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SENATE BILL 6269

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State of Washington

62nd Legislature

2012 Regular Session

By Senators Becker, Tom, Swecker, Shin, Schoesler, Sheldon, Delvin, Holmquist Newbry, Keiser, Hargrove, Padden, Regala, Stevens, Parlette, Hewitt, Hill, and Conway

Read first time 01/16/12. Referred to Committee on Higher Education & Workforce Development.

1 AN ACT Relating to higher education coordination; amending RCW  
2 28B.77.005, 28B.76.110, 28B.76.210, 28B.76.230, 28B.76.235, 28B.76.240,  
3 28B.76.270, 28B.76.325, 28B.76.510, 28B.76.695, 44.04.260, 43.88.230,  
4 28B.76.280, 28B.76.310, 28B.76.090, 9A.60.070, 18.260.110, 28A.600.390,  
5 28B.07.040, 28B.10.020, 28B.10.053, 28B.10.118, 28B.10.400, 28B.10.405,  
6 28B.10.410, 28B.10.415, 28B.10.423, 28B.10.682, 28B.10.784, 28B.10.790,  
7 28B.12.030, 28B.15.068, 28B.15.068, 28B.15.069, 28B.15.102, 28B.15.460,  
8 28B.20.130, 28B.20.280, 28B.30.150, 28B.30.500, 28B.30.515, 28B.35.120,  
9 28B.35.202, 28B.35.205, 28B.35.215, 28B.40.120, 28B.40.206, 28B.45.014,  
10 28B.45.020, 28B.45.030, 28B.45.040, 28B.45.060, 28B.45.080, 28B.50.140,  
11 28B.50.810, 28B.50.820, 28B.65.040, 28B.65.050, 28B.85.010, 28B.85.020,  
12 28B.85.030, 28B.85.040, 28B.85.050, 28B.85.060, 28B.85.070, 28B.85.080,  
13 28B.85.090, 28B.85.100, 28B.85.130, 28B.85.170, 28B.90.010, 28B.90.020,  
14 28B.90.030, 28B.92.030, 28B.97.020, 28B.110.030, 28B.110.040,  
15 28B.117.020, 28B.120.010, 28B.120.020, 28B.120.025, 28B.120.030,  
16 28B.120.040, 28C.10.030, 28C.10.040, 28C.18.030, 28C.18.060,  
17 35.104.020, 35.104.040, 42.17A.705, 43.06.115, 43.09.440, 43.19.797,  
18 43.41.400, 43.41A.100, 43.88.090, 43.88D.005, 43.88D.010, 43.105.825,  
19 43.215.090, 43.330.310, 43.330.375, 47.80.090, 70.180.110, 74.13.570,  
20 28A.175.135, 28A.660.050, 28B.12.040, 28B.12.070, 28B.15.012,  
21 28B.15.762, 28B.15.764, 28B.76.505, 28B.92.070, 28B.92.080, 28B.92.082,

1 28B.95.020, 28B.102.030, 28B.103.030, 28B.108.020, 28B.108.040,  
2 28B.109.010, 28B.116.030, 28B.117.030, 28A.600.310, 28B.15.380,  
3 28B.15.730, 28B.15.732, 28B.15.734, 28B.15.750, 28B.15.752, 28B.15.756,  
4 28A.175.130, 28A.600.280, 28A.600.290, 28A.700.020, 28A.700.060,  
5 28B.15.796, 28B.20.308, 28B.20.478, 28B.30.530, 43.43.934, 43.43.938,  
6 and 43.60A.151; amending 2011 1st sp.s. c 11 s 244 (uncodified);  
7 reenacting and amending RCW 28B.76.2401, 28B.15.760, 28B.50.030,  
8 28B.92.060, 28B.116.010, 28B.102.020, 43.330.280, and 28A.230.100;  
9 adding new sections to chapter 28B.77 RCW; adding a new section to  
10 chapter 28B.76 RCW; adding new sections to chapter 44.04 RCW; adding  
11 new sections to chapter 43.41 RCW; creating new sections; recodifying  
12 RCW 28B.76.110, 28B.76.210, 28B.76.230, 28B.76.235, 28B.76.240,  
13 28B.76.2401, 28B.76.270, 28B.76.280, 28B.76.325, 28B.76.510,  
14 28B.76.695, and 28B.76.310; decodifying RCW 28B.10.125; repealing RCW  
15 28B.76.290; providing an effective date; providing expiration dates;  
16 and declaring an emergency.

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

18 NEW SECTION. **Sec. 1.** In 2011, the legislature abolished the  
19 higher education coordinating board and created a council for higher  
20 education effective July 1, 2012. The legislature finds that over the  
21 years additional duties have been given to the higher education  
22 coordinating board, which has diluted the board's resources. The  
23 legislature intends for the new council for higher education to refocus  
24 on the core function of higher education coordination and be a trusted  
25 source of information for policymakers. Furthermore, the legislature  
26 intends to create a bipartisan joint higher education committee to  
27 provide legislative oversight of the council for higher education.

28 **PART I**

29 **COUNCIL FOR HIGHER EDUCATION**

30 **Sec. 101.** RCW 28B.77.005 and 2011 1st sp.s. c 11 s 301 are each  
31 amended to read as follows:

32 On July 1, 2012, the higher education coordinating board is  
33 abolished and the council for higher education is created (~~(subject to~~  
34 ~~the recommendations of the higher education steering committee~~

1 ~~established in section 302, chapter 11, Laws of 2011 1st sp. sess. and~~  
2 ~~implementing legislation enacted by the 2012 legislature)) to be known~~  
3 ~~as "the S.B. White board."~~

4 NEW SECTION. **Sec. 102.** The definitions in this section apply  
5 throughout this chapter unless the context clearly requires otherwise.

6 (1) "Committee" means the joint higher education committee.

7 (2) "Council" means the council for higher education.

8 (3) "Education data center" means the education data center  
9 established in the office of financial management as provided under RCW  
10 43.41.400.

11 (4) "Four-year institutions of higher education" means the  
12 University of Washington, Washington State University, Central  
13 Washington University, Eastern Washington University, Western  
14 Washington University, and The Evergreen State College.

15 (5) "Major expansion" means expansion of the higher education  
16 system that requires significant new capital investment, including  
17 building new institutions, campuses, branches, or centers or conversion  
18 of existing campuses, branches, or centers that would result in a  
19 mission change.

20 (6) "Mission change" means a change in the level of degree awarded  
21 or institutional type not currently authorized in statute.

22 (7) "Office" means the office of student financial assistance  
23 created in RCW 28B.76.090.

24 NEW SECTION. **Sec. 103.** The mission of the council is to be a  
25 resource for policymakers on issues concerning higher education,  
26 develop statewide higher education policies based on relevant and  
27 objective data, and facilitate the coordination of the state's  
28 institutions of higher education.

29 NEW SECTION. **Sec. 104.** The duties of the council are to:

30 (1) Provide strategic planning and develop a ten-year statewide  
31 plan for higher education and continually monitor state and institution  
32 progress in meeting the vision, goals, priorities, and strategies  
33 articulated in the plan;

34 (2) Provide financing planning and strategic investment  
35 recommendations for higher education, including comparing the total

1 per-student funding in Washington with similar institutions of higher  
2 education in the global challenge states and providing system-wide  
3 budget recommendations, necessary to meet statewide goals;

4 (3) Make system design and coordination recommendations to address  
5 the future needs of higher education in Washington state, including  
6 transfer policies, program approval, recommendations on additional  
7 facilities, branch campuses, and institutions, and approve private  
8 degree-granting postsecondary institutions;

9 (4) Establish and implement a state system for collecting,  
10 analyzing, and distributing information, in collaboration with the  
11 education data center, and provide higher educational data analysis,  
12 which supports statewide policies to enhance the availability, quality,  
13 efficiency, and accountability of public higher education in Washington  
14 state;

15 (5) Monitor higher education activities for compliance with all  
16 relevant state policies for higher education and provide timely and  
17 relevant data and policy analysis to the governor, the legislature, and  
18 the public using the ten-year statewide plan to provide context;

19 (6) Aggregate and disseminate information and resources to students  
20 regarding college preparedness, college attendance, and financial aid,  
21 and serve as an advocate on behalf of students and the overall system  
22 of higher education to the governor, the legislature, and the public;

23 (7) Represent the broad public interest above the interests of the  
24 individual institutions of higher education;

25 (8) Promote interinstitutional cooperation and coordinate  
26 educational activities among all segments of higher education taking  
27 into account the educational programs, facilities, and other resources  
28 of both public and independent two and four-year colleges and  
29 universities;

30 (9) Establish minimum admission standards for four-year  
31 institutions of higher education, including a requirement that  
32 coursework in American sign language or an American Indian language  
33 satisfies any requirement for instruction in a language other than  
34 English that the council or the institutions may establish as a general  
35 undergraduate admissions requirement;

36 (10) Arbitrate disputes between and among four-year institutions of  
37 higher education and community colleges at the request of one or more

1 of the institutions involved, or at the request of the governor, or  
2 from a resolution adopted by the legislature. The decision of the  
3 council shall be binding on the participants in the dispute;

4 (11) Coordinate with the governing boards of the two and four-year  
5 institutions of higher education, the office of student financial  
6 assistance, the state board for community and technical colleges, the  
7 workforce training and education coordinating board, and the  
8 superintendent of public instruction to create a seamless system of  
9 public education for the citizens of Washington state geared toward  
10 student success; and

11 (12) Oversee the office of student financial assistance, as  
12 provided in section 112 of this act.

13 NEW SECTION. **Sec. 105.** (1) The council shall consist of:

14 (a) One nonstudent regent from a board of regents of a state  
15 university as defined in RCW 28B.10.016, appointed by the chairs of the  
16 boards of regents;

17 (b) One nonstudent trustee from a board of trustees of a regional  
18 university as defined in RCW 28B.10.016, appointed by the chairs of the  
19 boards of trustees;

20 (c) One member of a governing board of a higher education  
21 institution as defined in RCW 28B.07.020, appointed by an association  
22 of independent nonprofit colleges and universities;

23 (d) One member of the state board for community and technical  
24 colleges, appointed by the board;

25 (e) One student representative, appointed by the governor and  
26 confirmed by the senate; and

27 (f) Eight persons who reflect diverse, statewide representation,  
28 selected on the basis of their knowledge of, or interest or experience  
29 in, problems of higher education, who are nominated by the legislature  
30 and appointed by the governor as provided in this subsection (1)(f).

31 (i) Each of the two largest caucuses in the house of  
32 representatives and in the senate are responsible for two seats on the  
33 council. Each caucus shall submit to the governor a single list of its  
34 nominees. The minimum number of nominees from each caucus shall be  
35 equal to twice the number of open seats for which the caucus is  
36 responsible. Nominees may not be legislators or employees of the state

1 or its political subdivisions, and no caucus may submit the same  
2 nominee at the same time.

3 (ii) The governor shall appoint members to each seat on the council  
4 for which a caucus is responsible from the list submitted by the  
5 respective caucus. At least one of the eight members appointed under  
6 this subsection (1)(f) must include an individual representing business  
7 in the science, technology, engineering, or mathematics field.

8 (iii) None of the eight members may be appointed if his or her  
9 participation in the decisions of the council could benefit his or her  
10 own financial interests or the financial interests of an entity he or  
11 she represents. A councilmember who develops such a conflict of  
12 interest must resign or be removed from the council.

13 (iv) By June 1, 2012, the caucus must submit its initial list of  
14 nominees to the governor, and by July 1, 2012, the governor must  
15 appoint members to the council.

16 (2) The councilmembers, except the student member, shall serve  
17 four-year terms, except that to stagger the terms of the council, the  
18 initial appointments for six of the members shall be for two-year  
19 terms. Four of the six initial two-year terms shall be distributed  
20 equally among the caucuses' nominees appointed to the council. No  
21 member may serve more than two full terms, unless the member has been  
22 appointed to fill a vacancy or served an initial two-year term, but in  
23 any event, a member's term may not exceed ten years total. The student  
24 member shall hold his or her office for a term of one year beginning on  
25 the first day of July.

26 (3) A member of the council whose term has expired or who otherwise  
27 leaves the council shall be replaced in the same manner as the original  
28 appointment. When the person leaving was nominated by one of the  
29 caucuses of the house of representatives or of the senate, his or her  
30 replacement shall be appointed from a list of two nominees submitted by  
31 the respective caucus within thirty days after the person leaves.

32 (4) The council shall select from its eight caucus nominees a chair  
33 and vice chair, who shall each serve a two-year term. The chair and  
34 vice chair may serve more than one term if selected to do so by the  
35 membership.

36 NEW SECTION. **Sec. 106.** (1) The council shall adopt bylaws and

1 shall meet at least four times each year and at such other times as  
2 determined by the chair who shall give reasonable prior notice to the  
3 members.

4 (2) Councilmembers are expected to consistently attend meetings.  
5 The chair of the council may ask the governor to remove any member who  
6 misses more than two meetings in any calendar year without cause. Any  
7 member so removed must be replaced as provided under section 105(3) of  
8 this act.

9 NEW SECTION. **Sec. 107.** Councilmembers shall be compensated in  
10 accordance with RCW 43.03.240 and reimbursed for travel expenses  
11 incurred in carrying out the duties of the council in accordance with  
12 RCW 43.03.050 and 43.03.060.

13 NEW SECTION. **Sec. 108.** (1) The council shall employ a director  
14 and may delegate agency management to the director. The director shall  
15 serve at the pleasure of the council, shall be the executive officer of  
16 the council, and shall, under the council's supervision, administer the  
17 provisions of this chapter.

18 (2) The director shall, with the approval of the council: (a)  
19 Employ necessary deputy and assistant directors and other exempt staff  
20 under chapter 41.06 RCW who shall serve at his or her pleasure on such  
21 terms and conditions as he or she determines and (b) subject to the  
22 provisions of chapter 41.06 RCW, appoint and employ such other  
23 employees as may be required for the proper discharge of the functions  
24 of the council.

25 (3) The director shall exercise such additional powers, other than  
26 rule making, as may be delegated by the council by resolution.

27 (4) In fulfilling the duties under this chapter, the council shall  
28 make extensive use of those state agencies with responsibility for  
29 implementing and supporting postsecondary education plans and policies  
30 including but not limited to appropriate legislative groups, the  
31 postsecondary education institutions, the office of financial  
32 management, the workforce training and education coordinating board,  
33 the state board for community and technical colleges, and the office of  
34 the superintendent of public instruction. Outside consulting and  
35 service agencies may also be employed. The council may compensate

1 these groups and consultants in appropriate ways within the constraints  
2 established by budgeted resources.

3 NEW SECTION. **Sec. 109.** The council has the authority to adopt  
4 rules as necessary to implement this chapter.

5 NEW SECTION. **Sec. 110.** (1) The council shall identify measurable  
6 and feasible goals and priorities for the system of higher education in  
7 Washington for a ten-year period of time and a plan to achieve them.  
8 The plan must encompass all sectors of higher education, including the  
9 two-year system, workforce training, and the four-year institutions of  
10 higher education. The council shall also identify strategies for  
11 expanding access, affordability, quality, efficiency, and  
12 accountability among the various institutions of higher education.

13 (2) By October 1, 2012, and every two years thereafter, the council  
14 shall submit an update of the ten-year statewide plan to the joint  
15 higher education committee created in section 201 of this act. The  
16 updated plan must reflect the expectations and policy directions of the  
17 higher education and fiscal committees of the legislature and must  
18 provide a timely and relevant framework for the development of future  
19 budgets and policy proposals.

20 (3) The ten-year statewide plan must include but not be limited to:

21 (a) Strategic planning, which includes setting benchmarks and goals  
22 for long-term degree production generally and in particular fields of  
23 study;

24 (b) Financing planning and strategic investment recommendations for  
25 education, including system-wide budget recommendations, necessary to  
26 meet statewide goals;

27 (c) System design and coordination;

28 (d) Student transition improvement;

29 (e) Higher educational data and analysis, in collaboration with the  
30 education data center, which includes measuring outcomes for  
31 recruitment, retention, and success of students;

32 (f) Policy research; and

33 (g) College and career access preparedness, in collaboration with  
34 the office of the superintendent of public instruction.



1        NEW SECTION.    **Sec. 111.**    (1) The council shall evaluate whether to  
2 expand its duties to coordinate transitions from secondary and  
3 postsecondary education, becoming a 10-20 council. The council shall  
4 also review whether any changes are needed to membership of the council  
5 created in section 105 of this act. By December 1, 2012, the council  
6 shall report its recommendations to the joint higher education  
7 committee created in section 201 of this act.

8            (2) This section expires August 1, 2013.

9        NEW SECTION.    **Sec. 112.**    The office of student financial assistance  
10 shall operate under the authority of the council. The council shall  
11 review statutory requirements of the office of student financial  
12 assistance and of the former higher education coordinating board and  
13 recommend any legislative action to the joint higher education  
14 committee under section 201 of this act. As long as the council and  
15 the office of financial management under the provisions of chapter  
16 43.82 RCW deem it appropriate and financially justifiable to do so, the  
17 office shall be colocated at the central office of the council, and  
18 shall be furnished with necessary supplies and equipment.

19        **Sec. 113.**    RCW 28B.76.110 and 2004 c 275 s 5 are each amended to  
20 read as follows:

21            The ((higher education coordinating board)) council is designated  
22 as the state commission as provided for in Section 1202 of the  
23 education amendments of 1972 (Public Law 92-318), as now or hereafter  
24 amended; and shall perform such functions as is necessary to comply  
25 with federal directives pertaining to the provisions of such law.

26        **Sec. 114.**    RCW 28B.76.210 and 2011 1st sp.s. c 11 s 104 are each  
27 amended to read as follows:

28            (1) The ((board)) council shall ((collaborate with the four-year  
29 institutions including the council of presidents, the community and  
30 technical college system, and when appropriate the workforce training  
31 and education coordinating board, the superintendent of public  
32 instruction, and the independent higher educational institutions to))  
33 identify budget priorities and levels of funding for higher education,  
34 including the two and four-year institutions of higher education and  
35 state financial aid programs. It is the intent of the legislature for

1 the council to make budget recommendations for allocations for major  
2 policy changes, but the legislature does not intend for the council to  
3 review and make recommendations on individual institutional budgets.  
4 It is the intent of the legislature that recommendations from the  
5 (~~board reflect not merely the sum of budget requests from multiple~~  
6 ~~institutions, but prioritized~~) council prioritize funding needs for  
7 the overall system of higher education in accordance with priorities  
8 set forth in the ten-year statewide plan. It is also the intent of the  
9 legislature that the council's recommendations take into consideration  
10 the total per-student funding at similar public institutions of higher  
11 education in the global challenge states.

12 (2) By December of each odd-numbered year, the (~~board~~) council  
13 shall (~~distribute guidelines which~~) outline the (~~board's~~) council's  
14 fiscal priorities under the ten-year statewide plan that it must  
15 distribute to the institutions (~~and~~), the state board for community  
16 and technical colleges, the office of financial management, and the  
17 legislature.

18 (~~(a)~~) (3) The institutions and the state board for community and  
19 technical colleges shall submit an outline of their proposed operating  
20 budgets to the (~~board~~) council no later than July 1st of each even-  
21 numbered year. (~~Pursuant to guidelines developed by the board,~~)  
22 Operating budget outlines submitted by the institutions and the state  
23 board for community and technical colleges (~~after January 1, 2007,~~)  
24 shall include all policy changes and enhancements that will be  
25 requested by the institutions and the state board for community and  
26 technical colleges in their respective biennial budget requests.  
27 Operating budget outlines shall include a description of each policy  
28 enhancement, the dollar amount requested, and the fund source being  
29 requested.

30 (~~(b) Capital budget outlines for the two-year institutions shall~~  
31 ~~be submitted by August 15th of each even-numbered year, and shall~~  
32 ~~include the prioritized ranking of the capital projects being~~  
33 ~~requested, a description of each capital project, and the amount and~~  
34 ~~fund source being requested.~~

35 (~~(c) Capital budget outlines for the four-year institutions must be~~  
36 ~~submitted by August 15th of each even-numbered year, and must include:~~  
37 ~~The institutions' priority ranking of the project; the capital budget~~  
38 ~~category within which the project will be submitted to the office of~~

1 ~~financial management in accordance with RCW 43.88D.010; a description~~  
2 ~~of each capital project; and the amount and fund source being~~  
3 ~~requested.~~

4 ~~(d))~~ The office of financial management shall reference ~~((these))~~  
5 this reporting requirement~~((s))~~ in its budget instructions.

6 ~~((3) The board shall review and evaluate the operating and capital~~  
7 ~~budget requests from four year institutions and the community and~~  
8 ~~technical college system based on how the requests align with the~~  
9 ~~board's budget priorities, the missions of the institutions, and the~~  
10 ~~statewide strategic master plan for higher education under RCW~~  
11 ~~28B.76.200.))~~

12 (4) The ~~((board))~~ council shall submit recommendations on the  
13 proposed operating budget and priorities to support the ten-year  
14 statewide plan to the office of financial management by October 1st of  
15 each even-numbered year, and to the legislature by January 1st of each  
16 odd-numbered year. The council shall submit recommendations on the  
17 proposed supplemental budget requests to the office of financial  
18 management by November 1st of odd-numbered years and to the legislature  
19 by January 1st of even-numbered years.

20 ~~((5)(a) The board's capital budget recommendations for the~~  
21 ~~community and technical college system and the four year institutions~~  
22 ~~must be submitted to the office of financial management and to the~~  
23 ~~legislature by November 15th of each even-numbered year.~~

24 ~~(b) The board shall develop one prioritized list of capital~~  
25 ~~projects for the legislature to consider that includes all of the~~  
26 ~~projects requested by the four year institutions of higher education~~  
27 ~~that were scored by the office of financial management pursuant to~~  
28 ~~chapter 43.88D RCW, including projects that were previously scored but~~  
29 ~~not funded. The prioritized list of capital projects shall be based on~~  
30 ~~the following priorities in the following order:~~

31 ~~(i) Office of financial management scores pursuant to chapter~~  
32 ~~43.88D RCW;~~

33 ~~(ii) Preserving assets;~~

34 ~~(iii) Degree production; and~~

35 ~~(iv) Maximizing efficient use of instructional space.~~

36 ~~(c) The board shall include all of the capital projects requested~~  
37 ~~by the four year institutions of higher education, except for the minor~~

1 ~~works projects, in the prioritized list of capital projects provided to~~  
2 ~~the legislature.~~

3 ~~(d) The form of the prioritized list for capital projects requested~~  
4 ~~by the four-year institutions of higher education shall be provided as~~  
5 ~~one list, ranked in priority order with the highest priority project~~  
6 ~~ranked number "1" through the lowest priority project numbered last.~~  
7 ~~The ranking for the prioritized list of capital projects may not:~~

8 ~~(i) Include subpriorities;~~

9 ~~(ii) Be organized by category;~~

10 ~~(iii) Assume any state bond or building account biennial funding~~  
11 ~~level to prioritize the list; or~~

12 ~~(iv) Assume any specific share of projects by institution in the~~  
13 ~~priority list.~~

14 ~~(6) Institutions and the state board for community and technical~~  
15 ~~colleges shall submit any supplemental budget requests and revisions to~~  
16 ~~the board at the same time they are submitted to the office of~~  
17 ~~financial management. The board shall submit recommendations on the~~  
18 ~~proposed supplemental budget requests to the office of financial~~  
19 ~~management by November 1st and to the legislature by January 1st.)~~

20 NEW SECTION. Sec. 115. (1)(a) Capital budget outlines for the  
21 two-year institutions of higher education must be submitted by August  
22 15th of each even-numbered year, and must include the prioritized  
23 ranking of the capital projects being requested, a description of each  
24 capital project, and the amount and fund source being requested.

