
10 they are based on solid enrollment demand projections, more
11 cost-effectively provide enrollment access than alternatives such as
12 university centers and distance learning, and make cost-effective use
13 of existing and proposed new space;

14 (b) Projects that replace failing permanent buildings or renovate
15 facilities to restore building life and upgrade space to meet current
16 program requirements. Facilities that cannot be economically renovated
17 are considered replacement projects. Renovation projects should
18 represent a complete renovation of a total facility or an isolated wing
19 of a facility. A reasonable renovation project should cost between
20 sixty to eighty percent of current replacement value and restore the
21 renovated area to at least twenty-five years of useful life. New space
22 may be programmed for the same or a different use than the space being
23 replaced or renovated and may include additions to improve access and
24 enhance the relationship of program or support space;

25 (c) Major stand-alone campus infrastructure projects;

26 (d) Projects that promote economic growth and innovation through
27 expanded research activity. The acquisition and installation of
28 specialized equipment is authorized under this category; and

29 (e) Other project categories as determined by the office of
30 financial management in consultation with the legislative fiscal
31 committees.

32 (2) The office of financial management, in consultation with the
33 legislative fiscal committees and the joint legislative audit and
34 review committee, shall establish a scoring system and process for each
35 four-year project category that is based on the framework used in the
36 community and technical college system of prioritization. Staff from
37 the state board for community and technical colleges(~~(, the higher~~

1 ~~education coordinating board,~~) and the four-year institutions shall
2 provide technical assistance on the development of a scoring system and
3 process.

4 (3) The office of financial management shall consult with the
5 legislative fiscal committees in the scoring of four-year institution
6 project proposals, and may also solicit participation by the joint
7 legislative audit and review committee and independent experts.

8 (a) For each four-year project category, the scoring system must,
9 at a minimum, include an evaluation of enrollment trends,
10 reasonableness of cost, the ability of the project to enhance specific
11 strategic master plan goals, age and condition of the facility if
12 applicable, and impact on space utilization.

13 (b) Each four-year project category may include projects at the
14 predesign, design, or construction funding phase.

15 (c) To the extent possible, the objective analysis and scoring
16 system of all capital budget projects shall occur within the context of
17 any and all performance agreements between the office of financial
18 management and the governing board of a public, four-year institution
19 of higher education that aligns goals, priorities, desired outcomes,
20 flexibility, institutional mission, accountability, and levels of
21 resources.

22 (4) In evaluating and scoring four-year institution projects, the
23 office of financial management shall take into consideration project
24 schedules that result in realistic, balanced, and predictable
25 expenditure patterns over the ensuing three biennia.

26 (5) The office of financial management shall distribute common
27 definitions, the scoring system, and other information required for the
28 project proposal and scoring process as part of its biennial budget
29 instructions, except that, for the 2009-2011 budget development cycle,
30 this information must be distributed by July 1, 2008. The office of
31 financial management, in consultation with the legislative fiscal
32 committees and the joint legislative audit and review committee, shall
33 develop common definitions that four-year institutions must use in
34 developing their project proposals and lists under this section.

35 (6) In developing any scoring system for capital projects proposed
36 by the four-year institutions, the office of financial management:

37 (a) Shall be provided with all required information by the four-

1 year institutions as deemed necessary by the office of financial
2 management;

3 (b) May utilize independent services to verify, sample, or evaluate
4 information provided to the office of financial management by the four-
5 year institutions; and

6 (c) Shall have full access to all data maintained by the higher
7 education coordinating board and the joint legislative audit and review
8 committee concerning the condition of higher education facilities.