25 (b) Capital budget outlines for the four-year institutions of  
26 higher education must be submitted by August 15th of each even-numbered  
27 year, and must include: The institutions' priority ranking of the  
28 project; the capital budget category within which the project will be  
29 submitted to the office of financial management in accordance with RCW  
30 43.88D.010; a description of each capital project; and the amount and  
31 fund source being requested.

32 (c) The office of financial management shall reference these  
33 reporting requirements in its budget instructions.

34 (2) Institutions of higher education and the state board for  
35 community and technical colleges shall submit any supplemental budget  
36 requests and revisions to the council at the same time they are  
37 submitted to the office of financial management.

1 (3)(a) The council's capital budget recommendations for the  
2 community and technical college system and the four-year institutions  
3 of higher education must be submitted to the office of financial  
4 management and to the legislature by November 15th of each even-  
5 numbered year. The council must submit recommendations on the proposed  
6 supplemental budget requests to the office of financial management by  
7 November 1st of odd-numbered years and to the legislature by January  
8 1st of even-numbered years.

9 (b) The council shall develop one prioritized list of capital  
10 projects for the legislature to consider that includes all of the  
11 projects requested by the four-year institutions of higher education  
12 that were scored by the office of financial management pursuant to  
13 chapter 43.88D RCW, including projects that were previously scored but  
14 not funded. The prioritized list of capital projects shall be in the  
15 following order:

16 (i) Priorities set forth in the ten-year statewide plan;

17 (ii) Office of financial management scores pursuant to chapter  
18 43.88D RCW;

19 (iii) Preserving assets;

20 (iv) Degree production; and

21 (v) Maximizing efficient use of instructional space.

22 (c) The council shall include all of the capital projects requested  
23 by the four-year institutions of higher education, except for the minor  
24 works projects, in the prioritized list of capital projects provided to  
25 the legislature.

26 (d) The form of the prioritized list of capital projects requested  
27 by the four-year institutions of higher education shall be provided as  
28 one list, ranked in priority order with the highest priority project  
29 ranked number "1" through the lowest priority project numbered last.  
30 The ranking for the prioritized list of capital projects may not:

31 (i) Include subpriorities;

32 (ii) Be organized by category;

33 (iii) Assume any state bond or building account biennial funding  
34 level to prioritize the list; or

35 (iv) Assume any specific share of projects by institutions in the  
36 priority list.

1           **Sec. 116.** RCW 28B.76.230 and 2010 c 245 s 5 are each amended to  
2 read as follows:

3           (1) The ((~~board~~)) council shall develop a comprehensive and ongoing  
4 assessment process to analyze the need for additional degrees and  
5 programs, additional off-campus centers and locations for degree  
6 programs, and consolidation or elimination of programs by the four-year  
7 institutions of higher education. ((~~Board~~)) Council recommendations  
8 regarding proposed major expansion shall be limited to determinations  
9 of whether the major expansion is within the scope indicated in the  
10 most recent strategic master plan for higher education or most recent  
11 system design plan. Recommendations regarding existing capital  
12 prioritization processes are not within the scope of the evaluation of  
13 major expansion. Major expansion and proposed mission changes may be  
14 proposed by the ((~~board~~)) council, any public institution of higher  
15 education, or by a state or local government.

16           (2) As part of the needs assessment process, the ((~~board~~)) council  
17 shall examine:

18           (a) Projections of student, employer, and community demand for  
19 education and degrees, including liberal arts degrees, on a regional  
20 and statewide basis;

21           (b) Current and projected degree programs and enrollment at public  
22 and private institutions of higher education, by location and mode of  
23 service delivery;

24           (c) Data from the workforce training and education coordinating  
25 board and the state board for community and technical colleges on the  
26 supply and demand for workforce education and certificates and  
27 associate degrees; and

28           (d) Recommendations from the technology transformation task force  
29 created in chapter 407, Laws of 2009, and institutions of higher  
30 education relative to the strategic and operational use of technology  
31 in higher education. These and other reports, reviews, and audits  
32 shall allow for: The development of enterprise-wide digital  
33 information technology across educational sectors, systems, and  
34 delivery methods; the integration and streamlining of administrative  
35 tools including but not limited to student information management,  
36 financial management, payroll, human resources, data collection,  
37 reporting, and analysis; and a determination of the costs of multiple  
38 technology platforms, systems, and models.

1 (3) Every two years the ((~~board~~)) council shall produce, jointly  
2 with the state board for community and technical colleges and the  
3 workforce training and education coordinating board, an assessment of  
4 the number and type of higher education and training credentials  
5 required to match employer demand for a skilled and educated workforce.  
6 The assessment shall include the number of forecasted net job openings  
7 at each level of higher education and training and the number of  
8 credentials needed to match the forecast of net job openings.

9 (4) The ((~~board~~)) council shall determine whether certain major  
10 lines of study or types of degrees, including applied degrees or  
11 research-oriented degrees, shall be assigned uniquely to some  
12 institutions or institutional sectors in order to create centers of  
13 excellence that focus resources and expertise.

14 (5) The following activities are subject to approval by the  
15 ((~~board~~)) council:

- 16 (a) New degree programs by a four-year institution;
- 17 (b) Creation of any off-campus program by a four-year institution;
- 18 (c) Purchase or lease of major off-campus facilities by a four-year  
19 institution or a community or technical college;
- 20 (d) Creation of higher education centers and consortia;
- 21 (e) New degree programs and creation of off-campus programs by an  
22 independent college or university in collaboration with a community or  
23 technical college; and
- 24 (f) Applied baccalaureate degree programs developed by colleges  
25 under RCW 28B.50.810.

26 (6) Institutions seeking ((~~board~~)) council approval under this  
27 section must demonstrate that the proposal is justified by the needs  
28 assessment developed under this section. Institutions must also  
29 demonstrate how the proposals align with or implement the ten-year  
30 statewide ((~~strategic master~~)) plan for higher education under ((~~RCW~~  
31 ~~28B.76.200~~)) section 110 of this act.

32 (7) The ((~~board~~)) council shall develop clear guidelines and  
33 objective decision-making criteria regarding approval of proposals  
34 under this section, which must include review and consultation with the  
35 institution and other interested agencies and individuals.

36 (8) The ((~~board~~)) council shall periodically recommend  
37 consolidation or elimination of programs at the four-year institutions  
38 of higher education, based on the needs assessment analysis.

1 (9) In the case of a proposed major expansion or mission change,  
2 the needs assessment process under subsection (2) of this section  
3 constitutes a threshold inquiry. If the ((~~board~~)) council determines  
4 that the need for the proposed major expansion or mission change has  
5 not been justified, the inquiry is concluded. If the ((~~board~~)) council  
6 determines that the need for the proposed major expansion or mission  
7 change has been sufficiently established, the ((~~board~~)) council, in  
8 consultation with any directly involved institutions and other  
9 interested agencies and individuals, shall proceed to examine the  
10 viability of the proposal using criteria including, but not limited to:

11 (a) The specific scope of the project including the capital  
12 investment requirements, the number of full-time equivalent students  
13 anticipated, and the number of academic programs planned;

14 (b) The existence of an efficient and sustainable financial plan;

15 (c) The extent to which existing resources can be leveraged;

16 (d) The current and five-year projected student population,  
17 faculty, and staff to support the proposed programs, institution, or  
18 innovation;

19 (e) The plans to accommodate expected growth over a twenty-year  
20 time frame;

21 (f) The extent to which new or existing partnerships and  
22 collaborations are a part of the proposal; and

23 (g) The feasibility of any proposed innovations to accelerate  
24 degree production.

25 (10) After the ((~~board~~)) council completes its evaluation of the  
26 proposed major expansion or mission change using the needs assessment  
27 under subsection (2) of this section and viability determination under  
28 subsection ((+9)) (7) of this section, the ((~~board~~)) council shall  
29 make a recommendation to either proceed, modify, or not proceed with  
30 the proposed major expansion or mission change. The ((~~board's~~))  
31 council's recommendation shall be presented to the governor and the  
32 legislature.

33 **Sec. 117.** RCW 28B.76.235 and 2011 c 77 s 4 are each amended to  
34 read as follows:

35 The ((~~higher education coordinating board~~)) council shall annually  
36 publish on its web site the agreed-upon list of high school courses  
37 qualifying for postsecondary credit under RCW 28B.10.053 and qualifying



1 examination (~~qualifying~~) scores and demonstrated competencies meeting  
2 the postsecondary requirements for a certificate or technical degree,  
3 a two-year academic transfer degree, or the lower division requirements  
4 for a baccalaureate degree.

5 **Sec. 118.** RCW 28B.76.240 and 2004 c 275 s 10 are each amended to  
6 read as follows:

7 The (~~board~~) council shall adopt statewide transfer and  
8 articulation policies that ensure efficient transfer of credits and  
9 courses across public two and four-year institutions of higher  
10 education. The intent of the policies is to create a statewide system  
11 of articulation and alignment between two and four-year institutions of  
12 higher education. Policies may address but are not limited to creation  
13 of a statewide system of course equivalency, creation of transfer  
14 associate degrees, statewide articulation agreements, applicability of  
15 technical courses toward baccalaureate degrees, and other issues. The  
16 institutions of higher education and the state board for community and  
17 technical colleges shall cooperate with the (~~board~~) council in  
18 developing the statewide policies and shall provide support and staff  
19 resources as necessary to assist in maintaining the policies. (~~The~~  
20 ~~board shall submit a progress report to the higher education committees~~  
21 ~~of the senate and house of representatives by December 1, 2006, by~~  
22 ~~which time the legislature expects measurable improvement in alignment~~  
23 ~~and transfer efficiency.))~~

24 **Sec. 119.** RCW 28B.76.2401 and 2004 c 55 s 5 are each reenacted and  
25 amended to read as follows:

26 The statewide transfer of credit policy and agreement must be  
27 designed to facilitate the transfer of students and the evaluation of  
28 transcripts, to better serve persons seeking information about courses  
29 and programs, to aid in academic planning, and to improve the review  
30 and evaluation of academic programs in the state institutions of higher  
31 education. The statewide transfer of credit policy and agreement must  
32 not require or encourage the standardization of course content or  
33 prescribe course content or the credit value assigned by any  
34 institution to the course. Policies adopted by public four-year  
35 institutions of higher education concerning the transfer of lower

1 division credit must treat students transferring from public community  
2 colleges the same as students transferring from public four-year  
3 institutions of higher education.

4 **Sec. 120.** RCW 28B.76.270 and 2011 1st sp.s. c 10 s 8 are each  
5 amended to read as follows:

6 (1) The ((~~board~~)) council shall establish an accountability  
7 monitoring and reporting system as part of a continuing effort to make  
8 meaningful and substantial progress towards the achievement of long-  
9 term performance goals in higher education.

10 (2) To provide consistent, easily understood data among the public  
11 four-year institutions of higher education within Washington and in  
12 other states, the following data must be reported to the education data  
13 center annually by December 1st, and at a minimum include data  
14 recommended by a national organization representing state chief  
15 executives. The ((~~board~~)) council may change the data requirements to  
16 be consistent with best practices across the country. This data must,  
17 to the maximum extent possible, be disaggregated by race and ethnicity,  
18 gender, state and county of origin, age, and socioeconomic status, and  
19 include the following for the four-year institutions of higher  
20 education:

21 (a) Bachelor's degrees awarded;

22 (b) Graduate and professional degrees awarded;

23 (c) Graduation rates: The number and percentage of students who  
24 graduate within four years for bachelor's degrees and within the  
25 extended time, which is six years for bachelor's degrees;

26 (d) Transfer rates: The annual number and percentage of students  
27 who transfer from a two-year to a four-year institution of higher  
28 education;

29 (e) Time and credits to degree: The average length of time in  
30 years and average number of credits that graduating students took to  
31 earn a bachelor's degree;

32 (f) Enrollment in remedial education: The number and percentage of  
33 entering first-time undergraduate students who place into and enroll in  
34 remedial mathematics, English, or both;

35 (g) Success beyond remedial education: The number and percentage  
36 of entering first-time undergraduate students who complete entry

1 college-level math and English courses within the first two consecutive  
2 academic years;

3 (h) Credit accumulation: The number and percentage of first-time  
4 undergraduate students completing two quarters or one semester worth of  
5 credit during their first academic year;

6 (i) Retention rates: The number and percentage of entering  
7 undergraduate students who enroll consecutively from fall-to-spring and  
8 fall-to-fall at an institution of higher education;

9 (j) Course completion: The percentage of credit hours completed  
10 out of those attempted during an academic year;

11 (k) Program participation and degree completion rates in bachelor  
12 and advanced degree programs in the sciences, which includes  
13 agriculture and natural resources, biology and biomedical sciences,  
14 computer and information sciences, engineering and engineering  
15 technologies, health professions and clinical sciences, mathematics and  
16 statistics, and physical sciences and science technologies, including  
17 participation and degree completion rates for students from  
18 traditionally underrepresented populations;

19 (l) Annual enrollment: Annual unduplicated number of students  
20 enrolled over a twelve-month period at institutions of higher education  
21 including by student level;

22 (m) Annual first-time enrollment: Total first-time students  
23 enrolled in a four-year institution of higher education;

24 (n) Completion ratio: Annual ratio of undergraduate and graduate  
25 degrees and certificates, of at least one year in expected length,  
26 awarded per one hundred full-time equivalent undergraduate students at  
27 the state level;

28 (o) Market penetration: Annual ratio of undergraduate and graduate  
29 degrees and certificates, of at least one year in program length,  
30 awarded relative to the state's population age eighteen to twenty-four  
31 years old with a high school diploma;

32 (p) Student debt load: Median three-year distribution of debt  
33 load, excluding private loans or debts incurred before coming to the  
34 institution;

35 (q) Data related to enrollment, completion rates, participation  
36 rates, and debt load shall be disaggregated for students in the  
37 following income brackets to the maximum extent possible:

38 (i) Up to seventy percent of the median family income;

1 (ii) Between seventy-one percent and one hundred twenty-five  
2 percent of the median family income; and

3 (iii) Above one hundred twenty-five percent of the median family  
4 income; and

5 (r) Yearly percentage increases in the average cost of  
6 undergraduate instruction.

7 (3) Four-year institutions of higher education must count all  
8 students when collecting data, not only first-time, full-time freshmen.

9 (4) Based on guidelines prepared by the ((~~board~~)) council, each  
10 four-year institution of higher education and the state board for  
11 community and technical colleges shall submit a biennial plan to  
12 achieve measurable and specific improvements each academic year on  
13 statewide and institution-specific performance measures. Plans shall  
14 be submitted to the ((~~board~~)) council along with the biennial budget  
15 requests from the institutions and the state board for community and  
16 technical colleges. Performance measures established for the community  
17 and technical colleges shall reflect the role and mission of the  
18 colleges.

19 (5) The ((~~board~~)) council shall approve biennial performance  
20 targets for each four-year institution and for the community and  
21 technical college system and shall review actual achievements annually.  
22 The state board for community and technical colleges shall set biennial  
23 performance targets for each college or district, where appropriate.

24 (6) The ((~~board~~)) council shall submit a report on progress towards  
25 the statewide goals, with recommendations for the ensuing biennium, to  
26 the fiscal and higher education committees of the legislature along  
27 with the ((~~board's~~)) council's biennial budget recommendations.

28 (7) The ((~~board~~)) council, in collaboration with the four-year  
29 institutions of higher education and the state board for community and  
30 technical colleges, shall periodically review and update the  
31 accountability monitoring and reporting system.

32 (8) The ((~~board~~)) council shall develop measurable indicators and  
33 benchmarks for its own performance regarding cost, quantity, quality,  
34 and timeliness and including the performance of committees and advisory  
35 groups convened under this chapter to accomplish such tasks as  
36 improving transfer and articulation, improving articulation with the K-  
37 12 education system, measuring educational costs, or developing data

1 protocols. The ((~~board~~)) council shall submit its accountability plan  
2 to the legislature concurrently with the biennial report on institution  
3 progress.

4 (9) In conjunction with the office of financial management, all  
5 four-year institutions of higher education must display the data  
6 described in subsection (2) of this section in a uniform dashboard  
7 format on the office of financial management's web site no later than  
8 December 1, 2011, and updated thereafter annually by December 1st. To  
9 the maximum extent possible, the information must be viewable by race  
10 and ethnicity, gender, state and county of origin, age, and  
11 socioeconomic status. The information may be tailored to meet the  
12 needs of various target audiences such as students, researchers, and  
13 the general public.

14 **Sec. 121.** RCW 28B.76.325 and 2011 1st sp.s. c 10 s 28 are each  
15 amended to read as follows:

16 (1) The ((~~board~~)) council, the state board for community and  
17 technical colleges, the council of presidents, the four-year  
18 institutions of higher education, the private independent higher  
19 education institutions, and the private career schools shall  
20 collaborate to carry out the following goals:

21 (a) Increase the number of students who receive academic credit for  
22 prior learning and the number of students who receive credit for prior  
23 learning that counts towards their major or towards earning their  
24 degree, certificate, or credential, while ensuring that credit is  
25 awarded only for high quality, course-level competencies;

26 (b) Increase the number and type of academic credits accepted for  
27 prior learning in institutions of higher education, while ensuring that  
28 credit is awarded only for high quality, course-level competencies;

29 (c) Develop transparent policies and practices in awarding academic  
30 credit for prior learning;

31 (d) Improve prior learning assessment practices across the  
32 institutions of higher education;

33 (e) Create tools to develop faculty and staff knowledge and  
34 expertise in awarding credit for prior learning and to share exemplary  
35 policies and practices among institutions of higher education;

36 (f) Develop articulation agreements when patterns of credit for  
37 prior learning are identified for particular programs and pathways; and

1 (g) Develop outcome measures to track progress on the goals  
2 outlined in this section.

3 (2) The ((~~board~~)) council shall convene the academic credit for  
4 prior learning work group.

5 (a) The work group must include the following members:

6 (i) One representative from the ((~~higher education coordinating~~  
7 ~~board~~)) council;

8 (ii) One representative from the state board for community and  
9 technical colleges;

10 (iii) One representative from the council of presidents;

11 (iv) Two representatives each from faculty from two and four-year  
12 institutions of higher education;

13 (v) Two representatives from private career schools;

14 (vi) Two representatives from business; and

15 (vii) Two representatives from labor.

16 (b) The purpose of the work group is to coordinate and implement  
17 the goals in subsection (1) of this section.

18 (3) The ((~~board~~)) council shall report progress on the goals and  
19 outcome measures annually by December 31st.

20 (4) For the purposes of this section, "prior learning" means the  
21 knowledge and skills gained through work and life experience; through  
22 military training and experience; and through formal and informal  
23 education and training from in-state and out-of-state institutions  
24 including foreign institutions.

25 **Sec. 122.** RCW 28B.76.510 and 2011 1st sp.s. c 11 s 108 are each  
26 amended to read as follows:

27 The ((~~office~~)) council shall administer any federal act pertaining  
28 to higher education which is not administered by another state agency.

29 **Sec. 123.** RCW 28B.76.695 and 2011 c 146 s 2 are each amended to  
30 read as follows:

31 (1) The ((~~board~~)) council may:

32 (a) Recognize and endorse online, competency-based education as an  
33 important component of Washington's higher education system;

34 (b) Work to eliminate unnecessary barriers to the delivery of  
35 online competency-based education by Western Governors University -  
36 Washington; and

1 (c) Work with Western Governors University - Washington, as  
2 appropriate, to integrate its academic programs and services into  
3 Washington higher education policy and strategy.

4 (2) The (~~board~~) council shall work with Western Governors  
5 University - Washington to create data-sharing processes to assess the  
6 institution's performance and determine the extent to which it helps  
7 the state achieve the goals of the current (~~statewide strategic~~  
8 ~~master~~) ten-year plan for higher education.

9 (3) The (~~board~~) council shall adopt rules and policies to  
10 implement this section and that require (~~board~~) council consultation  
11 and approval before:

12 (a) Modifications of contractual terms or relationships between the  
13 state and the institution of higher education; or

14 (b) Changes or modifications in the nonprofit status of the  
15 institution of higher education.

16 NEW SECTION. Sec. 124. RCW 28B.76.290 (Coordination of activities  
17 with segments of higher education) and 1993 c 77 s 2, 1992 c 60 s 3,  
18 1988 c 172 s 4, & 1985 c 370 s 6 are each repealed.

19 NEW SECTION. Sec. 125. A new section is added to chapter 28B.77  
20 RCW to read as follows:

21 (1) All powers, duties, and functions of the higher education  
22 coordinating board except for matters pertaining to student financial  
23 aid are transferred to the council for higher education. All  
24 references to the executive director or the higher education  
25 coordinating board in the Revised Code of Washington shall be construed  
26 to mean the director or the council for higher education when referring  
27 to the functions transferred in this section.

28 (2)(a) All reports, documents, surveys, books, records, files,  
29 papers, or written material in the possession of the higher education  
30 coordinating board pertaining to the powers, functions, and duties  
31 transferred shall be delivered to the custody of the council for higher  
32 education. All cabinets, furniture, office equipment, motor vehicles,  
33 and other tangible property employed by the higher education  
34 coordinating board in carrying out the powers, functions, and duties  
35 transferred shall be made available to the council for higher

1 education. All funds, credits, or other assets held in connection with  
2 the powers, functions, and duties transferred shall be assigned to the  
3 council for higher education.

4 (b) Any appropriations made to the higher education coordinating  
5 board for carrying out the powers, functions, and duties transferred  
6 shall, on the effective date of this section, be transferred and  
7 credited to the council for higher education.

8 (c) Whenever any question arises as to the transfer of any  
9 personnel, funds, books, documents, records, papers, files, equipment,  
10 or other tangible property used or held in the exercise of the powers  
11 and the performance of the duties and functions transferred, the  
12 director of financial management shall make a determination as to the  
13 proper allocation and certify the same to the state agencies concerned.

14 (3) All employees of the higher education coordinating board  
15 engaged in performing the powers, functions, and duties transferred are  
16 transferred to the jurisdiction of the council for higher education.  
17 All employees classified under chapter 41.06 RCW, the state civil  
18 service law, are assigned to the council for higher education to  
19 perform their usual duties upon the same terms as formerly, without any  
20 loss of rights, subject to any action that may be appropriate  
21 thereafter in accordance with the laws and rules governing state civil  
22 service.

23 (4) All rules and all pending business before the higher education  
24 coordinating board pertaining to the powers, functions, and duties  
25 transferred shall be continued and acted upon by the council for higher  
26 education. All existing contracts and obligations shall remain in full  
27 force and shall be performed by the council for higher education.

28 (5) The transfer of the powers, duties, functions, and personnel of  
29 the higher education coordinating board shall not affect the validity  
30 of any act performed before the effective date of this section.

31 (6) If apportionments of budgeted funds are required because of the  
32 transfers directed by this section, the director of financial  
33 management shall certify the apportionments to the agencies affected,  
34 the state auditor, and the state treasurer. Each of these shall make  
35 the appropriate transfer and adjustments in funds and appropriation  
36 accounts and equipment records in accordance with the certification.

37 (7) All classified employees of the higher education coordinating  
38 board assigned to the council for higher education under this section



1 whose positions are within an existing bargaining unit description at  
2 the council for higher education shall become a part of the existing  
3 bargaining unit at the council for higher education and shall be  
4 considered an appropriate inclusion or modification of the existing  
5 bargaining unit under the provisions of chapter 41.80 RCW.

6 NEW SECTION. **Sec. 126.** A new section is added to chapter 28B.76  
7 RCW to read as follows:

8 (1) All powers, duties, and functions of the higher education  
9 coordinating board pertaining to student financial aid are transferred  
10 to the office of student financial assistance. All references to the  
11 executive director or the higher education coordinating board in the  
12 Revised Code of Washington shall be construed to mean the director or  
13 the office of student financial assistance when referring to the  
14 functions transferred in this section.

15 (2)(a) All reports, documents, surveys, books, records, files,  
16 papers, or written material in the possession of the higher education  
17 coordinating board pertaining to the powers, functions, and duties  
18 transferred shall be delivered to the custody of the office of student  
19 financial assistance. All cabinets, furniture, office equipment, motor  
20 vehicles, and other tangible property employed by the higher education  
21 coordinating board in carrying out the powers, functions, and duties  
22 transferred shall be made available to the office of student financial  
23 assistance. All funds, credits, or other assets held in connection  
24 with the powers, functions, and duties transferred shall be assigned to  
25 the office of student financial assistance.

26 (b) Any appropriations made to the higher education coordinating  
27 board for carrying out the powers, functions, and duties transferred  
28 shall, on the effective date of this section, be transferred and  
29 credited to the office of student financial assistance.

30 (c) Whenever any question arises as to the transfer of any  
31 personnel, funds, books, documents, records, papers, files, equipment,  
32 or other tangible property used or held in the exercise of the powers  
33 and the performance of the duties and functions transferred, the  
34 director of financial management shall make a determination as to the  
35 proper allocation and certify the same to the state agencies concerned.

36 (3) All employees of the higher education coordinating board  
37 engaged in performing the powers, functions, and duties transferred are

1 transferred to the jurisdiction of the office of student financial  
2 assistance. All employees classified under chapter 41.06 RCW, the  
3 state civil service law, are assigned to the office of student  
4 financial assistance to perform their usual duties upon the same terms  
5 as formerly, without any loss of rights, subject to any action that may  
6 be appropriate thereafter in accordance with the laws and rules  
7 governing state civil service.

8 (4) All rules and all pending business before the higher education  
9 coordinating board pertaining to the powers, functions, and duties  
10 transferred shall be continued and acted upon by the office of student  
11 financial assistance. All existing contracts and obligations shall  
12 remain in full force and shall be performed by the office of student  
13 financial assistance.

14 (5) The transfer of the powers, duties, functions, and personnel of  
15 the higher education coordinating board shall not affect the validity  
16 of any act performed before the effective date of this section.

17 (6) If apportionments of budgeted funds are required because of the  
18 transfers directed by this section, the director of financial  
19 management shall certify the apportionments to the agencies affected,  
20 the state auditor, and the state treasurer. Each of these shall make  
21 the appropriate transfer and adjustments in funds and appropriation  
22 accounts and equipment records in accordance with the certification.

23 (7) All classified employees of the higher education coordinating  
24 board assigned to the office of student financial assistance under this  
25 section whose positions are within an existing bargaining unit  
26 description at the office of student financial assistance shall become  
27 a part of the existing bargaining unit at the office of student  
28 financial assistance and shall be considered an appropriate inclusion  
29 or modification of the existing bargaining unit under the provisions of  
30 chapter 41.80 RCW.

31 **PART II**

32 **JOINT HIGHER EDUCATION COMMITTEE**

33 NEW SECTION. **Sec. 201.** A new section is added to chapter 44.04  
34 RCW to read as follows:

- 35 (1) A joint higher education committee is created.  
36 (2) The purpose of the joint higher education committee is to:

1 (a) By December 1, 2012, and annually thereafter, review the work  
2 of the council for higher education and provide legislative feedback;

3 (b) Engage with the council for higher education and the higher  
4 education community to create greater communication, coordination, and  
5 alignment between the higher education system and the expectations of  
6 the legislature; and

7 (c) Provide recommendations for higher education policy, including  
8 proposed legislation, to the higher education and fiscal committees of  
9 the legislature.

10 NEW SECTION. **Sec. 202.** A new section is added to chapter 44.04  
11 RCW to read as follows:

12 (1) The joint higher education committee shall consist of the  
13 following members:

14 (a) Four members of the house of representatives, two each  
15 appointed by the leadership of the two largest caucuses, with at least  
16 one member from each caucus who is a member of the house of  
17 representatives ways and means committee and at least one member from  
18 each caucus who is a member of the house of representatives higher  
19 education committee; and

20 (b) Four members of the senate, two each appointed by the  
21 leadership of the two largest caucuses, with at least one member from  
22 each caucus who is a member of the senate ways and means committee and  
23 at least one member from each caucus who is a member of the senate  
24 higher education and workforce development committee.

25 (2) All members must be appointed by July 1, 2012, and must serve  
26 a term of no less than two years.

27 (3) Vacancies on the joint higher education committee shall be  
28 filled by appointment by either the president of the senate or the  
29 speaker of the house of representatives. All such vacancies shall be  
30 filled from the same political party and from the same house as the  
31 member whose seat was vacated.

32 (4) The joint higher education committee shall appoint its own  
33 cochairs, representing two different parties and the two chambers of  
34 the legislature.

35 NEW SECTION. **Sec. 203.** A new section is added to chapter 44.04  
36 RCW to read as follows:

1 (1) The joint higher education committee shall meet at least twice  
2 annually, once during December and once after the conclusion of the  
3 legislative session.

4 (2) The members of the joint higher education committee shall serve  
5 without additional compensation, but shall be reimbursed in accordance  
6 with RCW 44.04.120 while attending meetings of the joint higher  
7 education committee.

8 (3) The joint higher education committee shall adopt rules and  
9 procedures for its operations.

10 (4) Staff support for the joint higher education committee must be  
11 provided by the senate committee services and the house of  
12 representatives office of program research.

13 NEW SECTION. **Sec. 204.** A new section is added to chapter 44.04  
14 RCW to read as follows:

15 Members of the joint higher education committee must recommend to  
16 their respective caucuses nominees for possible appointment and  
17 reappointment to the council for higher education as provided in  
18 section 105 of this act.

19 **Sec. 205.** RCW 44.04.260 and 2005 c 319 s 112 are each amended to  
20 read as follows:

21 The joint legislative audit and review committee, the joint  
22 transportation committee, the select committee on pension policy, the  
23 legislative evaluation and accountability program committee, the joint  
24 higher education committee, and the joint legislative systems committee  
25 are subject to such operational policies, procedures, and oversight as  
26 are deemed necessary by the facilities and operations committee of the  
27 senate and the executive rules committee of the house of  
28 representatives to ensure operational adequacy of the agencies of the  
29 legislative branch. As used in this section, "operational policies,  
30 procedures, and oversight" includes the development process of biennial  
31 budgets, contracting procedures, personnel policies, and compensation  
32 plans, selection of a chief administrator, facilities, and  
33 expenditures. This section does not grant oversight authority to the  
34 facilities and operations committee of the senate over any standing  
35 committee of the house of representatives or oversight authority to the

1 executive rules committee of the house of representatives over any  
2 standing committee of the senate.

3 **Sec. 206.** RCW 43.88.230 and 2005 c 319 s 109 are each amended to  
4 read as follows:

5 For the purposes of this chapter, the statute law committee, the  
6 joint legislative audit and review committee, the joint transportation  
7 committee, the legislative evaluation and accountability program  
8 committee, the joint higher education committee, the office of state  
9 actuary, and all legislative standing committees of both houses shall  
10 be deemed a part of the legislative branch of state government.

11 **PART III**  
12 **EDUCATION DATA CENTER**

13 NEW SECTION. **Sec. 301.** A new section is added to chapter 43.41  
14 RCW to read as follows:

15 The education data center shall annually develop information on the  
16 approximate amount of state support that students receive. For  
17 students at state-supported colleges and universities, the information  
18 must include the approximate level of support received by students in  
19 each tuition category. That information may include consideration of  
20 the following: Expenditures included in the educational cost formula;  
21 revenue forgiven from waived tuition and fees; state-funded financial  
22 aid awarded to students at public institutions; and all or a portion of  
23 appropriated amounts not reflected in the educational cost formula for  
24 institutional programs and services that may affect or enhance the  
25 educational experience of students at a particular institution. For  
26 students attending a private college, university, or proprietary  
27 school, the information shall include the amount of state-funded  
28 financial aid awarded to students attending the institution.

29 **Sec. 302.** RCW 28B.76.280 and 2010 1st sp.s. c 7 s 58 are each  
30 amended to read as follows:

31 (1) In consultation with the education data center, institutions of  
32 higher education, and state education agencies, the ((board)) council  
33 shall identify the data needed to carry out its responsibilities for  
34 policy analysis, accountability, program improvements, and public

1 information. The primary goals of the ((board's)) council's data  
2 collection and research are to describe how students and other  
3 beneficiaries of higher education are being served; to support higher  
4 education accountability; to compare and contrast the state of  
5 Washington's higher education system with the rest of the nation; and  
6 to assist state policymakers and institutions in making policy  
7 decisions. Assistance to state policymakers and institutions of higher  
8 education in making policy decisions includes but is not limited to:

9 (a) Regular completion of educational cost study reports as  
10 provided in RCW 28B.76.310 and information on state support received by  
11 students as provided in section 301 of this act;

12 (b) Annual reporting of a national comparison of tuition and fees;  
13 and

14 (c) Per-student funding at similar public institutions of higher  
15 education in the global challenge states.

16 (2) The ((board)) council shall identify the most cost-effective  
17 manner for the ((board)) council to collect data or access existing  
18 data. The ((board)) council shall develop research priorities,  
19 policies, and common definitions to maximize the reliability and  
20 consistency of data across institutions.

21 (3) Specific protocols shall be developed by the ((board)) council  
22 to protect the privacy of individual student records while ensuring the  
23 availability of student data for legitimate research purposes.

24 **Sec. 303.** RCW 28B.76.310 and 2011 1st sp.s. c 11 s 105 are each  
25 amended to read as follows:

26 (1) The ((board)) education data center, in consultation with the  
27 house of representatives and senate committees responsible for higher  
28 education, the respective fiscal committees of the house of  
29 representatives and senate, the office of financial management, the  
30 state board for community and technical colleges, and the state  
31 institutions of higher education, shall develop standardized methods  
32 and protocols for measuring the undergraduate and graduate educational  
33 costs for the state universities, regional universities, and community  
34 colleges, including but not limited to the costs of instruction, costs  
35 to provide degrees in specific fields, and costs for precollege  
36 remediation.

1 (2) The institutions of higher education shall participate in the  
2 development of cost study methods and shall provide all necessary data  
3 in a timely fashion consistent with the protocols developed.

4 (3) Beginning December 1, 2012, and each December 1st thereafter,  
5 the center must provide cost study reports intended to meet the  
6 information needs of the governor's office and the legislature and the  
7 requirements of section 301 of this act.

8 NEW SECTION. Sec. 304. A new section is added to chapter 43.41  
9 RCW to read as follows:

10 The education data center must determine and transmit amounts  
11 constituting approved undergraduate and graduate educational costs to  
12 the several boards of regents and trustees for the state institutions  
13 of higher education by November 10th of each even-numbered year.

14 **PART IV**

15 **OFFICE OF STUDENT FINANCIAL ASSISTANCE**

16 **Sec. 401.** RCW 28B.76.090 and 2011 1st sp.s. c 11 s 102 are each  
17 amended to read as follows:

18 (1) The office of student financial assistance is created.

19 (2) The purpose of the office is to administer state and federal  
20 financial aid and other education services programs, including the  
21 advanced college tuition payment program in chapter 28B.95 RCW, in a  
22 cost-effective manner.

23 (3) The office shall employ a director who shall serve at the  
24 pleasure of the (~~governor~~) council for higher education created in  
25 RCW 28B.77.005 and shall administer the provisions of this chapter.  
26 The director shall: (a) Employ necessary deputy and assistant  
27 directors and other exempt staff under chapter 41.06 RCW who shall  
28 serve at his or her pleasure on such terms and conditions as he or she  
29 determines and (b) subject to the provisions of chapter 41.06 RCW,  
30 appoint and employ such other employees as may be required for the  
31 proper discharge of the functions of the office.

32 **PART V**

33 **REFERENCES TO THE COUNCIL FOR HIGHER EDUCATION**

1       **Sec. 501.** RCW 9A.60.070 and 2006 c 234 s 2 are each amended to  
2 read as follows:

3       (1) A person is guilty of issuing a false academic credential if  
4 the person knowingly:

5       (a) Grants or awards a false academic credential or offers to grant  
6 or award a false academic credential in violation of this section;

7       (b) Represents that a credit earned or granted by the person in  
8 violation of this section can be applied toward a credential offered by  
9 another person;

10       (c) Grants or offers to grant a credit for which a representation  
11 as described in (b) of this subsection is made; or

12       (d) Solicits another person to seek a credential or to earn a  
13 credit the person knows is offered in violation of this section.

14       (2) A person is guilty of knowingly using a false academic  
15 credential if the person knowingly uses a false academic credential or  
16 falsely claims to have a credential issued by an institution of higher  
17 education that is accredited by an accrediting association recognized  
18 as such by rule of the council for higher education (~~coordinating~~  
19 ~~board~~):

20       (a) In a written or oral advertisement or other promotion of a  
21 business; or

22       (b) With the intent to:

23       (i) Obtain employment;

24       (ii) Obtain a license or certificate to practice a trade,  
25 profession, or occupation;

26       (iii) Obtain a promotion, compensation or other benefit, or an  
27 increase in compensation or other benefit, in employment or in the  
28 practice of a trade, profession, or occupation;

29       (iv) Obtain admission to an educational program in this state; or

30       (v) Gain a position in government with authority over another  
31 person, regardless of whether the person receives compensation for the  
32 position.

33       (3) The definitions in this subsection apply throughout this  
34 section and RCW 28B.85.220.

35       (a) "False academic credential" means a document that provides  
36 evidence or demonstrates completion of an academic or professional  
37 course of instruction beyond the secondary level that results in the  
38 attainment of an academic certificate, degree, or rank, and that is not



1 issued by a person or entity that: (i) Is an entity accredited by an  
2 agency recognized as such by rule of the council for higher education  
3 (~~coordinating board~~) or has the international equivalents of such  
4 accreditation; or (ii) is an entity authorized as a degree-granting  
5 institution by the council for higher education (~~coordinating board~~);  
6 or (iii) is an entity exempt from the requirements of authorization as  
7 a degree-granting institution by the council for higher education  
8 (~~coordinating board~~); or (iv) is an entity that has been granted a  
9 waiver by the council for higher education (~~coordinating board~~) from  
10 the requirements of authorization by the (~~board~~) council. Such  
11 documents include, but are not limited to, academic certificates,  
12 degrees, coursework, degree credits, transcripts, or certification of  
13 completion of a degree.

14 (b) "Grant" means award, bestow, confer, convey, sell, or give.

15 (c) "Offer," in addition to its usual meanings, means advertise,  
16 publicize, or solicit.

17 (d) "Operate" includes but is not limited to the following:

18 (i) Offering courses in person, by correspondence, or by electronic  
19 media at or to any Washington location for degree credit;

20 (ii) Granting or offering to grant degrees in Washington;

21 (iii) Maintaining or advertising a Washington location, mailing  
22 address, computer server, or telephone number, for any purpose, other  
23 than for contact with the institution's former students for any  
24 legitimate purpose related to the students having attended the  
25 institution.

26 (4) Issuing a false academic credential is a class C felony.

27 (5) Knowingly using a false academic credential is a gross  
28 misdemeanor.

29 **Sec. 502.** RCW 18.260.110 and 2008 c 150 s 1 are each amended to  
30 read as follows:

31 Nothing in this chapter may be construed to prohibit or restrict:

32 (1) The practice of a dental assistant in the discharge of official  
33 duties by dental assistants in the United States federal services on  
34 federal reservations, including but not limited to the armed services,  
35 coast guard, public health service, veterans' bureau, or bureau of  
36 Indian affairs;

1 (2) Expanded function dental auxiliary education and training  
2 programs approved by the commission and the practice as an expanded  
3 function dental auxiliary by students in expanded function dental  
4 auxiliary education and training programs approved by the commission,  
5 when acting under the direction and supervision of persons licensed  
6 under chapter 18.29 or 18.32 RCW;

7 (3) Dental assistant education and training programs, and the  
8 practice of dental assisting by students in dental assistant education  
9 and training programs approved by the commission or offered at a school  
10 approved or licensed by the workforce training and education  
11 coordinating board, council for higher education (~~coordinating~~  
12 ~~board~~)), state board for community and technical colleges, or  
13 Washington state skill centers certified by the office of the  
14 superintendent of public instruction, when acting under the direction  
15 and supervision of persons registered or licensed under this chapter or  
16 chapter 18.29 or 18.32 RCW; or

17 (4) The practice of a volunteer dental assistant providing services  
18 under the supervision of a licensed dentist in a charitable dental  
19 clinic, as approved by the commission in rule.

20 **Sec. 503.** RCW 28A.600.390 and 1994 c 205 s 10 are each amended to  
21 read as follows:

22 The superintendent of public instruction, the state board for  
23 community and technical colleges, and the council for higher education  
24 (~~coordinating board~~) shall jointly develop and adopt rules governing  
25 RCW 28A.600.300 through 28A.600.380, if rules are necessary. The rules  
26 shall be written to encourage the maximum use of the program and shall  
27 not narrow or limit the enrollment options under RCW 28A.600.300  
28 through 28A.600.380.

29 **Sec. 504.** RCW 28B.07.040 and 1985 c 370 s 49 are each amended to  
30 read as follows:

31 The authority is authorized and empowered to do the following, on  
32 such terms, with such security and undertakings, subject to such  
33 conditions, and in return for such consideration, as the authority  
34 shall determine in its discretion to be necessary, useful, or  
35 convenient in accomplishing the purposes of this chapter:

36 (1) To promulgate rules in accordance with chapter 34.05 RCW;

1           (2) To adopt an official seal and to alter the same at pleasure;

2           (3) To maintain an office at any place or places as the authority  
3 may designate;

4           (4) To sue and be sued in its own name, and to plead and be  
5 impleaded;

6           (5) To make and execute agreements with participants and others and  
7 all other instruments necessary, useful, or convenient for the  
8 accomplishment of the purposes of this chapter;

9           (6) To provide long-term or short-term financing or refinancing to  
10 participants for project costs, by way of loan, lease, conditional  
11 sales contract, mortgage, option to purchase, or other financing or  
12 security device or any such combination;

13           (7) If, in order to provide to participants the financing or  
14 refinancing of project costs described in subsection (6) of this  
15 section, the authority deems it necessary or convenient for it to own  
16 a project or projects or any part of a project or projects, for any  
17 period of time, it may acquire, contract, improve, alter, rehabilitate,  
18 repair, manage, operate, mortgage, subject to a security interest,  
19 lease, sell, or convey the project;

20           (8) To fix, revise from time to time, and charge and collect from  
21 participants and others rates, rents, fees, charges, and repayments as  
22 necessary to fully and timely reimburse the authority for all expenses  
23 incurred by it in providing the financing and refinancing and other  
24 services under this section and for the repayment, when due, of all the  
25 principal of, redemption premium, if any, and interest on all bonds  
26 issued under this chapter to provide the financing, refinancing, and  
27 services;

28           (9) To accept and receive funds, grants, gifts, pledges,  
29 guarantees, mortgages, trust deeds, and other security instruments, and  
30 property from the federal government or the state or other public body,  
31 entity, or agency and from any public or private institution,  
32 association, corporation, or organization, including participants. It  
33 shall not accept or receive from the state or any taxing agency any  
34 money derived from taxes, except money to be devoted to the purposes of  
35 a project of the state or of a taxing agency;

36           (10) To open and maintain a bank account or accounts in one or more  
37 qualified public depositories in this state and to deposit all or any  
38 part of authority funds therein;

1 (11) To employ consulting engineers, architects, attorneys,  
2 accountants, construction and financial experts, superintendents,  
3 managers, an executive director, and such other employees and agents as  
4 may be necessary in its judgment to carry out the purposes of this  
5 chapter, and to fix their compensation;

6 (12) To provide financing or refinancing to two or more  
7 participants for a single project or for several projects in such  
8 combinations as the authority deems necessary, useful, or convenient;

9 (13) To charge to and equitably apportion among participants the  
10 administrative costs and expenses incurred in the exercise of the  
11 powers and duties conferred by this chapter;

12 (14) To consult with the council for higher education  
13 (~~(coordinating board)~~) to determine project priorities under the  
14 purposes of this chapter; and

15 (15) To do all other things necessary, useful, or convenient to  
16 carry out the purposes of this chapter.

17 In the exercise of any of these powers, the authority shall incur  
18 no expense or liability which shall be an obligation, either general or  
19 special, of the state, or a general obligation of the authority, and  
20 shall pay no expense or liability from funds other than funds of the  
21 authority. Funds of the state shall not be used for such purpose.

22 **Sec. 505.** RCW 28B.10.020 and 2004 c 275 s 47 are each amended to  
23 read as follows:

24 The boards of regents of the University of Washington and  
25 Washington State University, respectively, and the boards of trustees  
26 of Central Washington University, Eastern Washington University,  
27 Western Washington University, and The Evergreen State College,  
28 respectively, shall have the power and authority to acquire by  
29 exchange, gift, purchase, lease, or condemnation in the manner provided  
30 by chapter 8.04 RCW for condemnation of property for public use, such  
31 lands, real estate and other property, and interests therein as they  
32 may deem necessary for the use of said institutions respectively.  
33 However, the purchase or lease of major off-campus facilities is  
34 subject to the approval of the council for higher education  
35 (~~(coordinating board)~~) under RCW 28B.76.230 (as recodified by this  
36 act).