9 (7) By August 15th of each even-numbered year, beginning in 2008,
10 each public four-year higher education institution shall prepare and
11 submit prioritized lists of the individual projects proposed by the
12 institution for the ensuing six-year period in each category. On a
13 pilot basis, the office of financial management shall require one
14 research university to prepare two separate prioritized lists for each
15 category, one for the main campus, and one covering all of the
16 institution's branch campuses. The office of financial management
17 shall report to the legislative fiscal committees by December 1, 2009,
18 on the effect of this pilot project on capital project financing for
19 all branch campuses. The lists must be submitted to the office of
20 financial management and the legislative fiscal committees. The four-
21 year institutions may aggregate minor works project proposals by
22 primary purpose for ranking purposes. Proposed minor works projects
23 must be prioritized within the aggregated proposal, and supporting
24 documentation, including project descriptions and cost estimates, must
25 be provided to the office of financial management and the legislative
26 fiscal committees.

27 **Sec. 541.** RCW 43.105.400 and 2009 c 509 s 10 are each amended to
28 read as follows:

29 (1) Subject to the availability of federal or state funding, the
30 department may reconvene the high-speed internet work group previously
31 established by chapter 262, Laws of 2008. The work group is renamed
32 the advisory council on digital inclusion, and is an advisory group to
33 the department. The council must include, but is not limited to,
34 volunteer representatives from community technology organizations,
35 telecommunications providers, higher education institutions, K-12
36 education institutions, public health institutions, public housing

1 entities, and local government and other governmental entities that are
2 engaged in community technology activities.

3 (2) The council shall prepare a report by January 15th of each year
4 and submit it to the department, the governor, and the appropriate
5 committees of the legislature. The report must contain:

6 (a) An analysis of how support from public and private sector
7 partnerships, the philanthropic community, and other not-for-profit
8 organizations in the community, along with strong relationships with
9 the state board for community and technical colleges(~~(, the higher~~
10 ~~education coordinating board,~~) and higher education institutions,
11 could establish a variety of high-speed internet access alternatives
12 for citizens;

13 (b) Proposed strategies for continued broadband deployment and
14 adoption efforts, as well as further development of advanced
15 telecommunications applications;

16 (c) Recommendations on methods for maximizing the state's research
17 and development capacity at universities and in the private sector for
18 developing advanced telecommunications applications and services, and
19 recommendations on incentives to stimulate the demand for and
20 development of these applications and services;

21 (d) An identification of barriers that hinder the advancement of
22 technology entrepreneurship in the state; and

23 (e) An evaluation of programs designed to advance digital literacy
24 and computer access that are made available by the federal government,
25 local agencies, telecommunications providers, and business and
26 charitable entities.

27 **Sec. 542.** RCW 43.215.090 and 2007 c 394 s 3 are each amended to
28 read as follows:

29 (1) The early learning advisory council is established to advise
30 the department on statewide early learning community needs and
31 progress.

32 (2) The council shall work in conjunction with the department to
33 develop a statewide early learning plan that crosses systems and
34 sectors to promote alignment of private and public sector actions,
35 objectives, and resources, and to ensure school readiness.

36 (3) The council shall include diverse, statewide representation

1 from public, nonprofit, and for-profit entities. Its membership shall
2 reflect regional, racial, and cultural diversity to adequately
3 represent the needs of all children and families in the state.

4 (4) Council members shall serve two-year terms. However, to
5 stagger the terms of the council, the initial appointments for twelve
6 of the members shall be for one year. Once the initial one-year to
7 two-year terms expire, all subsequent terms shall be for two years,
8 with the terms expiring on June 30th of the applicable year. The terms
9 shall be staggered in such a way that, where possible, the terms of
10 members representing a specific group do not expire simultaneously.