1       **Sec. 506.** RCW 28B.10.053 and 2011 2nd sp.s. c 3 s 1 are each  
2 amended to read as follows:

3       (1) By December 1, 2011, and by June of each odd-numbered year  
4 thereafter, the institutions of higher education shall collaboratively  
5 develop a master list of postsecondary courses that can be fulfilled by  
6 taking the advanced placement, international baccalaureate, or other  
7 recognized college-level proficiency examinations, including but not  
8 limited to examinations by a national multidisciplinary science,  
9 technology, engineering, and mathematics program, and meeting the  
10 qualifying examination score or demonstrated competencies for lower  
11 division general education requirements or postsecondary professional  
12 technical requirements. The master list of postsecondary courses  
13 fulfilled by proficiency examinations or demonstrated competencies are  
14 those that fulfill lower division general education requirements or  
15 career and technical education requirements and qualify for  
16 postsecondary credit. From the master list, each institution shall  
17 create and publish a list of its courses that can be satisfied by  
18 successful proficiency examination scores or demonstrated competencies  
19 for lower division general education requirements or postsecondary  
20 professional technical requirements. The qualifying examination scores  
21 and demonstrated competencies shall be included in the published list.  
22 The requirements to develop a master list under this section do not  
23 apply if an institution has a clearly published policy of awarding  
24 credit for the advanced placement, international baccalaureate, or  
25 other recognized college-level placement exams and does not require  
26 those credits to meet specific course requirements but generally  
27 applies those credits towards degree requirements.

28       (2) To the maximum extent possible, institutions of higher  
29 education shall agree on examination qualifying scores and demonstrated  
30 competencies for the credits or courses under subsection (3) of this  
31 section, with scores equivalent to qualified or well-qualified.  
32 Nothing in this subsection shall prevent an institution of higher  
33 education from adopting policies using higher scores for additional  
34 purposes.

35       (3) Each institution of higher education, in designing its  
36 certificate, technical degree program, two-year academic transfer  
37 program, or freshman and sophomore courses of a baccalaureate program  
38 or baccalaureate degree, must recognize the equivalencies of at least

1 one year of course credit and maximize the application of the credits  
2 toward lower division general education requirements that can be earned  
3 through successfully demonstrating proficiency on examinations,  
4 including but not limited to advanced placement and international  
5 baccalaureate examinations. The successful completion of the  
6 examination and the award of credit shall be noted on the student's  
7 college transcript.

8 (4) Each institution of higher education must clearly include in  
9 its admissions materials and on its web site the credits or the  
10 institution's list of postsecondary courses that can be fulfilled by  
11 proficiency examinations or demonstrated competencies and the agreed-  
12 upon examination scores and demonstrated competencies that qualify for  
13 postsecondary credit. Each institution must provide the information to  
14 the council for higher education (~~(coordinating board)~~) and state board  
15 for community and technical colleges in a form that the superintendent  
16 of public instruction is able to distribute to school districts.

17 **Sec. 507.** RCW 28B.10.118 and 2011 c 108 s 2 are each amended to  
18 read as follows:

19 (1) State universities, regional universities, and The Evergreen  
20 State College may develop accelerated baccalaureate degree programs  
21 that will allow academically qualified students to obtain a  
22 baccalaureate degree in three years without attending summer classes or  
23 enrolling in more than a full-time class load during the regular  
24 academic year. The programs must allow academically qualified students  
25 to begin coursework within their academic field during their first term  
26 or semester of enrollment.

27 (2) The state universities, regional universities, and The  
28 Evergreen State College shall report on their plans for the accelerated  
29 baccalaureate degree programs to the council for higher education  
30 (~~(coordinating board)~~) for approval.

31 **Sec. 508.** RCW 28B.10.400 and 2011 1st sp.s. c 47 s 2 are each  
32 amended to read as follows:

33 (1) The boards of regents of the state universities, the boards of  
34 trustees of the regional universities and of The Evergreen State  
35 College, the state board for community and technical colleges, and the

1 council for higher education (~~(coordinating board)~~) are authorized and  
2 empowered:

3 (a) To assist the faculties and such other employees exempt from  
4 civil service pursuant to RCW 41.06.070 (1)(~~(ee)~~) (z) and (2) as any  
5 such board may designate in the purchase of old age annuities or  
6 retirement income plans under such rules as any such board may  
7 prescribe, subject to the restrictions in subsection (2) of this  
8 section. County agricultural agents, home demonstration agents, 4-H  
9 club agents, and assistant county agricultural agents paid jointly by  
10 the Washington State University and the several counties shall be  
11 deemed to be full-time employees of the Washington State University for  
12 the purposes of this section;

13 (b) To provide, under such rules as any such board may prescribe  
14 for the faculty members or other employees exempt from civil service  
15 pursuant to RCW 41.06.070 (1)(~~(ee)~~) (z) and (2) under its  
16 supervision, for the retirement of any such faculty member or other  
17 exempt employee on account of age or condition of health, retirement on  
18 account of age to be not earlier than the sixty-fifth birthday:  
19 PROVIDED, That such faculty member or such other exempt employee may  
20 elect to retire at the earliest age specified for retirement by federal  
21 social security law: PROVIDED FURTHER, That any supplemental payment  
22 authorized by (c) of this subsection and paid as a result of retirement  
23 earlier than age sixty-five shall be at an actuarially reduced rate;  
24 and shall be provided only to those persons who participate in an  
25 annuity or retirement income plan under (a) of this subsection prior to  
26 July 1, 2011;

27 (c) To pay only to those persons who participate in an annuity or  
28 retirement income plan under (a) of this subsection prior to July 1,  
29 2011, or to his or her designated beneficiary(s), each year after his  
30 or her retirement, a supplemental amount which, when added to the  
31 amount of such annuity or retirement income plan, or retirement income  
32 benefit pursuant to RCW 28B.10.415, received by the retired person or  
33 the retired person's designated beneficiary(s) in such year, will not  
34 exceed fifty percent of the average annual salary paid to such retired  
35 person for his or her highest two consecutive years of full-time  
36 service under an annuity or retirement income plan established pursuant  
37 to (a) of this subsection at an institution of higher education:  
38 PROVIDED, HOWEVER, That if such retired person prior to retirement

1 elected a supplemental payment survivors option, any such supplemental  
2 payments to such retired person or the retired person's designated  
3 beneficiary(s) shall be at actuarially reduced rates: PROVIDED  
4 FURTHER, That if a faculty member or other employee of an institution  
5 of higher education who is a participant in a retirement plan  
6 authorized by this section dies, or has died before retirement but  
7 after becoming eligible for retirement on account of age, the  
8 designated beneficiary(s) shall be entitled to receive the supplemental  
9 payment authorized by this subsection to which such designated  
10 beneficiary(s) would have been entitled had said deceased faculty  
11 member or other employee retired on the date of death after electing a  
12 supplemental payment survivors option: PROVIDED FURTHER, That for the  
13 purpose of this subsection, the designated beneficiary(s) shall be (i)  
14 the surviving spouse of the retiree; or, (ii) with the written consent  
15 of such spouse, if any, such other person or persons as shall have an  
16 insurable interest in the retiree's life and shall have been nominated  
17 by written designation duly executed and filed with the retiree's  
18 institution of higher education.

19 (2) Boards are prohibited from offering a purchased annuity or  
20 retirement income plan authorized under this section to employees hired  
21 on or after July 1, 2011, who have retired or are eligible to retire  
22 from a public employees' retirement system described in RCW 41.50.030.  
23 The council for higher education (~~(coordinating board)~~) shall only  
24 offer participation in a purchased annuity or retirement income plan  
25 authorized under this section to employees who have previously  
26 contributed premiums to a similar qualified plan.

27 (3) During the 2011 legislative interim, the select committee on  
28 pension policy shall evaluate the suitability and necessity of the  
29 annuity and retirement plans authorized under this chapter for  
30 employees in various positions within higher education institutions.  
31 The select committee shall report its findings, including any  
32 recommendations for restrictions on future plan membership, to the ways  
33 and means committees of the house of representatives and the senate no  
34 later than December 31, 2011.

35 **Sec. 509.** RCW 28B.10.405 and 2011 1st sp.s. c 47 s 3 are each  
36 amended to read as follows:

37 Members of the faculties and such other employees exempt from civil



1 service pursuant to RCW 41.06.070 (1)((~~cc~~)) (z) and (2) as are  
2 designated by the boards of regents of the state universities, the  
3 boards of trustees of the regional universities and of The Evergreen  
4 State College, the council for higher education (~~(coordinating board)~~),  
5 or the state board for community and technical colleges who do not opt  
6 to become members of the teachers' retirement system or the public  
7 employees' retirement system under RCW 41.32.836 or 41.40.798, or who  
8 are not prevented from participation in an annuity or retirement plan  
9 under RCW 28B.10.400(2) shall be required to contribute not less than  
10 five percent of their salaries during each year of full-time service  
11 after the first two years of such service toward the purchase of such  
12 annuity or retirement income plan; such contributions may be in  
13 addition to federal social security tax contributions, if any.

14 **Sec. 510.** RCW 28B.10.410 and 2011 1st sp.s. c 47 s 4 are each  
15 amended to read as follows:

16 The boards of regents of the state universities, the boards of  
17 trustees of the regional universities and of The Evergreen State  
18 College, the council for higher education (~~(coordinating board)~~), or  
19 the state board for community and technical colleges shall pay not more  
20 than one-half of the annual premium of any annuity or retirement income  
21 plan established under the provisions of RCW 28B.10.400. Such  
22 contribution shall not exceed ten percent of the salary of the faculty  
23 member or other employee on whose behalf the contribution is made.  
24 This contribution may be in addition to federal social security tax  
25 contributions made by the boards, if any.

26 **Sec. 511.** RCW 28B.10.415 and 2011 1st sp.s. c 47 s 5 are each  
27 amended to read as follows:

28 The boards of regents of the state universities, the boards of  
29 trustees of the regional universities and of The Evergreen State  
30 College, the council for higher education (~~(coordinating board)~~), or  
31 the state board for community and technical colleges shall not pay any  
32 amount to be added to the annuity or retirement income plan of any  
33 retired person who was first hired on or after July 1, 2011, or who has  
34 served for less than ten years in one or more of the state institutions  
35 of higher education. In the case of persons who have served more than  
36 ten years but less than twenty-five years no amount shall be paid in

1 excess of four percent of the amount authorized in RCW  
2 28B.10.400(1)(c), multiplied by the number of years of full-time  
3 service rendered by such person: PROVIDED, That credit for years of  
4 service at an institution of higher education shall be limited to those  
5 years in which contributions were made by a faculty member or other  
6 employee designated pursuant to RCW 28B.10.400(1)(a) and the  
7 institution or the state as a result of which a benefit is being  
8 received by a retired person from any Washington state public  
9 retirement plan: PROVIDED FURTHER, That all such benefits that a  
10 retired person is eligible to receive shall reduce any supplementation  
11 payments provided for in RCW 28B.10.400.

12 **Sec. 512.** RCW 28B.10.423 and 2011 1st sp.s. c 47 s 7 are each  
13 amended to read as follows:

14 (1) For employees who are first employed by an institution of  
15 higher education in a position eligible for participation in an old age  
16 annuities or retirement income plan under this chapter prior to July 1,  
17 2011, it is the intent of RCW 28B.10.400, 28B.10.405, 28B.10.410,  
18 28B.10.415, 28B.10.420, and 28B.10.423 that the retirement income  
19 resulting from the contributions described herein from the state of  
20 Washington and the employee shall be projected actuarially so that it  
21 shall not exceed sixty percent of the average of the highest two  
22 consecutive years salary. Periodic review of the retirement systems  
23 established pursuant to RCW 28B.10.400, 28B.10.405, 28B.10.410,  
24 28B.10.415, 28B.10.420, and 28B.10.423 will be undertaken at such time  
25 and in such manner as determined by the committees on ways and means of  
26 the senate and of the house of representatives, the select committee on  
27 pension policy, and the pension funding council, and joint contribution  
28 rates will be adjusted if necessary to accomplish this intent.

29 (2) Beginning July 1, 2011, state funding for annuity or retirement  
30 income plans under RCW 28B.10.400 shall not exceed six percent of  
31 salary. The state board for community and technical colleges and the  
32 council for higher education (~~(coordinating board)~~) are exempt from the  
33 provisions of this subsection (2).

34 (3) By June 30, 2013, and every two years thereafter, each  
35 institution of higher education that is responsible for payment of  
36 supplemental amounts under RCW 28B.10.400(1)(c) shall contract with the  
37 state actuary under chapter 41.44 RCW for an actuarial valuation of

1 their supplemental benefit plan. By June 30, 2013, and at least once  
2 every six years thereafter, each institution shall also contract with  
3 the state actuary under chapter 41.44 RCW for an actuarial experience  
4 study of the mortality, service, compensation, and other experience of  
5 the annuity or retirement income plans created in this chapter, and  
6 into the financial condition of each system. At the discretion of the  
7 state actuary, the valuation or experience study may be performed by  
8 the state actuary or by an outside actuarial firm under contract to the  
9 office of the state actuary. Each institution of higher education is  
10 required to provide the data and information required for the  
11 performance of the valuation or experience study to the office of the  
12 state actuary or to the actuary performing the study on behalf of the  
13 state actuary. The state actuary may charge each institution for the  
14 actual cost of the valuation or experience study through an interagency  
15 agreement. Upon completion of the valuation or experience study, the  
16 state actuary shall provide copies of the study to the institution of  
17 higher education and to the select committee on pension policy and the  
18 pension funding council.

19 (4)(a) A higher education retirement plan supplemental benefit fund  
20 is created in the custody of the state treasurer for the purpose of  
21 funding future benefit obligations of higher education retirement plan  
22 supplemental benefits. The state investment board has the full power  
23 to invest, reinvest, manage, contract, sell, or exchange investment  
24 money in the fund.

25 (b) From January 1, 2012, through June 30, 2013, an employer  
26 contribution rate of one-quarter of one percent of salary is  
27 established to begin prefunding the unfunded future obligations of the  
28 supplemental benefit established in RCW 28B.10.400.

29 (c) Beginning July 1, 2013, an employer contribution rate of one-  
30 half of one percent of salary is established to prefund the unfunded  
31 future obligations of the supplemental benefit established in RCW  
32 28B.10.400.

33 (d) Consistent with chapter 41.50 RCW, the department of retirement  
34 systems shall collect the employer contribution rates established in  
35 this section from each state institution of higher education, and  
36 deposit those contributions into the higher education retirement plan  
37 supplemental benefit fund. The contributions made by each employer

1 into the higher education retirement plan supplemental benefit fund and  
2 the earnings on those contributions shall be accounted for separately  
3 within the fund.

4 (e) Following the completion and review of the initial actuarial  
5 valuations and experience study conducted pursuant to subsection (3) of  
6 this section, the pension funding council may:

7 (i) Adopt and make changes to the employer contribution rates  
8 established in this subsection consistent with the procedures  
9 established in chapter 41.45 RCW. If the actuarial valuations of the  
10 higher education retirement plans of each institution contributing to  
11 the higher education retirement plan supplemental benefit fund suggest  
12 that different contribution rates are appropriate for each institution,  
13 different rates may be adopted. Rates adopted by the pension funding  
14 council are subject to revision by the legislature;

15 (ii) Recommend legislation that will, upon accumulation of  
16 sufficient funding in the higher education retirement plan supplemental  
17 benefit fund, transfer the responsibility for making supplemental  
18 benefit payments to the department of retirement systems, and adjust  
19 employer contribution rates to reflect the transfer of responsibility.

20 **Sec. 513.** RCW 28B.10.682 and 1995 c 310 s 2 are each amended to  
21 read as follows:

22 By June 30, 1996, in consultation with the commission on student  
23 learning, the superintendent of public instruction, the state board of  
24 education, faculty, teachers from institutions of higher education and  
25 high schools, and others as appropriate, the council for higher  
26 education (~~(coordinating board)~~) shall adopt common definitions of  
27 remedial and precollege material and coursework. The definitions  
28 adopted by the (~~board~~) council shall be rigorous, challenging  
29 students to come to college well prepared to engage in college and  
30 university work, and shall be adopted by each institution of higher  
31 education as defined in RCW 28B.10.016.

32 **Sec. 514.** RCW 28B.10.784 and 1993 sp.s. c 15 s 6 are each amended  
33 to read as follows:

34 The participation rate used to calculate enrollment levels under  
35 RCW 28B.10.776 and 28B.10.782 shall be based on fall enrollment  
36 reported in the higher education enrollment report as maintained by the

1 office of financial management, fall enrollment as reported in the  
2 management information system of the state board for community and  
3 technical colleges, and the corresponding fall population forecast by  
4 the office of financial management. Formal estimates of the state  
5 participation rates and enrollment levels necessary to fulfill the  
6 requirements of RCW 28B.10.776 and 28B.10.782 shall be determined by  
7 the office of financial management as part of its responsibility to  
8 develop and maintain student enrollment forecasts for colleges and  
9 universities under RCW 43.62.050. Formal estimates of the state  
10 participation rates and enrollment levels required by this section  
11 shall be based on procedures and standards established by a technical  
12 work group consisting of staff from the council for higher education  
13 (~~coordinating board~~), the public four-year institutions of higher  
14 education, the state board for community and technical colleges, the  
15 fiscal and higher education committees of the house of representatives  
16 and the senate, and the office of financial management. Formal  
17 estimates of the state participation rates and enrollment levels  
18 required by this section shall be submitted to the fiscal committees of  
19 the house of representatives and senate on or before November 15th of  
20 each even-numbered year. The council for higher education  
21 (~~coordinating board~~) shall periodically review the enrollment goals  
22 set forth in RCW 28B.10.776 and 28B.10.782 and submit recommendations  
23 concerning modification of these goals to the governor and to the  
24 higher education committees of the house of representatives and the  
25 senate.

26 **Sec. 515.** RCW 28B.10.790 and 2011 1st sp.s. c 11 s 139 are each  
27 amended to 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(~~(+5)~~) (4), and (2) the institution attended is a  
33 member institution of an accrediting association recognized by rule of  
34 the (~~office of student financial assistance~~) council for higher  
35 education for the purposes of this section and is specifically  
36 encompassed within or directly affected by such reciprocity agreement

1 and agrees to and complies with program rules and regulations  
2 pertaining to such students and institutions adopted pursuant to RCW  
3 28B.92.150.

4 **Sec. 516.** RCW 28B.12.030 and 2011 1st sp.s. c 11 s 142 are each  
5 amended to read as follows:

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

9 (1) The term "needy student" shall mean a student enrolled or  
10 accepted for enrollment at a postsecondary institution who, according  
11 to a system of need analysis approved by the office of student  
12 financial assistance, demonstrates a financial inability, either  
13 parental, familial, or personal, to bear the total cost of education  
14 for any semester or quarter.

15 (2) The term "eligible institution" shall mean any postsecondary  
16 institution in this state accredited by the Northwest Association of  
17 Schools and Colleges, or a branch of a member institution of an  
18 accrediting association recognized by rule of the (~~board~~) council for  
19 higher education for purposes of this section, that is eligible for  
20 federal student financial aid assistance and has operated as a  
21 nonprofit college or university delivering on-site classroom  
22 instruction for a minimum of twenty consecutive years within the state  
23 of Washington, or any public technical college in the state.

24 **Sec. 517.** RCW 28B.15.068 and 2011 1st sp.s. c 10 s 7 are each  
25 amended to read as follows:

26 (1) By September 1st of each year beginning in 2011, the office of  
27 financial management shall report to the governor, the council for  
28 higher education (~~coordinating board~~), and appropriate committees of  
29 the legislature with updated estimates of:

30 (a) The total per-student funding level that represents the  
31 sixtieth percentile of funding for similar institutions of higher  
32 education in the global challenge states; and

33 (b) The tuition that represents the sixtieth percentile of resident  
34 undergraduate tuition for similar institutions of higher education in  
35 the global challenge states.

1 (2) As used in this section, "global challenge states" are the top  
2 performing states on the new economy index published by the progressive  
3 policy institute as of July 22, 2007. The new economy index ranks  
4 states on indicators of their potential to compete in the new economy.  
5 At least once every five years, the office of financial management  
6 shall determine if changes to the list of global challenge states are  
7 appropriate. The office of financial management shall report its  
8 findings to the governor and the legislature.

9 (3) Institutions of higher education, in collaboration with  
10 relevant student associations, shall aim to have all students who can  
11 benefit from available tax credits that mitigate the costs of higher  
12 education take advantage of these opportunities. These tax credits  
13 include the American opportunity tax credit provided in the American  
14 recovery and reinvestment act of 2009, the lifetime learning credit,  
15 and other relevant tax credits for as long as they are available.

16 (4)(a) Institutions shall make every effort to communicate to  
17 students and their families the benefits of such tax credits and  
18 provide assistance to students and their families on how to apply.

19 (b) Information about relevant tax credits shall, to the greatest  
20 extent possible, be incorporated into financial aid counseling,  
21 admission information, and individual billing statements.

22 (c) Institutions shall, to the greatest extent possible, use all  
23 means of communication, including but not limited to web sites, online  
24 catalogues, admission and registration forms, mass email messaging,  
25 social media, and outside marketing to ensure information about  
26 relevant tax credits is visible and compelling, and reaches the maximum  
27 amount of student and families that can benefit.

28 (5) In the event that the economic value of the American  
29 opportunity tax credit is reduced or expires at any time before  
30 December 31, 2012, institutions of higher education shall:

31 (a) Develop an updated tuition mitigation plan established under  
32 RCW 28B.15.102 for the purpose of minimizing, to the greatest extent  
33 possible, the increase in net cost of tuition or total cost of  
34 attendance for students resulting from any such change. This plan  
35 shall include the methods specified by the four-year institution of  
36 higher education to avoid adding additional loan debt burdens to  
37 students regardless of the source of such loans;

1 (b) Report to the governor and the relevant committees of the  
2 legislature on their plans to adjust their tuition mitigation plans no  
3 later than ninety days after any such change to the American  
4 opportunity tax credit.

5 **Sec. 518.** RCW 28B.15.068 and 2011 1st sp.s. c 50 s 928 are each  
6 amended to 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. In order to facilitate the full  
22 implementation of chapter 10, Laws of 2011 1st sp. sess. for the  
23 2011-12 academic year and thereafter, the institutions of higher  
24 education are authorized to adopt tuition levels that are less than,  
25 equal to, or greater than the tuition levels assumed in the omnibus  
26 appropriations act, subject to the conditions and limitations in this  
27 chapter and the omnibus appropriations act.

28 (2) The state shall adopt as its goal total per-student funding  
29 levels, from state appropriations plus tuition and fees, of at least  
30 the sixtieth percentile of total per-student funding at similar public  
31 institutions of higher education in the global challenge states. In  
32 defining comparable per-student funding levels, the office of financial  
33 management shall adjust for regional cost-of-living differences; for  
34 differences in program offerings and in the relative mix of lower  
35 division, upper division, and graduate students; and for accounting and  
36 reporting differences among the comparison institutions. The office of  
37 financial management shall develop a funding trajectory for each four-



1 year institution of higher education and for the community and  
2 technical college system as a whole that when combined with tuition and  
3 fees revenue allows the state to achieve its funding goal for each  
4 four-year institution and the community and technical college system as  
5 a whole no later than fiscal year 2017. The state shall not reduce  
6 enrollment levels below fiscal year 2007 budgeted levels in order to  
7 improve or alter the per-student funding amount at any four-year  
8 institution of higher education or the community and technical college  
9 system as a whole. The state recognizes that each four-year  
10 institution of higher education and the community and technical college  
11 system as a whole have different funding requirements to achieve  
12 desired performance levels, and that increases to the total per-student  
13 funding amount may need to exceed the minimum funding goal.

14 (3) By September 1st of each year beginning in 2008, the office of  
15 financial management shall report to the governor, the council for  
16 higher education (~~coordinating board~~), and appropriate committees of  
17 the legislature with updated estimates of the total per-student funding  
18 level that represents the sixtieth percentile of funding for comparable  
19 institutions of higher education in the global challenge states, and  
20 the progress toward that goal that was made for each of the public  
21 institutions of higher education.

22 (4) As used in this section, "global challenge states" are the top  
23 performing states on the new economy index published by the progressive  
24 policy institute as of July 22, 2007. The new economy index ranks  
25 states on indicators of their potential to compete in the new economy.  
26 At least once every five years, the office of financial management  
27 shall determine if changes to the list of global challenge states are  
28 appropriate. The office of financial management shall report its  
29 findings to the governor and the legislature.

30 (5) During the 2009-10 and the 2010-11 academic years, institutions  
31 of higher education shall include information on their billing  
32 statements notifying students of tax credits available through the  
33 American opportunity tax credit provided in the American recovery and  
34 reinvestment act of 2009.

35 **Sec. 519.** RCW 28B.15.069 and 2005 c 258 s 10 are each amended to  
36 read as follows:

37 (1) The building fee for each academic year shall be a percentage

1 of total tuition fees. This percentage shall be calculated by the  
2 council for higher education (~~coordinating board~~) and be based on the  
3 actual percentage the building fee is of total tuition for each tuition  
4 category in the 1994-95 academic year, rounded up to the nearest half  
5 percent.

6 (2) The governing boards of each institution of higher education,  
7 except for the technical colleges, shall charge to and collect from  
8 each student a services and activities fee. A governing board may  
9 increase the existing fee annually, consistent with budgeting  
10 procedures set forth in RCW 28B.15.045, by a percentage not to exceed  
11 the annual percentage increase in student tuition fees for resident  
12 undergraduate students: PROVIDED, That such percentage increase shall  
13 not apply to that portion of the services and activities fee previously  
14 committed to the repayment of bonded debt. These rate adjustments may  
15 exceed the fiscal growth factor. For the 2003-04 academic year, the  
16 services and activities fee shall be based upon the resident  
17 undergraduate services and activities fee in 2002-03. The services and  
18 activities fee committee provided for in RCW 28B.15.045 may initiate a  
19 request to the governing board for a fee increase.

20 (3) Tuition and services and activities fees consistent with  
21 subsection (2) of this section shall be set by the state board for  
22 community and technical colleges for community college summer school  
23 students unless the community college charges fees in accordance with  
24 RCW 28B.15.515.

25 (4) Subject to the limitations of RCW 28B.15.910, each governing  
26 board of a community college may charge such fees for ungraded courses,  
27 noncredit courses, community services courses, and self-supporting  
28 courses as it, in its discretion, may determine, consistent with the  
29 rules of the state board for community and technical colleges.

30 (5) The governing board of a college offering an applied  
31 baccalaureate degree program under RCW 28B.50.810 may charge tuition  
32 fees for those courses above the associate degree level at rates  
33 consistent with rules adopted by the state board for community and  
34 technical colleges, not to exceed tuition fee rates at the regional  
35 universities.

36 **Sec. 520.** RCW 28B.15.102 and 2011 1st sp.s. c 10 s 6 are each  
37 amended to read as follows:

1 (1) Beginning with the 2011-12 academic year, any four-year  
2 institution of higher education that increases tuition beyond levels  
3 assumed in the omnibus appropriations act is subject to the financial  
4 aid requirements included in this section and shall remain subject to  
5 these requirements through the 2018-19 academic year.

6 (2) Beginning July 1, 2011, each four-year institution of higher  
7 education that raises tuition beyond levels assumed in the omnibus  
8 appropriations act shall, in a manner consistent with the goal of  
9 enhancing the quality of and access to their institutions, provide  
10 financial aid to offset full-time tuition fees for resident  
11 undergraduate students as follows:

12 (a) Subtract from the full-time tuition fees an amount that is  
13 equal to the maximum amount of a state need grant award that would be  
14 given to an eligible student with a family income at or below fifty  
15 percent of the state's median family income as determined by the  
16 council for higher education (~~coordinating board~~); and

17 (b) Offset the remainder as follows:

18 (i) Students with demonstrated need whose family incomes are at or  
19 below fifty percent of the state's median family income shall receive  
20 financial aid equal to one hundred percent of the remainder if an  
21 institution's full-time tuition fees for resident undergraduate  
22 students is five percent or greater of the state's median family income  
23 for a family of four as provided by the council for higher education  
24 (~~coordinating board~~);

25 (ii) Students with demonstrated need whose family incomes are  
26 greater than fifty percent and no more than seventy percent of the  
27 state's median family income shall receive financial aid equal to  
28 seventy-five percent of the remainder if an institution's full-time  
29 tuition fees for resident undergraduate students is ten percent or  
30 greater of the state's median family income for a family of four as  
31 provided by the council for higher education (~~coordinating board~~);

32 (iii) Students with demonstrated need whose family incomes exceed  
33 seventy percent and are less than one hundred percent of the state's  
34 median family income shall receive financial aid equal to fifty percent  
35 of the remainder if an institution's full-time tuition fees for  
36 resident undergraduate students is fifteen percent or greater of the  
37 state's median family income for a family of four as provided by the  
38 council for higher education (~~coordinating board~~); and

1 (iv) Students with demonstrated need whose family incomes are at or  
2 exceed one hundred percent and are no more than one hundred twenty-five  
3 percent of the state's median family income shall receive financial aid  
4 equal to twenty-five percent of the remainder if an institution's  
5 full-time tuition fees for resident undergraduate students is twenty  
6 percent or greater of the state's median family income for a family of  
7 four as provided by the council for higher education (~~coordinating~~  
8 ~~board~~)).

9 (3) The financial aid required in subsection (2) of this section  
10 shall:

11 (a) Be reduced by the amount of other financial aid awards, not  
12 including the state need grant;

13 (b) Be prorated based on credit load; and

14 (c) Only be provided to students up to demonstrated need.

15 (4) Financial aid sources and methods may be:

16 (a) Tuition revenue or locally held funds;

17 (b) Tuition waivers created by a four-year institution of higher  
18 education for the specific purpose of serving low and middle-income  
19 students; or

20 (c) Local financial aid programs.

21 (5) Use of tuition waivers as specified in subsection (4)(b) of  
22 this section shall not be included in determining total state tuition  
23 waiver authority as defined in RCW 28B.15.910.

24 (6) By August 15, 2012, and August 15th every year thereafter,  
25 four-year institutions of higher education shall report to the governor  
26 and relevant committees of the legislature on the effectiveness of the  
27 various sources and methods of financial aid in mitigating tuition  
28 increases. A key purpose of these reports is to provide information  
29 regarding the results of the decision to grant tuition-setting  
30 authority to the four-year institutions of higher education and whether  
31 tuition setting authority should continue to be granted to the  
32 institutions or revert back to the legislature after consideration of  
33 the impacts on students, including educational access, affordability,  
34 and quality. These reports shall include:

35 (a) The amount of additional financial aid provided to middle-  
36 income and low-income students with demonstrated need in the aggregate  
37 and per student;

1 (b) An itemization of the sources and methods of financial aid  
2 provided by the four-year institution of higher education in the  
3 aggregate and per student;

4 (c) An analysis of the combined impact of federal tuition tax  
5 credits and financial aid provided by the institution of higher  
6 education on the net cost to students and their families resulting from  
7 tuition increases;

8 (d) In cases where tuition increases are greater than those assumed  
9 in the omnibus appropriations act at any four-year institution of  
10 higher education, the institution must include an explanation in its  
11 report of why this increase was necessary and how the institution will  
12 mitigate the effects of the increase. The institution must include in  
13 this section of its report a plan and specific timelines; and

14 (e) An analysis of changes in resident student enrollment patterns,  
15 participation rates, graduation rates, and debt load, by race and  
16 ethnicity, gender, state and county of origin, age, and socioeconomic  
17 status, and a plan to mitigate effects of reduced diversity due to  
18 tuition increases. This analysis shall include disaggregated data for  
19 resident students in the following income brackets:

20 (i) Up to seventy percent of the median family income;

21 (ii) Between seventy-one percent and one hundred twenty-five  
22 percent of the median family income; and

23 (iii) Above one hundred twenty-five percent of the median family  
24 income.

25 (7) Beginning in the 2012-13 academic year, the University of  
26 Washington shall enroll during each academic year at least the same  
27 number of resident freshman undergraduate students at the Seattle  
28 campus, as defined in RCW 28B.15.012, as enrolled during the 2009-10  
29 academic year. This requirement shall not apply to nonresident  
30 undergraduate and graduate and professional students.

31 **Sec. 521.** RCW 28B.15.460 and 1997 c 5 s 2 are each amended to read  
32 as follows:

33 (1) An institution of higher education shall not grant any waivers  
34 for the purpose of achieving gender equity until the 1991-92 academic  
35 year, and may grant waivers for the purpose of achieving gender equity  
36 in intercollegiate athletic programs as authorized in RCW 28B.15.740,  
37 for the 1991-92 academic year only if the institution's governing board

1 has adopted a plan for complying with the provisions of RCW 28B.15.455  
2 and submitted the plan to the council for higher education  
3 (~~coordinating board~~)).

4 (2)(a) Beginning in the 1992-93 academic year, an institution of  
5 higher education shall not grant any waiver for the purpose of  
6 achieving gender equity in intercollegiate athletic programs as  
7 authorized in RCW 28B.15.740 unless the institution's plan has been  
8 approved by the council for higher education (~~coordinating board~~)).

9 (b) Beginning in the 1999-2000 academic year, an institution that  
10 did not provide, by June 30, 1998, athletic opportunities for an  
11 historically underrepresented gender class at a rate that meets or  
12 exceeds the current rate at which that class participates in high  
13 school athletics in Washington state shall have a new institutional  
14 plan approved by the council for higher education (~~coordinating  
15 board~~)) before granting further waivers.

16 (c) Beginning in the 2003-04 academic year, an institution of  
17 higher education that was not within five percent of the ratio of  
18 undergraduates described in RCW 28B.15.470 by June 30, 2002, shall have  
19 a new plan for achieving gender equity in intercollegiate athletic  
20 programs approved by the council for higher education (~~coordinating  
21 board~~)) before granting further waivers.

22 (3) The plan shall include, but not be limited to:

23 (a) For any institution with an historically underrepresented  
24 gender class described in subsection (2)(b) of this section, provisions  
25 that ensure that by July 1, 2000, the institution shall provide  
26 athletic opportunities for the underrepresented gender class at a rate  
27 that meets or exceeds the current rate at which that class participates  
28 in high school interscholastic athletics in Washington state not to  
29 exceed the point at which the underrepresented gender class is no  
30 longer underrepresented;

31 (b) For any institution with an underrepresented gender class  
32 described in subsection (2)(c) of this section, provisions that ensure  
33 that by July 1, 2004, the institution will have reached substantial  
34 proportionality in its athletic program;

35 (c) Activities to be undertaken by the institution to increase  
36 participation rates of any underrepresented gender class in  
37 interscholastic and intercollegiate athletics. These activities may  
38 include, but are not limited to: Sponsoring equity conferences,

1 coaches clinics and sports clinics; and taking a leadership role in  
2 working with athletic conferences to reduce barriers to participation  
3 by those gender classes in interscholastic and intercollegiate  
4 athletics;

5 (d) An identification of barriers to achieving and maintaining  
6 equitable intercollegiate athletic opportunities for men and women; and

7 (e) Measures to achieve institutional compliance with the  
8 provisions of RCW 28B.15.455.

9 **Sec. 522.** RCW 28B.15.760 and 2011 1st sp.s. c 11 s 155 are each  
10 reenacted and amended to read as follows:

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

13 (1) (~~("Board" means the higher education coordinating board.~~  
14 ~~+2+)) "Borrower" means an eligible student who has received a loan~~  
15 under RCW 28B.15.762.

16 (2) "Council" means the council for higher education.

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

26 (4) "Forgiven" or "to forgive" means to collect service as a  
27 teacher in a field of science or mathematics at a public school in the  
28 state of Washington in lieu of monetary payment.

29 (5) "Institution of higher education" or "institution" means a  
30 college or university in the state of Washington which is a member  
31 institution of an accrediting association recognized as such by rule of  
32 the (~~higher education coordinating board~~) council.

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

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

37 (8) "Satisfied" means paid-in-full.

1       **Sec. 523.** RCW 28B.20.130 and 2010 c 51 s 1 are each amended to  
2 read as follows:

3       General powers and duties of the board of regents are as follows:

4       (1) To have full control of the university and its property of  
5 various kinds, except as otherwise provided by law.

6       (2) To employ the president of the university, his or her  
7 assistants, members of the faculty, and employees of the institution,  
8 who except as otherwise provided by law, shall hold their positions  
9 during the pleasure of said board of regents.

10       (3) Establish entrance requirements for students seeking admission  
11 to the university (~~which meet or exceed the standards specified under~~  
12 ~~RCW 28B.76.290(2)~~). Completion of examinations satisfactory to the  
13 university may be a prerequisite for entrance by any applicant at the  
14 university's discretion. Evidence of completion of public high schools  
15 and other educational institutions whose courses of study meet the  
16 approval of the university may be 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) With the assistance of the faculty of the university, prescribe  
21 the course of study in the various colleges, schools, and departments  
22 of the institution and publish the necessary catalogues thereof.

23       (6) Grant to students such certificates or degrees as recommended  
24 for such students by the faculty. The board, upon recommendation of  
25 the faculty, may also confer honorary degrees upon persons other than  
26 graduates of this university in recognition of their learning or  
27 devotion to literature, art, or science: PROVIDED, That no degree  
28 shall ever be conferred in consideration of the payment of money or the  
29 giving of property of whatsoever kind.

30       (7) Accept such gifts, grants, conveyances, bequests, and devises,  
31 whether real or personal property, or both, in trust or otherwise, for  
32 the use or benefit of the university, its colleges, schools,  
33 departments, or agencies; and sell, lease or exchange, invest or expend  
34 the same or the proceeds, rents, profits, and income thereof except as  
35 limited by the terms of said gifts, grants, conveyances, bequests, and  
36 devises. The board shall adopt proper rules to govern and protect the  
37 receipt and expenditure of the proceeds of all fees, and the proceeds,



1 rents, profits, and income of all gifts, grants, conveyances, bequests,  
2 and devises above-mentioned.

3 (8) Except as otherwise provided by law, to enter into such  
4 contracts as the regents deem essential to university purposes.

5 (9) To submit upon request such reports as will be helpful to the  
6 governor and to the legislature in providing for the institution.

7 (10) Subject to the approval of the council for higher education  
8 (~~coordinating board~~) pursuant to RCW 28B.76.230 (as recodified by  
9 this act), offer new degree programs, offer off-campus programs,  
10 participate in consortia or centers, contract for off-campus  
11 educational programs, and purchase or lease major off-campus  
12 facilities.

13 (11) To confer honorary degrees upon persons who request an  
14 honorary degree if they were students at the university in 1942 and did  
15 not graduate because they were ordered into an internment camp. The  
16 honorary degree may also be requested by a representative of deceased  
17 persons who meet these requirements. For the purposes of this  
18 subsection, "internment camp" means a relocation center to which  
19 persons were ordered evacuated by Presidential Executive Order 9066,  
20 signed February 19, 1942.

21 **Sec. 524.** RCW 28B.20.280 and 1985 c 370 s 82 are each amended to  
22 read as follows:

23 The board of regents of the University of Washington may offer  
24 masters level and doctorate level degrees in technology subject to  
25 review and approval by the council for higher education (~~coordinating~~  
26 ~~board~~)).

27 **Sec. 525.** RCW 28B.30.150 and 2010 c 51 s 2 are each amended to  
28 read as follows:

29 The regents of Washington State University, in addition to other  
30 duties prescribed by law, shall:

31 (1) Have full control of the university and its property of various  
32 kinds, except as otherwise provided by law.

33 (2) Employ the president of the university, his or her assistants,  
34 members of the faculty, and employees of the university, who, except as  
35 otherwise provided by law, shall hold their positions during the  
36 pleasure of said board of regents.

1 (3) Establish entrance requirements for students seeking admission  
2 to the university (~~(which meet or exceed the standards specified under~~  
3 ~~RCW 28B.76.290(2))~~). Completion of examinations satisfactory to the  
4 university may be a prerequisite for entrance by any applicant, at the  
5 university's discretion. Evidence of completion of public high schools  
6 and other educational institutions whose courses of study meet the  
7 approval of the university may be acceptable for entrance.

8 (4) Establish such colleges, schools, or departments necessary to  
9 carry out the purpose of the university and not otherwise proscribed by  
10 law.

11 (5) Subject to the approval of the council for higher education  
12 (~~(coordinating board)~~) pursuant to RCW 28B.76.230 (as recodified by  
13 this act), offer new degree programs, offer off-campus programs,  
14 participate in consortia or centers, contract for off-campus  
15 educational programs, and purchase or lease major off-campus  
16 facilities.

17 (6) With the assistance of the faculty of the university, prescribe  
18 the courses of instruction in the various colleges, schools, and  
19 departments of the institution and publish the necessary catalogues  
20 thereof.

21 (7) Collect such information as the board deems desirable as to the  
22 schemes of technical instruction adopted in other parts of the United  
23 States and foreign countries.

24 (8) Provide for holding agricultural institutes including farm  
25 marketing forums.

26 (9) Provide that instruction given in the university, as far as  
27 practicable, be conveyed by means of laboratory work and provide in  
28 connection with the university one or more physical, chemical, and  
29 biological laboratories, and suitably furnish and equip the same.

30 (10) Provide training in military tactics for those students  
31 electing to participate therein.

32 (11) Establish a department of elementary science and in connection  
33 therewith provide instruction in elementary mathematics, including  
34 elementary trigonometry, elementary mechanics, elementary and  
35 mechanical drawing, and land surveying.

36 (12) Establish a department of agriculture and in connection  
37 therewith provide instruction in physics with special application of  
38 its principles to agriculture, chemistry with special application of

1 its principles to agriculture, morphology and physiology of plants with  
2 special reference to common grown crops and fungus enemies, morphology  
3 and physiology of the lower forms of animal life, with special  
4 reference to insect pests, morphology and physiology of the higher  
5 forms of animal life and in particular of the horse, cow, sheep, and  
6 swine, agriculture with special reference to the breeding and feeding  
7 of livestock and the best mode of cultivation of farm produce, and  
8 mining and metallurgy, appointing demonstrators in each of these  
9 subjects to superintend the equipment of a laboratory and to give  
10 practical instruction therein.

11 (13) Establish agricultural experiment stations in connection with  
12 the department of agriculture, including at least one in the western  
13 portion of the state, and appoint the officers and prescribe  
14 regulations for their management.

15 (14) Grant to students such certificates or degrees, as recommended  
16 for such students by the faculty.

17 (15) Confer honorary degrees upon persons other than graduates of  
18 the university in recognition of their learning or devotion to  
19 literature, art, or science when recommended thereto by the faculty:  
20 PROVIDED, That no degree shall ever be conferred in consideration of  
21 the payment of money or the giving of property of whatsoever kind.

22 (16) Adopt plans and specifications for university buildings and  
23 facilities or improvements thereto and employ skilled architects and  
24 engineers to prepare such plans and specifications and supervise the  
25 construction of buildings or facilities which the board is authorized  
26 to erect, and fix the compensation for such services. The board shall  
27 enter into contracts with one or more contractors for such suitable  
28 buildings, facilities, or improvements as the available funds will  
29 warrant, upon the most advantageous terms offered at a public  
30 competitive letting, pursuant to public notice under rules established  
31 by the board. The board shall require of all persons with whom they  
32 contract for construction and improvements a good and sufficient bond  
33 for the faithful performance of the work and full protection against  
34 all liens.

35 (17) Except as otherwise provided by law, direct the disposition of  
36 all money appropriated to or belonging to the state university.

37 (18) Receive and expend the money appropriated under the act of  
38 congress approved May 8, 1914, entitled "An Act to provide for

1 cooperative agricultural extension work between the agricultural  
2 colleges in the several States receiving the benefits of the Act of  
3 Congress approved July 2, 1862, and Acts supplemental thereto and the  
4 United States Department of Agriculture" and organize and conduct  
5 agricultural extension work in connection with the state university in  
6 accordance with the terms and conditions expressed in the acts of  
7 congress.

8 (19) Except as otherwise provided by law, to enter into such  
9 contracts as the regents deem essential to university purposes.

10 (20) Acquire by lease, gift, or otherwise, lands necessary to  
11 further the work of the university or for experimental or  
12 demonstrational purposes.

13 (21) Establish and maintain at least one agricultural experiment  
14 station in an irrigation district to conduct investigational work upon  
15 the principles and practices of irrigational agriculture including the  
16 utilization of water and its relation to soil types, crops, climatic  
17 conditions, ditch and drain construction, fertility investigations,  
18 plant disease, insect pests, marketing, farm management, utilization of  
19 fruit by-products, and general development of agriculture under  
20 irrigation conditions.

21 (22) Supervise and control the agricultural experiment station at  
22 Puyallup.

23 (23) Establish and maintain at Wenatchee an agricultural experiment  
24 substation for the purpose of conducting investigational work upon the  
25 principles and practices of orchard culture, spraying, fertilization,  
26 pollenization, new fruit varieties, fruit diseases and pests, by-  
27 products, marketing, management, and general horticultural problems.

28 (24) Accept such gifts, grants, conveyances, devises, and bequests,  
29 whether real or personal property, in trust or otherwise, for the use  
30 or benefit of the university, its colleges, schools, or departments;  
31 and sell, lease or exchange, invest or expend the same or the proceeds,  
32 rents, profits, and income thereof except as limited by the terms of  
33 said gifts, grants, conveyances, bequests, and devises; and adopt  
34 proper rules to govern and protect the receipt and expenditure of the  
35 proceeds of all fees, and the proceeds, rents, profits, and income of  
36 all gifts, grants, conveyances, bequests, and devises.

37 (25) Construct when the board so determines a new foundry and a  
38 mining, physical, technological building, and fabrication shop at the

1 university, or add to the present foundry and other buildings, in order  
2 that both instruction and research be expanded to include permanent  
3 molding and die casting with a section for new fabricating techniques,  
4 especially for light metals, including magnesium and aluminum; purchase  
5 equipment for the shops and laboratories in mechanical, electrical, and  
6 civil engineering; establish a pilot plant for the extraction of  
7 alumina from native clays and other possible light metal research;  
8 purchase equipment for a research laboratory for technological research  
9 generally; and purchase equipment for research in electronics,  
10 instrumentation, energy sources, plastics, food technology, mechanics  
11 of materials, hydraulics, and similar fields.

12 (26) Make and transmit to the governor and members of the  
13 legislature upon request such reports as will be helpful in providing  
14 for the institution.