11 (5) The council shall consist of not more than twenty-five members,
12 as follows:

13 (a) The governor shall appoint at least one representative from
14 each of the following: The department, the office of financial
15 management, the department of social and health services, the
16 department of health, (~~the higher education coordinating board,~~) and
17 the state board for community and technical colleges;

18 (b) One representative from the office of the superintendent of
19 public instruction, to be appointed by the superintendent of public
20 instruction;

21 (c) The governor shall appoint at least seven leaders in early
22 childhood education, with at least one representative with experience
23 or expertise in each of the following areas: Children with
24 disabilities, the K-12 system, family day care providers, and child
25 care centers;

26 (d) Two members of the house of representatives, one from each
27 caucus, and two members of the senate, one from each caucus, to be
28 appointed by the speaker of the house of representatives and the
29 president of the senate, respectively;

30 (e) Two parents, one of whom serves on the department's parent
31 advisory council, to be appointed by the governor;

32 (f) Two representatives of the private-public partnership created
33 in RCW 43.215.070, to be appointed by the partnership board;

34 (g) One representative designated by sovereign tribal governments;
35 and

36 (h) One representative from the Washington federation of
37 independent schools.

1 (6) The council shall be cochaired by one representative of a state
2 agency and one nongovernmental member, to be elected by the council for
3 two-year terms.

4 (7) Each member of the board shall be compensated in accordance
5 with RCW 43.03.240 and reimbursed for travel expenses incurred in
6 carrying out the duties of the board in accordance with RCW 43.03.050
7 and 43.03.060.

8 (8) The department shall provide staff support to the council.

9 **Sec. 543.** RCW 43.330.280 and 2009 c 565 s 14 and 2009 c 72 s 2 are
10 each reenacted and amended to read as follows:

11 (1) The Washington state economic development commission shall,
12 with the advice of an innovation partnership advisory group selected by
13 the commission:

14 (a) Provide information and advice to the department of commerce to
15 assist in the implementation of the innovation partnership zone
16 program, including criteria to be used in the selection of grant
17 applicants for funding;

18 (b) Document clusters of companies throughout the state that have
19 comparative competitive advantage or the potential for comparative
20 competitive advantage, using the process and criteria for identifying
21 strategic clusters developed by the working group specified in
22 subsection (2) of this section;

23 (c) Conduct an innovation opportunity analysis to identify (i) the
24 strongest current intellectual assets and research teams in the state
25 focused on emerging technologies and their commercialization, and (ii)
26 faculty and researchers that could increase their focus on
27 commercialization of technology if provided the appropriate technical
28 assistance and resources;

29 (d) Based on its findings and analysis, and in conjunction with the
30 ~~((higher education coordinating board and))~~ research institutions:

31 (i) Develop a plan to build on existing, and develop new,
32 intellectual assets and innovation research teams in the state in
33 research areas where there is a high potential to commercialize
34 technologies. The commission shall present the plan to the governor
35 and legislature by December 31, 2009. ~~((The higher education
36 coordinating board shall be responsible for implementing the plan in
37 conjunction with))~~ The publicly funded research institutions in the

1 state shall be responsible for implementing the plan. The plan shall
2 address the following elements and such other elements as the
3 commission deems important:

4 (A) Specific mechanisms to support, enhance, or develop innovation
5 research teams and strengthen their research and commercialization
6 capacity in areas identified as useful to strategic clusters and
7 innovative firms in the state;

8 (B) Identification of the funding necessary for laboratory
9 infrastructure needed to house innovation research teams;

10 (C) Specification of the most promising research areas meriting
11 enhanced resources and recruitment of significant entrepreneurial
12 researchers to join or lead innovation research teams;

13 (D) The most productive approaches to take in the recruitment, in
14 the identified promising research areas, of a minimum of ten
15 significant entrepreneurial researchers over the next ten years to join
16 or lead innovation research teams;

17 (E) Steps to take in solicitation of private sector support for the
18 recruitment of entrepreneurial researchers and the commercialization
19 activity of innovation research teams; and

20 (F) Mechanisms for ensuring the location of innovation research
21 teams in innovation partnership zones;

22 (ii) Provide direction for the development of comprehensive
23 entrepreneurial assistance programs at research institutions. The
24 programs may involve multidisciplinary students, faculty,
25 entrepreneurial researchers, entrepreneurs, and investors in building
26 business models and evolving business plans around innovative ideas.
27 The programs may provide technical assistance and the support of an
28 entrepreneur-in-residence to innovation research teams and offer
29 entrepreneurial training to faculty, researchers, undergraduates, and
30 graduate students. Curriculum leading to a certificate in
31 entrepreneurship may also be offered;

32 (e) Develop performance measures to be used in evaluating the
33 performance of innovation research teams, the implementation of the
34 plan and programs under (d)(i) and (ii) of this subsection, and the
35 performance of innovation partnership zone grant recipients, including
36 but not limited to private investment measures, business initiation
37 measures, job creation measures, and measures of innovation such as
38 licensing of ideas in research institutions, patents, or other

1 recognized measures of innovation. The performance measures developed
2 shall be consistent with the economic development commission's
3 comprehensive plan for economic development and its standards and
4 metrics for program evaluation. The commission shall report to the
5 legislature and the governor by June 30, 2009, on the measures
6 developed; and

7 (f) Using the performance measures developed, perform a biennial
8 assessment and report, the first of which shall be due December 31,
9 2012, on:

10 (i) Commercialization of technologies developed at state
11 universities, found at other research institutions in the state, and
12 facilitated with public assistance at existing companies;

13 (ii) Outcomes of the funding of innovation research teams and
14 recruitment of significant entrepreneurial researchers;

15 (iii) Comparison with other states of Washington's outcomes from
16 the innovation research teams and efforts to recruit significant
17 entrepreneurial researchers; and

18 (iv) Outcomes of the grants for innovation partnership zones.

19 The report shall include recommendations for modifications of chapter
20 227, Laws of 2007 and of state commercialization efforts that would
21 enhance the state's economic competitiveness.

22 (2) The economic development commission and the workforce training
23 and education coordinating board shall jointly convene a working group
24 to:

25 (a) Specify the process and criteria for identification of substate
26 geographic concentrations of firms or employment in an industry and the
27 industry's customers, suppliers, supporting businesses, and
28 institutions, which process will include the use of labor market
29 information from the employment security department and local labor
30 markets; and

31 (b) Establish criteria for identifying strategic clusters which are
32 important to economic prosperity in the state, considering cluster
33 size, growth rate, and wage levels among other factors.

34 **Sec. 544.** RCW 43.330.375 and 2009 c 536 s 4 are each amended to
35 read as follows:

36 (1) The department and the workforce board, in consultation with
37 the leadership team, must:

1 (a) Coordinate efforts across the state to ensure that federal
2 training and education funds are captured and deployed in a focused and
3 effective manner in order to support green economy projects and
4 accomplish the goals of the evergreen jobs initiative;

5 (b) Accelerate and coordinate efforts by state and local
6 organizations to identify, apply for, and secure all sources of funds,
7 particularly those created by the 2009 American recovery and
8 reinvestment act, and to ensure that distributions of funding to local
9 organizations are allocated in a manner that is time-efficient and
10 user-friendly for the local organizations. Local organizations
11 eligible to receive support include but are not limited to:

12 (i) Associate development organizations;

13 (ii) Workforce development councils;

14 (iii) Public utility districts; and

15 (iv) Community action agencies;

16 (c) Support green economy projects at both the state and local
17 level by developing a process and a framework to provide, at a minimum:

18 (i) Administrative and technical assistance;

19 (ii) Assistance with and expediting of permit processes; and

20 (iii) Priority consideration of opportunities leading to exportable
21 green economy goods and services, including renewable energy
22 technology;

23 (d) Coordinate local and state implementation of projects using
24 federal funds to ensure implementation is time-efficient and user-
25 friendly for local organizations;

26 (e) Emphasize through both support and outreach efforts, projects
27 that:

28 (i) Have a strong and lasting economic or environmental impact;

29 (ii) Lead to a domestically or internationally exportable good or
30 service, including renewable energy technology;

31 (iii) Create training programs leading to a credential,
32 certificate, or degree in a green economy field;

33 (iv) Strengthen the state's competitiveness in a particular sector
34 or cluster of the green economy;

35 (v) Create employment opportunities for veterans, members of the
36 national guard, and low-income and disadvantaged populations;