15 (27) Confer honorary degrees upon persons who request an honorary  
16 degree if they were students at the university in 1942 and did not  
17 graduate because they were ordered into an internment camp. The  
18 honorary degree may also be requested by a representative of deceased  
19 persons who meet these requirements. For the purposes of this  
20 subsection, "internment camp" means a relocation center to which  
21 persons were ordered evacuated by Presidential Executive Order 9066,  
22 signed February 19, 1942.

23 **Sec. 526.** RCW 28B.30.500 and 1985 c 370 s 83 are each amended to  
24 read as follows:

25 The board of regents of Washington State University may offer  
26 masters level and doctorate level degrees in technology subject to  
27 review and approval by the council for higher education (~~coordinating~~  
28 ~~board~~)).

29 **Sec. 527.** RCW 28B.30.515 and 2011 c 321 s 1 are each amended to  
30 read as follows:

31 (1) The legislature finds that access to baccalaureate and graduate  
32 degree programs continues to be limited for residents of north  
33 Snohomish, Island, and Skagit counties. Studies conducted by the state  
34 board for community and technical colleges, the higher education  
35 coordinating board, and the council of presidents confirm that

1 enrollment in higher education compared to demand in this geographic  
2 region lags behind enrollment in other parts of the state, particularly  
3 for upper-division courses leading to advanced degrees.

4 (2) The legislature also finds that access to high employer demand  
5 programs of study is imperative for the state's global competitiveness  
6 and economic prosperity, particularly those degrees in the science,  
7 technology, engineering, and mathematics (STEM) fields that align with  
8 the workforce skill demands of the regional economy, that support the  
9 aerospace industry, and provide skilled undergraduate and  
10 graduate-degree engineers required by the largest employers in the  
11 aerospace industry cluster.

12 (3) The legislature finds that meeting the long-range goal of  
13 greatly expanded access for the population of the region to the widest  
14 array of baccalaureate and graduate programs can best be accomplished  
15 by assigning responsibility to a research university with multiple  
16 experiences in similar settings.

17 (4) Management and leadership of the University Center of North  
18 Puget Sound is assigned to Washington State University to meet the  
19 needs of the Everett metropolitan area and the north Snohomish, Island,  
20 and Skagit county region and the state of Washington for baccalaureate  
21 and graduate degrees offered by a state university. The chief  
22 executive officer of the University Center of North Puget Sound is the  
23 director who reports to the president of Washington State University.  
24 The director shall manage the activities and logistics of operating the  
25 center, make policy and planning recommendations to the council in  
26 subsection (5) of this section, and implement decisions of the council.

27 (5)(a) Washington State University and Everett Community College  
28 must collaborate with community leaders, and other four-year  
29 institutions of higher education that offer programs at the University  
30 Center of North Puget Sound to serve the varied interests of students  
31 in the region. To this end, a coordinating and planning council must  
32 be established to be responsible for long-range and strategic planning,  
33 interinstitutional collaboration, collaboration with the community  
34 served, and dispute resolution for the center. The following  
35 individuals shall comprise the coordinating and planning council:

36 (i) The president of Washington State University, or his or her  
37 designee;

1 (ii) The provost of Washington State University, or his or her  
2 designee;

3 (iii) The president of Everett Community College;

4 (iv) Two representatives of two other institutions of higher  
5 education that offer baccalaureate or graduate degree programs at the  
6 center;

7 (v) A student enrolled at the University Center of North Puget  
8 Sound appointed by the coordinating and planning council;

9 (vi) The director of the council, as the nonvoting chair;

10 (vii) A community leader appointed by the president of Everett  
11 Community College; and

12 (viii) A community leader appointed by the mayor of Everett.

13 (b) The coordinating and planning council may appoint other groups,  
14 as appropriate, to advise on administration and operations, and may  
15 alter its own composition by agreement of all the members.

16 (6)(a) Washington State University shall assume leadership of the  
17 center upon completion and approval by the legislature as provided  
18 under (d) of this subsection of a strategic plan for meeting the  
19 academic needs of the region and successful establishment of an  
20 engineering degree program. The strategic plan must build on the  
21 strengths of the institutions, reflecting each institution's mission,  
22 in order to provide the region with the highest standard of educational  
23 programs, research, and service to the community. The strategic plan  
24 must include a multibiennium budget that addresses both operating and  
25 capital expenses required to effectively implement the plan. The  
26 strategic plan shall be developed with the collaboration of the  
27 University Center at Everett Community College and all the institutions  
28 of higher education that provide baccalaureate degrees at the  
29 University Center, and community leaders.

30 (b) Center partners must implement the strategic plan with careful  
31 attention to the academic and professional standards established and  
32 maintained by each institution and by the appropriate accrediting  
33 bodies, and to the historic role of each institution's governing board  
34 in setting policy.

35 (c) The strategic plan must address expansion of the range and  
36 depth of educational opportunities in the region and include strategies  
37 that:

1 (i) Build upon baccalaureate and graduate degree offerings at the  
2 center;

3 (ii) Meet projected student enrollment demands for baccalaureate,  
4 graduate, and certificate programs in the region;

5 (iii) Meet employers' needs for skilled workers by expanding high  
6 employer demand programs of study as defined in RCW 28B.50.030, with an  
7 initial and ongoing emphasis by Washington State University on  
8 undergraduate and graduate science, technology, mathematics, and  
9 engineering degree programs, including a variety of engineering  
10 disciplines such as civil, mechanical, aeronautical, and aerospace  
11 manufacturing;

12 (iv) Coordinate delivery of lower and upper division courses to  
13 maximize student opportunities and resources; and

14 (v) Transfer budget support and resources for the center from  
15 Everett Community College to Washington State University.

16 (d) The strategic plan must be completed by December 1, 2012, and  
17 submitted to the legislature for review. The strategic plan shall be  
18 considered approved if the legislature does not take further action on  
19 the strategic plan during the 2013 legislative session. The transfer  
20 of the responsibility for the management and operation of the  
21 University Center of North Puget Sound to Washington State University  
22 must occur by July 1, 2014.

23 (7)(a) Academic programming and delivery at the center must be  
24 developed in accordance with the missions of Washington State  
25 University, Everett Community College, and other institutions of higher  
26 education that have a presence at the center.

27 (b) Each institution shall abide by the guidelines for university  
28 centers adopted by the council for higher education (~~coordinating~~  
29 ~~board~~)).

30 (c) Each institution shall award all degrees and certificates  
31 granted in the programs it delivers at the center.

32 (d) The coordinating council described in subsection (5) of this  
33 section shall establish a process for prioritizing new programs and  
34 revising existing programs that facilitates timeliness of new  
35 offerings, recognizes the internal processes of the proposing  
36 institutions, and addresses each proposal's fit with the needs of the  
37 region.



1 (8)(a) Washington State University shall review center expansion  
2 needs and consider capital facilities funding at least annually.  
3 Washington State University and Everett Community College must  
4 cooperate in preparing funding requests and bond financing for  
5 submission to the legislature on behalf of development at the center,  
6 in accordance with each institution's process and priorities for  
7 advancing legislative requests.

8 (b) Washington State University shall design, construct, and manage  
9 any facility developed at the center. Any facility developed at the  
10 center with Everett Community College capital funding must be designed  
11 by Everett Community College in consultation with Washington State  
12 University. Building construction may be managed by Washington State  
13 University via an interagency agreement which details responsibility  
14 and associated costs. Building operations and management for all  
15 facilities at the center must be governed by the infrastructure and  
16 operating cost allocation method described in subsection (9) of this  
17 section.

18 (9) Washington State University has responsibility for  
19 infrastructure development and maintenance for the center. All  
20 infrastructure operating and maintenance costs are to be shared in what  
21 is deemed to be an equitable and fair manner based on space allocation,  
22 special cost, and other relevant considerations. Washington State  
23 University may make infrastructure development and maintenance  
24 decisions in consultation with the council described in subsection (5)  
25 of this section.

26 (10) In the event that conflict cannot be resolved through the  
27 coordinating council described in subsection (5) of this section the  
28 council for higher education (~~(coordinating board)~~) dispute resolution  
29 must be employed.

30 **Sec. 528.** RCW 28B.35.120 and 2011 c 336 s 728 are each amended to  
31 read as follows:

32 In addition to any other powers and duties prescribed by law, each  
33 board of trustees of the respective regional universities:

34 (1) Shall have full control of the regional university and its  
35 property of various kinds, except as otherwise provided by law.

36 (2) Shall employ the president of the regional university, his or  
37 her assistants, members of the faculty, and other employees of the

1 institution, who, except as otherwise provided by law, shall hold their  
2 positions, until discharged therefrom by the board for good and lawful  
3 reason.

4 (3) With the assistance of the faculty of the regional university,  
5 shall prescribe the course of study in the various schools and  
6 departments thereof and publish such catalogues thereof as the board  
7 deems necessary: PROVIDED, That the Washington professional educator  
8 standards board shall determine the requisites for and give program  
9 approval of all courses leading to teacher certification by such board.

10 (4) Establish such divisions, schools, or departments necessary to  
11 carry out the purposes of the regional university and not otherwise  
12 proscribed by law.

13 (5) Except as otherwise provided by law, may establish and erect  
14 such new facilities as determined by the board to be necessary for the  
15 regional university.

16 (6) May acquire real and other property as provided in RCW  
17 28B.10.020, as now or hereafter amended.

18 (7) Except as otherwise provided by law, may purchase all supplies  
19 and purchase or lease equipment and other personal property needed for  
20 the operation or maintenance of the regional university.

21 (8) May establish, lease, operate, equip, and maintain self-  
22 supporting facilities in the manner provided in RCW 28B.10.300 through  
23 28B.10.330, as now or hereafter amended.

24 (9) Except as otherwise provided by law, to enter into such  
25 contracts as the trustees deem essential to regional university  
26 purposes.

27 (10) May receive such gifts, grants, conveyances, devises, and  
28 bequests of real or personal property from whatsoever source, as may be  
29 made from time to time, in trust or otherwise, whenever the terms and  
30 conditions thereof will aid in carrying out the regional university  
31 programs; sell, lease, or exchange, invest or expend the same or the  
32 proceeds, rents, profits, and income thereof except as limited by the  
33 terms and conditions thereof; and adopt regulations to govern the  
34 receipt and expenditure of the proceeds, rents, profits, and income  
35 thereof.

36 (11) Subject to the approval of the council for higher education  
37 (~~coordinating board~~) pursuant to RCW 28B.76.230 (as recodified by  
38 this act), offer new degree programs, offer off-campus programs,

1 participate in consortia or centers, contract for off-campus  
2 educational programs, and purchase or lease major off-campus  
3 facilities.

4 (12) May promulgate such rules and regulations, and perform all  
5 other acts not forbidden by law, as the board of trustees may in its  
6 discretion deem necessary or appropriate to the administration of the  
7 regional university.

8 **Sec. 529.** RCW 28B.35.202 and 2011 c 136 s 1 are each amended to  
9 read as follows:

10 The board of trustees of Eastern Washington University may offer  
11 educational specialist degrees subject to review and approval by the  
12 council for higher education (~~(coordinating board)~~).

13 **Sec. 530.** RCW 28B.35.205 and 2010 c 51 s 3 are each amended to  
14 read as follows:

15 (1) In addition to all other powers and duties given to them by  
16 law, Central Washington University, Eastern Washington University, and  
17 Western Washington University are hereby authorized to grant any degree  
18 through the master's degree to any student who has completed a program  
19 of study and/or research in those areas which are determined by the  
20 faculty and board of trustees of the college to be appropriate for the  
21 granting of such degree: PROVIDED, That before any degree is  
22 authorized under this section it shall be subject to the review and  
23 approval of the council for higher education (~~(coordinating board)~~).

24 (2) The board of trustees, upon recommendation of the faculty, may  
25 also confer honorary bachelor's, master's, or doctorate level degrees  
26 upon persons in recognition of their learning or devotion to education,  
27 literature, art, or science. No degree may be conferred in  
28 consideration of the payment of money or the donation of any kind of  
29 property.

30 (3) The board of trustees may also confer honorary degrees upon  
31 persons who request an honorary degree if they were students at the  
32 university in 1942 and did not graduate because they were ordered into  
33 an internment camp. The honorary degree may also be requested by a  
34 representative of deceased persons who meet these requirements. For  
35 the purposes of this subsection, "internment camp" means a relocation

1 center to which persons were ordered evacuated by Presidential  
2 Executive Order 9066, signed February 19, 1942.

3 **Sec. 531.** RCW 28B.35.215 and 2001 c 252 s 1 are each amended to  
4 read as follows:

5 The board of trustees of Eastern Washington University may offer  
6 applied, but not research, doctorate level degrees in physical therapy  
7 subject to review and approval by the council for higher education  
8 (~~coordinating board~~)).

9 **Sec. 532.** RCW 28B.40.120 and 2011 c 336 s 734 are each amended to  
10 read as follows:

11 In addition to any other powers and duties prescribed by law, the  
12 board of trustees of The Evergreen State College:

13 (1) Shall have full control of the state college and its property  
14 of various kinds, except as otherwise provided by law.

15 (2) Shall employ the president of the state college, his or her  
16 assistants, members of the faculty, and other employees of the  
17 institution, who, except as otherwise provided by law, shall hold their  
18 positions, until discharged therefrom by the board for good and lawful  
19 reason.

20 (3) With the assistance of the faculty of the state college, shall  
21 prescribe the course of study in the various schools and departments  
22 thereof and publish such catalogues thereof as the board deems  
23 necessary: PROVIDED, That the Washington professional educator  
24 standards board shall determine the requisites for and give program  
25 approval of all courses leading to teacher certification by such board.

26 (4) Establish such divisions, schools, or departments necessary to  
27 carry out the purposes of the college and not otherwise proscribed by  
28 law.

29 (5) Except as otherwise provided by law, may establish and erect  
30 such new facilities as determined by the board to be necessary for the  
31 college.

32 (6) May acquire real and other property as provided in RCW  
33 28B.10.020, as now or hereafter amended.

34 (7) Except as otherwise provided by law, may purchase all supplies  
35 and purchase or lease equipment and other personal property needed for  
36 the operation or maintenance of the college.

1 (8) May establish, lease, operate, equip, and maintain self-  
2 supporting facilities in the manner provided in RCW 28B.10.300 through  
3 28B.10.330, as now or hereafter amended.

4 (9) Except as otherwise provided by law, to enter into such  
5 contracts as the trustees deem essential to college purposes.

6 (10) May receive such gifts, grants, conveyances, devises, and  
7 bequests of real or personal property from whatsoever source, as may be  
8 made from time to time, in trust or otherwise, whenever the terms and  
9 conditions thereof will aid in carrying out the college programs; sell,  
10 lease, or exchange, invest or expend the same or the proceeds, rents,  
11 profits, and income thereof except as limited by the terms and  
12 conditions thereof; and adopt regulations to govern the receipt and  
13 expenditure of the proceeds, rents, profits, and income thereof.

14 (11) Subject to the approval of the council for higher education  
15 (~~coordinating board~~) pursuant to RCW 28B.76.230 (as recodified by  
16 this act), offer new degree programs, offer off-campus programs,  
17 participate in consortia or centers, contract for off-campus  
18 educational programs, and purchase or lease major off-campus  
19 facilities.

20 (12) May promulgate such rules and regulations, and perform all  
21 other acts not forbidden by law, as the board of trustees may in its  
22 discretion deem necessary or appropriate to the administration of the  
23 college.

24 **Sec. 533.** RCW 28B.40.206 and 1991 c 58 s 3 are each amended to  
25 read as follows:

26 In addition to all other powers and duties given to them by law,  
27 the board of trustees of The Evergreen State College is hereby  
28 authorized to grant any degree through the master's degree to any  
29 student who has completed a program of study and/or research in those  
30 areas which are determined by the faculty and board of trustees of the  
31 college to be appropriate for the granting of such degree: PROVIDED,  
32 That any degree authorized under this section shall be subject to the  
33 review and approval of the council for higher education (~~coordinating~~  
34 ~~board~~)).

35 The board of trustees, upon recommendation of the faculty, may also  
36 confer honorary bachelor's or master's degrees upon persons other than  
37 graduates of the institution, in recognition of their learning or

1 devotion to education, literature, art, or science. No degree may be  
2 conferred in consideration of the payment of money or the donation of  
3 any kind of property.

4 **Sec. 534.** RCW 28B.45.014 and 2011 c 208 s 1 are each amended to  
5 read as follows:

6 (1) The primary mission of the higher education branch campuses  
7 created under this chapter remains to expand access to baccalaureate  
8 and graduate education in underserved urban areas of the state in  
9 collaboration with community and technical colleges. The top priority  
10 for each of the campuses is to expand courses and degree programs for  
11 transfer and graduate students. New degree programs should be driven  
12 by the educational needs and demands of students and the community, as  
13 well as the economic development needs of local businesses and  
14 employers.

15 (2) Branch campuses shall collaborate with the community and  
16 technical colleges in their region to develop articulation agreements,  
17 dual admissions policies, and other partnerships to ensure that branch  
18 campuses serve as innovative models of a two plus two educational  
19 system. Other possibilities for collaboration include but are not  
20 limited to joint development of curricula and degree programs,  
21 colocation of instruction, and arrangements to share faculty.

22 (3) In communities where a private postsecondary institution is  
23 located, representatives of the private institution may be invited to  
24 participate in the conversation about meeting the baccalaureate and  
25 graduate needs in underserved urban areas of the state.

26 (4) However, the legislature recognizes there are alternative  
27 models for achieving this primary mission. Some campuses may have  
28 additional missions in response to regional needs and demands. At  
29 selected branch campuses, an innovative combination of instruction and  
30 research targeted to support regional economic development may be  
31 appropriate to meet the region's needs for both access and economic  
32 viability. Other campuses should focus on becoming models of a two  
33 plus two educational system through continuous improvement of  
34 partnerships and agreements with community and technical colleges.  
35 Still other campuses may be best suited to transition to a four-year  
36 university or be removed from designation as a branch campus entirely.

1 (5) The legislature recognizes that size, mix of degree programs,  
2 and proportion of lower versus upper division and graduate enrollments  
3 are factors that affect costs at branch campuses. However over time,  
4 the legislature intends that branch campuses be funded more similarly  
5 to regional universities.

6 (6) Subject to approval by the council for higher education  
7 (~~coordinating board~~), in accordance with RCW 28B.76.230 (as  
8 recodified by this act), research universities are authorized to  
9 develop doctoral degree programs at their branch campuses.

10 (7) The council for higher education (~~coordinating board~~) shall  
11 monitor and evaluate growth of the branch campuses and periodically  
12 report and make recommendations to the higher education committees of  
13 the legislature to ensure the campuses continue to follow the  
14 priorities established under this chapter.

15 **Sec. 535.** RCW 28B.45.020 and 2005 c 258 s 3 are each amended to  
16 read as follows:

17 (1) The University of Washington is responsible for ensuring the  
18 expansion of baccalaureate and graduate educational programs in the  
19 central Puget Sound area under rules or guidelines adopted by the  
20 council for higher education (~~coordinating board~~) and in accordance  
21 with proportionality agreements emphasizing access for transfer  
22 students developed with the state board for community and technical  
23 colleges. The University of Washington shall meet that responsibility  
24 through the operation of at least two branch campuses. One branch  
25 campus shall be located in the Tacoma area. Another branch campus  
26 shall be collocated with Cascadia Community College in the Bothell-  
27 Woodinville area.

28 (2) At the University of Washington Tacoma, a top priority is  
29 expansion of upper division capacity for transfer students and graduate  
30 capacity and programs. Beginning in the fall of 2006, the campus may  
31 offer lower division courses linked to specific majors in fields not  
32 addressed at local community colleges. The campus shall admit lower  
33 division students through coadmission or coenrollment agreements with  
34 a community college, or through direct transfer for students who have  
35 accumulated approximately one year of transferable college credits. In  
36 addition to offering lower division courses linked to specific majors

1 as addressed above, the campus may also directly admit freshmen and  
2 sophomores gradually and deliberately in accordance with the campus  
3 plan submitted to the higher education coordinating board in 2004.

4 (3) At the University of Washington Bothell, a top priority is  
5 expansion of upper division capacity for transfer students and graduate  
6 capacity and programs. The campus shall also seek additional  
7 opportunities to collaborate with and maximize its (~~collocation~~  
8 ~~relocation~~) colocation with Cascadia Community College. Beginning  
9 in the fall of 2006, the campus may offer lower division courses linked  
10 to specific majors in fields not addressed at local community colleges.  
11 The campus may admit lower division students through coadmission or  
12 coenrollment agreements with a community college, or through direct  
13 transfer for students who have accumulated approximately one year of  
14 transferable college credits. In addition to offering lower division  
15 courses linked to specific majors as addressed above, the campus may  
16 also directly admit freshmen and sophomores gradually and deliberately  
17 in accordance with the campus plan submitted to the higher education  
18 coordinating board in 2004.

19 **Sec. 536.** RCW 28B.45.030 and 2006 c 166 s 1 are each amended to  
20 read as follows:

21 (1) Washington State University is responsible for providing  
22 baccalaureate and graduate level higher education programs to the  
23 citizens of the Tri-Cities area, under rules or guidelines adopted by  
24 the council for higher education (~~coordinating board~~) and in  
25 accordance with proportionality agreements emphasizing access for  
26 transfer students developed with the state board for community and  
27 technical colleges. Washington State University shall meet that  
28 responsibility through the operation of a branch campus in the Tri-  
29 Cities area. The branch campus shall replace and supersede the Tri-  
30 Cities university center. All land, facilities, equipment, and  
31 personnel of the Tri-Cities university center shall be transferred from  
32 the University of Washington to Washington State University.

33 (2) In 2005, the legislature authorized the expansion on a limited  
34 basis of Washington State University's branch campus in the Tri-Cities  
35 area. The legislature authorized the Tri-Cities branch campus to  
36 continue providing innovative coadmission and coenrollment options with  
37 Columbia Basin College, and to expand its upper-division capacity for



1 transfer students and graduate capacity and programs. The branch  
2 campus was given authority beginning in fall 2006 to offer lower-  
3 division courses linked to specific majors in fields not addressed at  
4 the local community colleges. The campus was also authorized to  
5 directly admit freshmen and sophomores for a bachelor's degree program  
6 in biotechnology subject to approval by the higher education  
7 coordinating board. The legislature finds that the Tri-Cities  
8 community is very engaged in and committed to exploring the further  
9 expansion of Washington State University Tri-Cities branch campus into  
10 a four-year institution and considers this issue to be a top priority  
11 for the larger Tri-Cities region.

12 (3) Washington State University Tri-Cities shall continue providing  
13 innovative coadmission and coenrollment options with Columbia Basin  
14 College, and expand its upper division capacity for transfer students  
15 and graduate capacity and programs. The campus shall also seek  
16 additional opportunities to collaborate with the Pacific Northwest  
17 national laboratory. Beginning in the fall of 2006, the campus may  
18 offer lower division courses linked to specific majors in fields not  
19 addressed at local community colleges. The campus may admit lower  
20 division students through coadmission or coenrollment agreements with  
21 a community college, or through direct transfer for students who have  
22 accumulated approximately one year of transferable college credits. In  
23 addition to offering lower division courses linked to specific majors  
24 as addressed above, the campus may also directly admit freshmen and  
25 sophomores for a bachelor's degree program in biotechnology subject to  
26 approval by the council for higher education (~~(coordinating board)~~).