37 (vi) Comply with prevailing wage provisions of chapter 39.12 RCW;

- 1 (vii) Ensure at least fifteen percent of labor hours are performed
2 by apprentices;
- 3 (f) Identify emerging technologies and innovations that are likely
4 to contribute to advancements in the green economy, including the
5 activities in designated innovation partnership zones established in
6 RCW 43.330.270;
- 7 (g) Identify statewide performance metrics for projects receiving
8 agency assistance. Such metrics may include:
 - 9 (i) The number of new green jobs created each year, their wage
10 levels, and, to the extent determinable, the percentage of new green
11 jobs filled by veterans, members of the national guard, and low-income
12 and disadvantaged populations;
 - 13 (ii) The total amount of new federal funding secured, the
14 respective amounts allocated to the state and local levels, and the
15 timeliness of deployment of new funding by state agencies to the local
16 level;
 - 17 (iii) The timeliness of state deployment of funds and support to
18 local organizations; and
 - 19 (iv) If available, the completion rates, time to completion, and
20 training-related placement rates for green economy postsecondary
21 training programs;
- 22 (h) Identify strategies to allocate existing and new funding
23 streams for green economy workforce training programs and education to
24 emphasize those leading to a credential, certificate, or degree in a
25 green economy field;
 - 26 (i) Identify and implement strategies to allocate existing and new
27 funding streams for workforce development councils and associate
28 development organizations to increase their effectiveness and
29 efficiency and increase local capacity to respond rapidly and
30 comprehensively to opportunities to attract green jobs to local
31 communities;
 - 32 (j) Develop targeting criteria for existing investments that are
33 consistent with the economic development commission's economic
34 development strategy and the goals of this section and RCW 28C.18.170,
35 28B.50.281, and 49.04.200; and
 - 36 (k) Make and support outreach efforts so that residents of
37 Washington, particularly members of target populations, become aware of

1 educational and employment opportunities identified and funded through
2 the evergreen jobs act.

3 (2) The department and the workforce board, in consultation with
4 the leadership team, must provide semiannual performance reports to the
5 governor and appropriate committees of the legislature on:

6 (a) Actual statewide performance based on the performance measures
7 identified in subsection (1)(g) of this section;

8 (b) How the state is emphasizing and supporting projects that lead
9 to a domestically or internationally exportable good or service,
10 including renewable energy technology;

11 (c) A list of projects supported, created, or funded in furtherance
12 of the goals of the evergreen jobs initiative and the actions taken by
13 state and local organizations, including the effectiveness of state
14 agency support provided to local organizations as directed in
15 subsection (1)(b) and (c) of this section;

16 (d) Recommendations for new or expanded financial incentives and
17 comprehensive strategies to:

18 (i) Recruit, retain, and expand green economy industries and small
19 businesses; and

20 (ii) Stimulate research and development of green technology and
21 innovation, which may include designating innovation partnership zones
22 linked to the green economy;

23 (e) Any information that associate development organizations and
24 workforce development councils choose to provide to appropriate
25 legislative committees regarding the effectiveness, timeliness, and
26 coordination of support provided by state agencies under this section
27 and RCW 28C.18.170, 28B.50.281, and 49.04.200; and

28 (f) Any recommended statutory changes necessary to increase the
29 effectiveness of the evergreen jobs initiative and state responsiveness
30 to local agencies and organizations.

31 (3) The definitions, designations, and results of the employment
32 security department's broader labor market research under RCW
33 43.330.010 shall inform the planning and strategic direction of the
34 department, the state workforce training and education coordinating
35 board, and the state board for community and technical colleges(~~(, and~~
36 ~~the higher education coordinating board)~~).

1 **Sec. 545.** RCW 47.80.090 and 2009 c 459 s 2 are each amended to
2 read as follows:

3 (1) A regional transportation planning organization containing any
4 county with a population in excess of one million in collaboration with
5 representatives from the department of ecology, the department of
6 (~~community, trade, and economic development~~) commerce, local
7 governments, and the office of regulatory assistance must seek federal
8 or private funding for the planning for, deployment of, or regulations
9 concerning electric vehicle infrastructure. These efforts should
10 include:

11 (a) Development of short-term and long-term plans outlining how
12 state, regional, and local government construction may include electric
13 vehicle infrastructure in publicly available off-street parking and
14 government fleet vehicle parking, including what ratios of charge spots
15 to parking may be appropriate based on location or type of facility or
16 building;

17 (b) Consultations with the state building code council and the
18 department of labor and industries to coordinate the plans with state
19 standards for new residential, commercial, and industrial buildings to
20 ensure that the appropriate electric circuitry is installed to support
21 electric vehicle infrastructure;

22 (c) Consultation with the workforce development council (~~and~~),
23 the (~~higher~~) workforce training and education coordinating board, and
24 the state board for community and technical colleges to ensure the
25 development of appropriate educational and training opportunities for
26 citizens of the state in support of the transition of some portion of
27 vehicular transportation from combustion to electric vehicles;

28 (d) Development of an implementation plan for counties with a
29 population greater than five hundred thousand with the goal of having
30 public and private parking spaces, in the aggregate, be ten percent
31 electric vehicle ready by December 31, 2018; and

32 (e) Development of model ordinances and guidance for local
33 governments for siting and installing electric vehicle infrastructure,
34 in particular battery charging stations, and appropriate handling,
35 recycling, and storage of electric vehicle batteries and equipment.

36 (2) These plans and any recommendations developed as a result of
37 the consultations required by this section must be submitted to the
38 legislature by December 31, 2010, or as soon as reasonably practicable

1 after the securing of any federal or private funding. Priority will be
2 given to the activities in subsection (1)(e) of this section and any
3 ordinances or guidance that is developed will be submitted to the
4 legislature, the department of (~~community, trade, and economic~~
5 ~~development~~) commerce, and affected local governments prior to
6 December 31, 2010, if completed.

7 (3) The definitions in this subsection apply (~~through~~
8 ~~[throughout]~~) throughout this section unless the context clearly
9 requires otherwise.

10 (a) "Battery charging station" means an electrical component
11 assembly or cluster of component assemblies designed specifically to
12 charge batteries within electric vehicles, which meet or exceed any
13 standards, codes, and regulations set forth by chapter 19.28 RCW and
14 consistent with rules adopted under RCW 19.27.540.

15 (b) "Battery exchange station" means a fully automated facility
16 that will enable an electric vehicle with a swappable battery to enter
17 a drive lane and exchange the depleted battery with a fully charged
18 battery through a fully automated process, which meets or exceeds any
19 standards, codes, and regulations set forth by chapter 19.28 RCW and
20 consistent with rules adopted under RCW 19.27.540.

21 (c) "Electric vehicle infrastructure" means structures, machinery,
22 and equipment necessary and integral to support an electric vehicle,
23 including battery charging stations, rapid charging stations, and
24 battery exchange stations.

25 (d) "Rapid charging station" means an industrial grade electrical
26 outlet that allows for faster recharging of electric vehicle batteries
27 through higher power levels, which meets or exceeds any standards,
28 codes, and regulations set forth by chapter 19.28 RCW and consistent
29 with rules adopted under RCW 19.27.540.

30 **PART V**

31 **MISCELLANEOUS PROVISIONS**

32 NEW SECTION. **Sec. 601.** Sections 162 through 165 of this act
33 expire August 1, 2011.

34 NEW SECTION. **Sec. 602.** Sections 185 through 190 of this act
35 expire June 30, 2013.

1 NEW SECTION. **Sec. 603.** Section 528 of this act expires July 1,
2 2012.

3 NEW SECTION. **Sec. 604.** Sections 533 and 534 of this act expire
4 December 31, 2012.

5 NEW SECTION. **Sec. 605.** This act takes effect July 1, 2010.

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