27 (4) The Washington State University Tri-Cities branch campus shall  
28 develop a plan for expanding into a four-year institution and shall  
29 identify new degree programs and course offerings focused on areas of  
30 specific need in higher education that exist in southeastern  
31 Washington. The branch campus's plan should examine the resources and  
32 talent available in the Tri-Cities area, including but not limited to  
33 resources and talent available at the Pacific Northwest national  
34 laboratory, and how these resources and talent may best be used by the  
35 Tri-Cities branch campus to expand into a four-year institution. The  
36 branch campus shall submit its plan to the legislature and the higher  
37 education coordinating board by November 30, 2006.

1 (5) Beginning in the fall of 2007, the Washington State University  
2 Tri-Cities branch campus may begin, subject to approval by the council  
3 for higher education (~~(coordinating board)~~), admitting lower-division  
4 students directly into programs beyond the biotechnology field that are  
5 identified in its plan as being in high need in southeastern  
6 Washington. Such fields may include but need not be limited to  
7 science, engineering and technology, biomedical sciences, alternative  
8 energy, and computational and information sciences. By gradually and  
9 deliberately admitting freshmen and sophomores in accordance with its  
10 plan, increasing transfer enrollment, and coadmitting transfer  
11 students, the campus shall develop into a four-year institution serving  
12 the southeastern Washington region.

13 **Sec. 537.** RCW 28B.45.040 and 2005 c 258 s 5 are each amended to  
14 read as follows:

15 (1) Washington State University is responsible for providing  
16 baccalaureate and graduate level higher education programs to the  
17 citizens of the southwest Washington area, under rules or guidelines  
18 adopted by the council for higher education (~~(coordinating board)~~) and  
19 in accordance with proportionality agreements emphasizing access for  
20 transfer students developed with the state board for community and  
21 technical colleges. Washington State University shall meet that  
22 responsibility through the operation of a branch campus in the  
23 southwest Washington area.

24 (2) Washington State University Vancouver shall expand upper  
25 division capacity for transfer students and graduate capacity and  
26 programs and continue to collaborate with local community colleges on  
27 coadmission and coenrollment programs. In addition, beginning in the  
28 fall of 2006, the campus may admit lower division students directly.  
29 By simultaneously admitting freshmen and sophomores, increasing  
30 transfer enrollment, coadmitting transfer students, and expanding  
31 graduate and professional programs, the campus shall develop into a  
32 four-year institution serving the southwest Washington region.

33 **Sec. 538.** RCW 28B.45.060 and 1989 1st ex.s. c 7 s 7 are each  
34 amended to read as follows:

35 Central Washington University is responsible for providing upper-

1 division and graduate level higher education programs to the citizens  
2 of the Yakima area, under rules or guidelines adopted by the council  
3 for higher education (~~(coordinating board)~~).

4 **Sec. 539.** RCW 28B.45.080 and 2004 c 57 s 5 are each amended to  
5 read as follows:

6 The (~~higher education coordinating board~~) state board for  
7 community and technical colleges and the council for higher education  
8 shall adopt performance measures to ensure a collaborative partnership  
9 between the community and technical colleges and the branch campuses.  
10 The partnership shall be one in which the community and technical  
11 colleges prepare students for transfer to the upper-division programs  
12 of the branch campuses and the branch campuses work with community and  
13 technical colleges to enable students to transfer and obtain degrees  
14 efficiently.

15 **Sec. 540.** RCW 28B.50.030 and 2009 c 353 s 1, 2009 c 151 s 3, and  
16 2009 c 64 s 3 are each reenacted and amended to read as follows:

17 The definitions in this section apply throughout this chapter  
18 unless the context clearly requires otherwise.

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

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

34 (a) Specifically designed for individuals who hold an associate of  
35 applied science degree, or its equivalent, in order to maximize

1 application of their technical course credits toward the baccalaureate  
2 degree; and

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

5 (3) "Board" means the workforce training and education coordinating  
6 board.

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

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

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

16 (7) "Common school board" means a public school district board of  
17 directors.

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

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

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

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

1 services or goods; and (b) at the time of last separation from  
2 employment, resided in or was employed in a rural natural resources  
3 impact area.

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

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

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

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

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

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

32 (a) Washington public community and technical colleges;

33 (b) Private career schools that are members of an accrediting  
34 association recognized by rule of the council for higher education  
35 (~~coordinating board~~) for the purposes of chapter 28B.92 RCW; and

36 (c) Washington state apprenticeship and training council-approved  
37 apprenticeship programs.

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

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

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

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

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

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

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

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

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

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

33 (20) "Salmon fishing worker" means a worker in the finfish industry  
34 affected by 1994 or future salmon disasters. The workers included  
35 within this definition shall be determined by the employment security  
36 department, but shall include workers employed in the industries  
37 involved in the commercial and recreational harvesting of finfish

1 including buying and processing finfish. The commissioner may adopt  
2 rules further interpreting these definitions.

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

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

13 **Sec. 541.** RCW 28B.50.140 and 2010 c 51 s 4 are each amended to  
14 read as follows:

15 Each board of trustees:

16 (1) Shall operate all existing community and technical colleges in  
17 its district;

18 (2) Shall create comprehensive programs of community and technical  
19 college education and training and maintain an open-door policy in  
20 accordance with the provisions of RCW 28B.50.090(3);

21 (3) Shall employ for a period to be fixed by the board a college  
22 president for each community and technical college and, may appoint a  
23 president for the district, and fix their duties and compensation,  
24 which may include elements other than salary. Compensation under this  
25 subsection shall not affect but may supplement retirement, health care,  
26 and other benefits that are otherwise applicable to the presidents as  
27 state employees. The board shall also employ for a period to be fixed  
28 by the board members of the faculty and such other administrative  
29 officers and other employees as may be necessary or appropriate and fix  
30 their salaries and duties. Compensation and salary increases under  
31 this subsection shall not exceed the amount or percentage established  
32 for those purposes in the state appropriations act by the legislature  
33 as allocated to the board of trustees by the state board for community  
34 and technical colleges. The state board for community and technical  
35 colleges shall adopt rules defining the permissible elements of  
36 compensation under this subsection;

1 (4) May establish, under the approval and direction of the college  
2 board, new facilities as community needs and interests demand.  
3 However, the authority of boards of trustees to purchase or lease major  
4 off-campus facilities shall be subject to the approval of the council  
5 for higher education (~~(coordinating board)~~) pursuant to RCW 28B.76.230  
6 (as recodified by this act);

7 (5) May establish or lease, operate, equip and maintain  
8 dormitories, food service facilities, bookstores and other self-  
9 supporting facilities connected with the operation of the community and  
10 technical college;

11 (6) May, with the approval of the college board, borrow money and  
12 issue and sell revenue bonds or other evidences of indebtedness for the  
13 construction, reconstruction, erection, equipping with permanent  
14 fixtures, demolition and major alteration of buildings or other capital  
15 assets, and the acquisition of sites, rights-of-way, easements,  
16 improvements or appurtenances, for dormitories, food service  
17 facilities, and other self-supporting facilities connected with the  
18 operation of the community and technical college in accordance with the  
19 provisions of RCW 28B.10.300 through 28B.10.330 where applicable;

20 (7) May establish fees and charges for the facilities authorized  
21 hereunder, including reasonable rules and regulations for the  
22 government thereof, not inconsistent with the rules of the college  
23 board; each board of trustees operating a community and technical  
24 college may enter into agreements, subject to rules of the college  
25 board, with owners of facilities to be used for housing regarding the  
26 management, operation, and government of such facilities, and any board  
27 entering into such an agreement may:

28 (a) Make rules for the government, management and operation of such  
29 housing facilities deemed necessary or advisable; and

30 (b) Employ necessary employees to govern, manage and operate the  
31 same;

32 (8) May receive such gifts, grants, conveyances, devises and  
33 bequests of real or personal property from private sources, 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 community and technical  
36 college programs as specified by law and the rules of the state college  
37 board; sell, lease or exchange, invest or expend the same or the



1 proceeds, rents, profits and income thereof according to the terms and  
2 conditions thereof; and adopt rules to govern the receipt and  
3 expenditure of the proceeds, rents, profits and income thereof;

4 (9) May establish and maintain night schools whenever in the  
5 discretion of the board of trustees it is deemed advisable, and  
6 authorize classrooms and other facilities to be used for summer or  
7 night schools, or for public meetings and for any other uses consistent  
8 with the use of such classrooms or facilities for community and  
9 technical college purposes;

10 (10) May make rules for pedestrian and vehicular traffic on  
11 property owned, operated, or maintained by the district;

12 (11) Shall prescribe, with the assistance of the faculty, the  
13 course of study in the various departments of the community and  
14 technical college or colleges under its control, and publish such  
15 catalogues and bulletins as may become necessary;

16 (12) May grant to every student, upon graduation or completion of  
17 a course of study, a suitable diploma, degree, or certificate under the  
18 rules of the state board for community and technical colleges that are  
19 appropriate to their mission. The purposes of these diplomas,  
20 certificates, and degrees are to lead individuals directly to  
21 employment in a specific occupation or prepare individuals for a  
22 bachelor's degree or beyond. Technical colleges may only offer  
23 transfer degrees that prepare students for bachelor's degrees in  
24 professional fields, subject to rules adopted by the college board. In  
25 adopting rules, the college board, where possible, shall create  
26 consistency between community and technical colleges and may address  
27 issues related to tuition and fee rates; tuition waivers; enrollment  
28 counting, including the use of credits instead of clock hours; degree  
29 granting authority; or any other rules necessary to offer the associate  
30 degrees that prepare students for transfer to bachelor's degrees in  
31 professional areas. Only (~~pilot~~) colleges under RCW 28B.50.810 may  
32 award baccalaureate degrees. The board, upon recommendation of the  
33 faculty, may also confer honorary associate of arts degrees upon  
34 persons other than graduates of the community college, in recognition  
35 of their learning or devotion to education, literature, art, or  
36 science. No degree may be conferred in consideration of the payment of  
37 money or the donation of any kind of property;

1 (13) Shall enforce the rules prescribed by the state board for  
2 community and technical colleges for the government of community and  
3 technical colleges, students and teachers, and adopt such rules and  
4 perform all other acts not inconsistent with law or rules of the state  
5 board for community and technical colleges as the board of trustees may  
6 in its discretion deem necessary or appropriate to the administration  
7 of college districts: PROVIDED, That such rules shall include, but not  
8 be limited to, rules relating to housing, scholarships, conduct at the  
9 various community and technical college facilities, and discipline:  
10 PROVIDED, FURTHER, That the board of trustees may suspend or expel from  
11 community and technical colleges students who refuse to obey any of the  
12 duly adopted rules;

13 (14) May, by written order filed in its office, delegate to the  
14 president or district president any of the powers and duties vested in  
15 or imposed upon it by this chapter. Such delegated powers and duties  
16 may be exercised in the name of the district board;

17 (15) May perform such other activities consistent with this chapter  
18 and not in conflict with the directives of the college board;

19 (16) Notwithstanding any other provision of law, may offer  
20 educational services on a contractual basis other than the tuition and  
21 fee basis set forth in chapter 28B.15 RCW for a special fee to private  
22 or governmental entities, consistent with rules adopted by the state  
23 board for community and technical colleges: PROVIDED, That the whole  
24 of such special fee shall go to the college district and be not less  
25 than the full instructional costs of such services including any salary  
26 increases authorized by the legislature for community and technical  
27 college employees during the term of the agreement: PROVIDED FURTHER,  
28 That enrollments generated hereunder shall not be counted toward the  
29 official enrollment level of the college district for state funding  
30 purposes;

31 (17) Notwithstanding any other provision of law, may offer  
32 educational services on a contractual basis, charging tuition and fees  
33 as set forth in chapter 28B.15 RCW, counting such enrollments for state  
34 funding purposes, and may additionally charge a special supplemental  
35 fee when necessary to cover the full instructional costs of such  
36 services: PROVIDED, That such contracts shall be subject to review by  
37 the state board for community and technical colleges and to such rules  
38 as the state board may adopt for that purpose in order to assure that

1 the sum of the supplemental fee and the normal state funding shall not  
2 exceed the projected total cost of offering the educational service:  
3 PROVIDED FURTHER, That enrollments generated by courses offered on the  
4 basis of contracts requiring payment of a share of the normal costs of  
5 the course will be discounted to the percentage provided by the  
6 college;

7 (18) Shall be authorized to pay dues to any association of trustees  
8 that may be formed by the various boards of trustees; such association  
9 may expend any or all of such funds to submit biennially, or more often  
10 if necessary, to the governor and to the legislature, the  
11 recommendations of the association regarding changes which would affect  
12 the efficiency of such association;

13 (19) May participate in higher education centers and consortia that  
14 involve any four-year public or independent college or university:  
15 PROVIDED, That new degree programs or off-campus programs offered by a  
16 four-year public or independent college or university in collaboration  
17 with a community or technical college are subject to approval by the  
18 council for higher education (~~coordinating board~~) under RCW  
19 28B.76.230 (as recodified by this act);

20 (20) Shall perform any other duties and responsibilities imposed by  
21 law or rule of the state board; and

22 (21) May confer honorary associate of arts degrees upon persons who  
23 request an honorary degree if they were students at the college in 1942  
24 and did not graduate because they were ordered into an internment camp.  
25 The honorary degree may also be requested by a representative of  
26 deceased persons who meet these requirements. For the purposes of this  
27 subsection, "internment camp" means a relocation center to which  
28 persons were ordered evacuated by Presidential Executive Order 9066,  
29 signed on February 19, 1942.

30 **Sec. 542.** RCW 28B.50.810 and 2010 c 245 s 3 are each amended to  
31 read as follows:

32 (1) The college board may select community or technical colleges to  
33 develop and offer programs of study leading to applied baccalaureate  
34 degrees. Colleges may submit applications to the college board. The  
35 college board and the council for higher education (~~coordinating  
36 board~~) shall review the applications and select the colleges using  
37 objective criteria, including, but not limited to:

1 (a) The college demonstrates the capacity to make a long-term  
2 commitment of resources to build and sustain a high quality program;

3 (b) The college has or can readily engage faculty appropriately  
4 qualified to develop and deliver a high quality curriculum at the  
5 baccalaureate level;

6 (c) The college can demonstrate demand for the proposed program  
7 from a sufficient number of students within its service area to make  
8 the program cost-effective and feasible to operate;

9 (d) The college can demonstrate that employers demand the level of  
10 technical training proposed within the program, making it cost-  
11 effective for students to seek the degree; and

12 (e) The proposed program fills a gap in options available for  
13 students because it is not offered by a public four-year institution of  
14 higher education in the college's geographic area.

15 (2) A college selected under this section may develop the  
16 curriculum for and design and deliver courses leading to an applied  
17 baccalaureate degree. However, degree programs developed under this  
18 section are subject to approval by the college board under RCW  
19 28B.50.090 and by the council for higher education (~~coordinating~~  
20 ~~board~~) under RCW 28B.76.230 (as recodified by this act) before a  
21 college may enroll students in upper division courses.

22 **Sec. 543.** RCW 28B.50.820 and 2005 c 258 s 12 are each amended to  
23 read as follows:

24 (1) One strategy to accomplish expansion of baccalaureate capacity  
25 in underserved regions of the state is to allocate state funds for  
26 student enrollment to a community and technical college and authorize  
27 the college to enter into agreements with a regional university or  
28 state college as defined in RCW 28B.10.016 or a branch campus under  
29 chapter 28B.45 RCW, to offer baccalaureate degree programs.

30 (2) Subject to legislative appropriation for the purpose described  
31 in this section, the college board shall select and allocate funds to  
32 three community or technical colleges for the purpose of entering into  
33 an agreement with one or more regional universities, branch campuses,  
34 or the state college to offer baccalaureate degree programs on the  
35 college campus.

36 (3) The college board shall select the community or technical  
37 college based on analysis of gaps in service delivery, capacity, and

1 student and employer demand for programs. Before taking effect, the  
2 agreement under this section must be approved by the council for higher  
3 education (~~coordinating board~~).

4 (4) Students enrolled in programs under this section are considered  
5 students of the regional university, branch campus, or state college  
6 for all purposes including tuition and reporting of state-funded  
7 enrollments.

8 **Sec. 544.** RCW 28B.65.040 and 1995 c 399 s 29 are each amended to  
9 read as follows:

10 (1) The Washington high-technology coordinating board is hereby  
11 created.

12 (2) The board shall be composed of eighteen members as follows:

13 (a) Eleven shall be citizen members appointed by the governor, with  
14 the consent of the senate, for four-year terms. In making the  
15 appointments the governor shall ensure that a balanced geographic  
16 representation of the state is achieved and shall attempt to choose  
17 persons experienced in high-technology fields, including at least one  
18 representative of labor. Any person appointed to fill a vacancy  
19 occurring before a term expires shall be appointed only for the  
20 remainder of that term; and

21 (b) Seven of the members shall be as follows: One representative  
22 from each of the state's two research universities, one representative  
23 of the state college and regional universities, the director for the  
24 state system of community and technical colleges or the director's  
25 designee, the superintendent of public instruction or the  
26 superintendent's designee, (~~a representative of the higher education~~  
27 ~~coordinating board~~) the director of the council for higher education,  
28 or the director's designee, and the director of the department of  
29 (~~community, trade, and economic development~~) commerce or the  
30 director's designee.

31 (3) Members of the board shall not receive any salary for their  
32 services, but shall be reimbursed for travel expenses under RCW  
33 43.03.050 and 43.03.060 for each day actually spent in attending to  
34 duties as a member of the board.

35 (4) A citizen member of the board shall not be, during the term of  
36 office, a member of the governing board of any public or private  
37 educational institution, or an employee of any state or local agency.

1           **Sec. 545.** RCW 28B.65.050 and 1998 c 245 s 22 are each amended to  
2 read as follows:

3           (1) The board shall oversee, coordinate, and evaluate the high-  
4 technology programs.

5           (2) The board shall:

6           (a) Determine the specific high-technology occupational fields in  
7 which technical training is needed and advise the institutions of  
8 higher education and the council for higher education (~~(coordinating~~  
9 ~~board)~~) on their findings;

10           (b) Identify economic areas and high-technology industries in need  
11 of technical training and research and development critical to economic  
12 development and advise the institutions of higher education and the  
13 council for higher education (~~(coordinating board)~~) on their findings;

14           (c) Oversee and coordinate the Washington high-technology education  
15 and training program to ensure high standards, efficiency, and  
16 effectiveness;

17           (d) Work cooperatively with the superintendent of public  
18 instruction to identify the skills prerequisite to the high-technology  
19 programs in the institutions of higher education;

20           (e) Work cooperatively with and provide any information or advice  
21 which may be requested by the council for higher education  
22 (~~(coordinating board)~~) during the board's review of new baccalaureate  
23 degree program proposals which are submitted under this chapter.  
24 Nothing in this chapter shall be construed as altering or superseding  
25 the powers or prerogatives of the council for higher education  
26 (~~(coordinating board)~~) over the review of new degree programs as  
27 established in section 6(2) of this 1985 act;

28           (f) Work cooperatively with the department of (~~(community, trade,~~  
29 ~~and economic development)~~) commerce to identify the high-technology  
30 education and training needs of existing Washington businesses and  
31 businesses with the potential to locate in Washington;

32           (g) Work towards increasing private sector participation and  
33 contributions in Washington high-technology programs;

34           (h) Identify and evaluate the effectiveness of state sponsored  
35 research related to high technology; and

36           (i) Establish and maintain a plan, including priorities, to guide  
37 high-technology program development in public institutions of higher  
38 education, which plan shall include an assessment of current high-

1 technology programs, steps to increase existing programs, new  
2 initiatives and programs necessary to promote high technology, and  
3 methods to coordinate and target high-technology programs to changing  
4 market opportunities in business and industry.

5 (3) The board may adopt rules under chapter 34.05 RCW as it deems  
6 necessary to carry out the purposes of this chapter.

7 (4) The board shall cease to exist on June 30, 1987, unless  
8 extended by law for an additional fixed period of time.

9 **Sec. 546.** RCW 28B.85.010 and 1986 c 136 s 1 are each amended to  
10 read as follows:

11 Unless the context clearly requires otherwise, the definitions in  
12 this section apply throughout this chapter:

13 (1) (~~("Board")~~) "Council" means the council for higher education  
14 (~~(coordinating board)~~).

15 (2) "Degree" means any designation, appellation, letters, or words  
16 including but not limited to "associate," "bachelor," "master,"  
17 "doctor," or "fellow" which signify or purport to signify satisfactory  
18 completion of the requirements of an academic program of study beyond  
19 the secondary school level.

20 (3) "Degree-granting institution" means an entity that offers  
21 educational credentials, instruction, or services prerequisite to or  
22 indicative of an academic or professional degree beyond the secondary  
23 level.

24 **Sec. 547.** RCW 28B.85.020 and 2006 c 234 s 3 are each amended to  
25 read as follows:

26 (1) The (~~board~~) council:

27 (a) Shall adopt by rule, in accordance with chapter 34.05 RCW,  
28 minimum standards for degree-granting institutions concerning granting  
29 of degrees, quality of education, unfair business practices, financial  
30 stability, and other necessary measures to protect citizens of this  
31 state against substandard, fraudulent, or deceptive practices. The  
32 rules shall require that an institution operating in Washington:

33 (i) Be accredited;

34 (ii) Have applied for accreditation and such application is pending  
35 before the accrediting agency;

1 (iii) Have been granted a waiver by the ((~~board~~)) council waiving  
2 the requirement of accreditation; or

3 (iv) Have been granted an exemption by the ((~~board~~)) council from  
4 the requirements of this subsection (1)(a);

5 (b) May investigate any entity the ((~~board~~)) council reasonably  
6 believes to be subject to the jurisdiction of this chapter. In  
7 connection with the investigation, the ((~~board~~)) council may administer  
8 oaths and affirmations, issue subpoenas and compel attendance, take  
9 evidence, and require the production of any books, papers,  
10 correspondence, memorandums, or other records which the ((~~board~~))  
11 council deems relevant or material to the investigation. The ((~~board~~))  
12 council, including its staff and any other authorized persons, may  
13 conduct site inspections, the cost of which shall be borne by the  
14 institution, and examine records of all institutions subject to this  
15 chapter;

16 (c) Shall develop an interagency agreement with the workforce  
17 training and education coordinating board to regulate degree-granting  
18 private vocational schools with respect to degree and nondegree  
19 programs; and

20 (d) Shall develop and disseminate information to the public about  
21 entities that sell or award degrees without requiring appropriate  
22 academic achievement at the postsecondary level, including but not  
23 limited to, a description of the substandard and potentially fraudulent  
24 practices of these entities, and advice about how the public can  
25 recognize and avoid the entities. To the extent feasible, the  
26 information shall include links to additional resources that may assist  
27 the public in identifying specific institutions offering substandard or  
28 fraudulent degree programs.

29 (2) Financial disclosures provided to the ((~~board~~)) council by  
30 degree-granting private vocational schools are not subject to public  
31 disclosure under chapter 42.56 RCW.

32 **Sec. 548.** RCW 28B.85.030 and 2003 c 53 s 175 are each amended to  
33 read as follows:

34 (1) A degree-granting institution shall not operate and shall not  
35 grant or offer to grant any degree unless the institution has obtained  
36 current authorization from the ((~~board~~)) council.



1 (2) Any person, group, or entity or any owner, officer, agent, or  
2 employee of such entity who willfully violates this section is guilty  
3 of a gross misdemeanor and shall be punished by a fine not to exceed  
4 one thousand dollars or by imprisonment in the county jail for a term  
5 not to exceed one year, or by both such fine and imprisonment. Each  
6 day on which a violation occurs constitutes a separate violation. The  
7 criminal sanctions may be imposed by a court of competent jurisdiction  
8 in an action brought by the attorney general of this state.

9 **Sec. 549.** RCW 28B.85.040 and 2006 c 234 s 4 are each amended to  
10 read as follows:

11 (1) An institution or person shall not advertise, offer, sell, or  
12 award a degree or any other type of educational credential unless the  
13 student has enrolled in and successfully completed a prescribed program  
14 of study, as outlined in the institution's publications. This  
15 prohibition shall not apply to honorary credentials clearly designated  
16 as such on the front side of the diploma or certificate and awarded by  
17 institutions offering other educational credentials in compliance with  
18 state law.

19 (2) No exemption or waiver granted under this chapter is permanent.  
20 The ((~~board~~)) council shall periodically review exempted degree-  
21 granting institutions and degree-granting institutions granted a  
22 waiver, and continue exemptions or waivers only if an institution meets  
23 the statutory or ((~~board~~)) council requirements for exemption or waiver  
24 in effect on the date of the review.

25 (3) Except as provided in subsection (1) of this section, this  
26 chapter shall not apply to:

27 (a) Any public college, university, community college, technical  
28 college, or institute operating as part of the public higher  
29 educational system of this state;

30 (b) Institutions that have been accredited by an accrediting  
31 association recognized by the ((~~agency~~)) council for the purposes of  
32 this chapter: PROVIDED, That those institutions meet minimum exemption  
33 standards adopted by the ((~~agency~~)) council; and PROVIDED FURTHER, That  
34 an institution, branch, extension, or facility operating within the  
35 state of Washington which is affiliated with an institution operating  
36 in another state must be a separately accredited member institution of  
37 any such accrediting association to qualify for this exemption;

1 (c) Institutions of a religious character, but only as to those  
2 education programs devoted exclusively to religious or theological  
3 objectives if the programs are represented in an accurate manner in  
4 institutional catalogs and other official publications;

5 (d) Honorary credentials clearly designated as such on the front  
6 side of the diploma or certificate awarded by institutions offering  
7 other educational credentials in compliance with state law; or

8 (e) Institutions not otherwise exempt which offer only workshops or  
9 seminars and institutions offering only credit-bearing workshops or  
10 seminars lasting no longer than three calendar days.

11 **Sec. 550.** RCW 28B.85.050 and 1986 c 136 s 5 are each amended to  
12 read as follows:

13 All degree-granting institutions subject to this chapter shall file  
14 information with the ((~~board~~)) council as the ((~~board~~)) council may  
15 require.

16 **Sec. 551.** RCW 28B.85.060 and 1986 c 136 s 6 are each amended to  
17 read as follows:

18 The ((~~board~~)) council shall impose fees on any degree-granting  
19 institution authorized to operate under this chapter. Fees shall be  
20 set and revised by the ((~~board~~)) council by rule at the level necessary  
21 to approximately recover the staffing costs incurred in administering  
22 this chapter. Fees shall be deposited in the general fund.

23 **Sec. 552.** RCW 28B.85.070 and 1986 c 136 s 7 are each amended to  
24 read as follows:

25 (1) The ((~~board~~)) council may require any degree-granting  
26 institution to have on file with the ((~~board~~)) council an approved  
27 surety bond or other security in lieu of a bond in an amount determined  
28 by the ((~~board~~)) council.

29 (2) In lieu of a surety bond, an institution may deposit with the  
30 ((~~board~~)) council a cash deposit or other negotiable security  
31 acceptable to the ((~~board~~)) council. The security deposited with the  
32 ((~~board~~)) council in lieu of the surety bond shall be returned to the  
33 institution one year after the institution's authorization has expired  
34 or been revoked if legal action has not been instituted against the  
35 institution or the security deposit at the expiration of the year. The

1 obligations and remedies relating to surety bonds authorized by this  
2 section, including but not limited to the settlement of claims  
3 procedure in subsection (5) of this section, shall apply to deposits  
4 filed with the ((~~board~~)) council, as applicable.

5 (3) Each bond shall:

6 (a) Be executed by the institution as principal and by a corporate  
7 surety licensed to do business in the state;

8 (b) Be payable to the state for the benefit and protection of any  
9 student or enrollee of an institution, or, in the case of a minor, his  
10 or her parents or guardian;

11 (c) Be conditioned on compliance with all provisions of this  
12 chapter and the ((~~board's~~)) council's rules adopted under this chapter;

13 (d) Require the surety to give written notice to the ((~~board~~))  
14 council at least thirty-five days before cancellation of the bond; and

15 (e) Remain in effect for one year following the effective date of  
16 its cancellation or termination as to any obligation occurring on or  
17 before the effective date of cancellation or termination.

18 (4) Upon receiving notice of a bond cancellation, the ((~~board~~))  
19 council shall notify the institution that the authorization will be  
20 suspended on the effective date of the bond cancellation unless the  
21 institution files with the ((~~board~~)) council another approved surety  
22 bond or other security. The ((~~board~~)) council may suspend or revoke  
23 the authorization at an earlier date if it has reason to believe that  
24 such action will prevent students from losing their tuition or fees.

25 (5) If a complaint is filed under RCW 28B.85.090(1) against an  
26 institution, the ((~~board~~)) council may file a claim against the surety  
27 and settle claims against the surety by following the procedure in this  
28 subsection.

29 (a) The ((~~board~~)) council shall attempt to notify all potential  
30 claimants. If the absence of records or other circumstances makes it  
31 impossible or unreasonable for the ((~~board~~)) council to ascertain the  
32 names and addresses of all the claimants, the ((~~board~~)) council after  
33 exerting due diligence and making reasonable inquiry to secure that  
34 information from all reasonable and available sources, may make a  
35 demand on a bond on the basis of information in the ((~~board's~~))  
36 council's possession. The ((~~board~~)) council is not liable or  
37 responsible for claims or the handling of claims that may subsequently  
38 appear or be discovered.

1 (b) Thirty days after notification, if a claimant fails, refuses,  
2 or neglects to file with the ((~~board~~)) council a verified claim, the  
3 ((~~board~~)) council shall be relieved of further duty or action under  
4 this chapter on behalf of the claimant.

5 (c) After reviewing the claims, the ((~~board~~)) council may make  
6 demands upon the bond on behalf of those claimants whose claims have  
7 been filed. The ((~~board~~)) council may settle or compromise the claims  
8 with the surety and may execute and deliver a release and discharge of  
9 the bond.

10 (d) If the surety refuses to pay the demand, the ((~~board~~)) council  
11 may bring an action on the bond in behalf of the claimants. If an  
12 action is commenced on the bond, the ((~~board~~)) council may require a  
13 new bond to be filed.

14 (e) Within ten days after a recovery on a bond or other posted  
15 security has occurred, the institution shall file a new bond or  
16 otherwise restore its security on file to the required amount.

17 (6) The liability of the surety shall not exceed the amount of the  
18 bond.

19 **Sec. 553.** RCW 28B.85.080 and 1986 c 136 s 8 are each amended to  
20 read as follows:

21 The ((~~board~~)) council may suspend or modify any of the requirements  
22 under this chapter in a particular case if the ((~~board~~)) council finds  
23 that:

24 (1) The suspension or modification is consistent with the purposes  
25 of this chapter; and

26 (2) The education to be offered addresses a substantial,  
27 demonstrated need among residents of the state or that literal  
28 application of this chapter would cause a manifestly unreasonable  
29 hardship.

30 **Sec. 554.** RCW 28B.85.090 and 1989 c 175 s 82 are each amended to  
31 read as follows:

32 (1) A person claiming loss of tuition or fees as a result of an  
33 unfair business practice may file a complaint with the ((~~board~~))  
34 council. The complaint shall set forth the alleged violation and shall  
35 contain information required by the ((~~board~~)) council. A complaint may

1 also be filed with the ((~~board~~)) council by an authorized staff member  
2 of the ((~~board~~)) council or by the attorney general.

3 (2) The ((~~board~~)) council shall investigate any complaint under  
4 this section and may attempt to bring about a settlement. The  
5 ((~~board~~)) council may hold a hearing pursuant to the Administrative  
6 Procedure Act, chapter 34.05 RCW, in order to determine whether a  
7 violation has occurred. If the ((~~board~~)) council prevails, the degree-  
8 granting institution shall pay the costs of the administrative hearing.

9 (3) If, after the hearing, the ((~~board~~)) council finds that the  
10 institution or its agent engaged in or is engaging in any unfair  
11 business practice, the ((~~board~~)) council shall issue and cause to be  
12 served upon the violator an order requiring the violator to cease and  
13 desist from the act or practice and may impose the penalties under RCW  
14 28B.85.100. If the ((~~board~~)) council finds that the complainant has  
15 suffered loss as a result of the act or practice, the ((~~board~~)) council  
16 may order full or partial restitution for the loss. The complainant is  
17 not bound by the ((~~board's~~)) council's determination of restitution and  
18 may pursue any other legal remedy.

19 **Sec. 555.** RCW 28B.85.100 and 1986 c 136 s 10 are each amended to  
20 read as follows:

21 Any person, group, or entity or any owner, officer, agent, or  
22 employee of such entity who ((~~wilfully~~)) willfully violates any  
23 provision of this chapter or the rules adopted under this chapter shall  
24 be subject to a civil penalty of not more than one hundred dollars for  
25 each violation. Each day on which a violation occurs constitutes a  
26 separate violation. The fine may be imposed by the ((~~higher education~~  
27 ~~coordinating board~~)) council or by any court of competent jurisdiction.

28 **Sec. 556.** RCW 28B.85.130 and 1986 c 136 s 13 are each amended to  
29 read as follows:

30 If any degree-granting institution discontinues its operation, the  
31 chief administrative officer of the institution shall file with the  
32 ((~~board~~)) council the original or legible true copies of all  
33 educational records required by the ((~~board~~)) council. If the  
34 ((~~board~~)) council determines that any educational records are in danger  
35 of being made unavailable to the ((~~board~~)) council, the ((~~board~~))  
36 council may seek a court order to protect and if necessary take

1 possession of the records. The ((~~board~~)) council shall cause to be  
2 maintained a permanent file of educational records coming into its  
3 possession.

4 **Sec. 557.** RCW 28B.85.170 and 1986 c 136 s 17 are each amended to  
5 read as follows:

6 The ((~~board~~)) council may seek injunctive relief, after giving  
7 notice to the affected party, in a court of competent jurisdiction for  
8 a violation of this chapter or the rules adopted under this chapter.  
9 The ((~~board~~)) council need not allege or prove that the ((~~board~~))  
10 council has no adequate remedy at law. The right of injunction  
11 provided in this section is in addition to any other legal remedy which  
12 the ((~~board~~)) council has and is in addition to any right of criminal  
13 prosecution provided by law. The existence of ((~~board~~)) council action  
14 with respect to alleged violations of this chapter and rules adopted  
15 under this chapter does not operate as a bar to an action for  
16 injunctive relief under this section.

17 **Sec. 558.** RCW 28B.90.010 and 1993 c 181 s 2 are each amended to  
18 read as follows:

19 Unless the context clearly requires otherwise, the definitions in  
20 this section apply throughout this chapter.

21 (1) "Degree" means any designation, appellation, certificate,  
22 letters or words including, but not limited to, "associate,"  
23 "bachelor," "masters," "doctorate," or "fellow" that signifies, or  
24 purports to signify, satisfactory and successful completion of  
25 requirements of a postsecondary academic program of study.

26 (2) "Foreign degree-granting institution" means a public or private  
27 college or university, either profit or nonprofit:

28 (a) That is domiciled in a foreign country;

29 (b) That offers in its country of domicile credentials,  
30 instruction, or services prerequisite to the obtaining of an academic  
31 or professional degree granted by such college or university; and

32 (c) That is authorized under the laws or regulations of its country  
33 of domicile to operate a degree-granting institution in that country.

34 (3) "Approved branch campus" means a foreign degree-granting  
35 institution's branch campus that has been approved by the council for  
36 higher education ((~~coordinating board~~)) to operate in the state.

1 (4) "Branch campus" means an educational facility located in the  
2 state that:

3 (a) Is either owned and operated directly by a foreign degree-  
4 granting institution or indirectly through a Washington profit or  
5 nonprofit corporation in which the foreign degree-granting institution  
6 is the sole or controlling shareholder or member; and

7 (b) Provides courses solely and exclusively to students enrolled in  
8 a degree-granting program offered by the foreign degree-granting  
9 institution who:

10 (i) Have received academic credit for courses of study completed at  
11 the foreign degree-granting institution in its country of domicile;

12 (ii) Will receive academic credit towards their degree from the  
13 foreign degree-granting institution for the courses of study completed  
14 at the educational facility in the state; and

15 (iii) Will return to the foreign degree-granting institution in its  
16 country of domicile for completion of their degree-granting program or  
17 receipt of their degree.

18 (5) (~~"Board"~~) "Council" means the council for higher education  
19 (~~(coordinating board)~~).

20 **Sec. 559.** RCW 28B.90.020 and 1999 c 85 s 1 are each amended to  
21 read as follows:

22 A foreign degree-granting institution that submits evidence  
23 satisfactory to the (~~board~~) council of its authorized status in its  
24 country of domicile and its intent to establish an educational facility  
25 in the state is entitled to operate a branch campus as defined in RCW  
26 28B.90.010. Upon receipt of the satisfactory evidence, the (~~board~~)  
27 council may certify that the branch campus of the foreign degree-  
28 granting institution is approved to operate in the state under this  
29 chapter, for as long as the foreign degree-granting institution retains  
30 its authorized status in its country of domicile.

31 **Sec. 560.** RCW 28B.90.030 and 1993 c 181 s 4 are each amended to  
32 read as follows:

33 A branch campus of a foreign degree-granting institution previously  
34 found by the (~~board~~) council to be exempt from chapter 28B.85 RCW may  
35 continue to operate in the state. However, within one year of July 25,  
36 1993, the institution shall provide evidence of authorization as

1 required under RCW 28B.90.020. Upon receipt of the satisfactory  
2 evidence, the (~~board~~) council shall certify that the branch campus of  
3 the foreign degree-granting institution is approved to operate in the  
4 state under this chapter.

5 **Sec. 561.** RCW 28B.92.030 and 2011 1st sp.s. c 11 s 159 are each  
6 amended to read as follows:

7 As used in this chapter:

8 (1) "Council" means the council for higher education.

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

16 (~~(+2)~~) (3) "Financial aid" means loans and/or grants to needy  
17 students enrolled or accepted for enrollment as a student at  
18 institutions of higher education.

19 (~~(+3)~~) (4) "Institution" or "institutions of higher education"  
20 means:

21 (a) Any public university, college, community college, or technical  
22 college operated by the state of Washington or any political  
23 subdivision thereof; or

24 (b) Any other university, college, school, or institute in the  
25 state of Washington offering instruction beyond the high school level  
26 which is a member institution of an accrediting association recognized  
27 by rule of the (~~board~~) council for the purposes of this section:  
28 PROVIDED, That any institution, branch, extension or facility operating  
29 within the state of Washington which is affiliated with an institution  
30 operating in another state must be a separately accredited member  
31 institution of any such accrediting association, or a branch of a  
32 member institution of an accrediting association recognized by rule of  
33 the (~~board~~) council for purposes of this section, that is eligible  
34 for federal student financial aid assistance and has operated as a  
35 nonprofit college or university delivering on-site classroom  
36 instruction for a minimum of twenty consecutive years within the state  
37 of Washington, and has an annual enrollment of at least seven hundred



1 full-time equivalent students: PROVIDED FURTHER, That no institution  
2 of higher education shall be eligible to participate in a student  
3 financial aid program unless it agrees to and complies with program  
4 rules and regulations adopted pursuant to RCW 28B.92.150.

5 ((+4)) (5) "Needy student" means a posthigh school student of an  
6 institution of higher education who demonstrates to the ((board))  
7 office the financial inability, either through the student's parents,  
8 family and/or personally, to meet the total cost of board, room, books,  
9 and tuition and incidental fees for any semester or quarter. "Needy  
10 student" also means an opportunity internship graduate as defined by  
11 RCW 28C.18.162 who enrolls in a postsecondary program of study as  
12 defined in RCW 28C.18.162 within one year of high school graduation.

13 ((+5)) (6) "Office" means the office of student financial  
14 assistance.

15 ((+6)) (7) "Placebound student" means a student who (a) is unable  
16 to complete a college program because of family or employment  
17 commitments, health concerns, monetary inability, or other similar  
18 factors; and (b) may be influenced by the receipt of an enhanced  
19 student financial aid award to complete a baccalaureate degree at an  
20 eligible institution.

21 **Sec. 562.** RCW 28B.92.060 and 2011 1st sp.s. c 11 s 162 and 2011  
22 1st sp.s. c 10 s 9 are each reenacted and amended to read as follows:

23 In awarding need grants, the office shall proceed substantially as  
24 follows: PROVIDED, That nothing contained herein shall be construed to  
25 prevent the office, in the exercise of its sound discretion, from  
26 following another procedure when the best interest of the program so  
27 dictates:

28 (1) The office shall annually select the financial aid award  
29 recipients from among Washington residents applying for student  
30 financial aid who have been ranked according to:

31 (a) Financial need as determined by the amount of the family  
32 contribution; and

33 (b) Other considerations, such as whether the student is a former  
34 foster youth, or is a placebound student who has completed an associate  
35 of arts or associate of science degree or its equivalent.

36 (2) The financial need of the highest ranked students shall be met  
37 by grants depending upon the evaluation of financial need until the

1 total allocation has been disbursed. Funds from grants which are  
2 declined, forfeited or otherwise unused shall be reawarded until  
3 disbursed, except that eligible former foster youth shall be assured  
4 receipt of a grant. The (~~board~~) office, in consultation with four-  
5 year institutions of higher education, the council for higher  
6 education, and the state board for community and technical colleges,  
7 shall develop award criteria and methods of disbursement based on level  
8 of need, and not solely rely on a first-come, first-served basis.

9 (3) A student shall be eligible to receive a state need grant for  
10 up to five years, or the credit or clock hour equivalent of five years,  
11 or up to one hundred twenty-five percent of the published length of  
12 time of the student's program. A student may not start a new associate  
13 degree program as a state need grant recipient until at least five  
14 years have elapsed since earning an associate degree as a need grant  
15 recipient, except that a student may earn two associate degrees  
16 concurrently. Qualifications for renewal will include maintaining  
17 satisfactory academic progress toward completion of an eligible program  
18 as determined by the office. Should the recipient terminate his or her  
19 enrollment for any reason during the academic year, the unused portion  
20 of the grant shall be returned to the state educational grant fund by  
21 the institution according to the institution's own policy for issuing  
22 refunds, except as provided in RCW 28B.92.070.

23 (4) In computing financial need, the office shall determine a  
24 maximum student expense budget allowance, not to exceed an amount equal  
25 to the total maximum student expense budget at the public institutions  
26 plus the current average state appropriation per student for operating  
27 expense in the public institutions. Any child support payments  
28 received by students who are parents attending less than half-time  
29 shall not be used in computing financial need.

30 (5)(a) A student who is enrolled in three to six credit-bearing  
31 quarter credits, or the equivalent semester credits, may receive a  
32 grant for up to one academic year before beginning a program that leads  
33 to a degree or certificate.

34 (b) An eligible student enrolled on a less-than-full-time basis  
35 shall receive a prorated portion of his or her state need grant for any  
36 academic period in which he or she is enrolled on a less-than-full-time  
37 basis, as long as funds are available.

1 (c) An institution of higher education may award a state need grant  
2 to an eligible student enrolled in three to six credit-bearing quarter  
3 credits, or the semester equivalent, on a provisional basis if:

4 (i) The student has not previously received a state need grant from  
5 that institution;

6 (ii) The student completes the required free application for  
7 federal student aid;

8 (iii) The institution has reviewed the student's financial  
9 condition, and the financial condition of the student's family if the  
10 student is a dependent student, and has determined that the student is  
11 likely eligible for a state need grant; and

12 (iv) The student has signed a document attesting to the fact that  
13 the financial information provided on the free application for federal  
14 student aid and any additional financial information provided directly  
15 to the institution is accurate and complete, and that the student  
16 agrees to repay the institution for the grant amount if the student  
17 submitted false or incomplete information.

18 (6) As used in this section, "former foster youth" means a person  
19 who is at least eighteen years of age, but not more than twenty-four  
20 years of age, who was a dependent of the department of social and  
21 health services at the time he or she attained the age of eighteen.

22 **Sec. 563.** RCW 28B.97.020 and 2011 1st sp.s. c 11 s 175 are each  
23 amended to read as follows:

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

26 (1) "Institution of higher education" means a college or university  
27 in the state of Washington that is accredited by an accrediting  
28 association recognized as such by rule of the (~~board~~) council for  
29 higher education.

30 (2) "Office" means the office of student financial assistance.

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

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

34 **Sec. 564.** 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 council

1 for higher education (~~(coordinating board)~~) shall develop rules and  
2 guidelines to eliminate possible gender discrimination to students,  
3 including sexual harassment, at institutions of higher education as  
4 defined in RCW 28B.10.016. The rules and guidelines shall include but  
5 not be limited to access to academic programs, student employment,  
6 counseling and guidance services, financial aid, recreational  
7 activities including club sports, 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. 565.** RCW 28B.110.040 and 2011 1st sp.s. c 11 s 203 are each  
24 amended to read as follows:

25 The (~~executive~~) director of the council for higher education  
26 (~~coordinating board~~), in consultation with the council of presidents  
27 and the state board for community and technical colleges, shall monitor  
28 the compliance by institutions of higher education with this chapter.

29 (1) The (~~board~~) council shall establish a timetable and  
30 guidelines for compliance with this chapter.

31 (2) By November 30, 1990, each institution shall submit to the  
32 (~~board~~) council for approval a plan to comply with the requirements  
33 of RCW 28B.110.030. The plan shall contain measures to ensure  
34 institutional compliance with the provisions of this chapter by  
35 September 30, 1994. If participation in activities, such as  
36 intercollegiate athletics and matriculation in academic programs is not  
37 proportionate to the percentages of male and female enrollment, the

1 plan should outline efforts to identify barriers to equal participation  
2 and to encourage gender equity in all aspects of college and university  
3 life.

4 (3) The (~~board~~) council may delegate to the state board for  
5 community and technical colleges any or all responsibility for  
6 community college compliance with the provisions of this chapter.

7 **Sec. 566.** RCW 28B.116.010 and 2011 1st sp.s. c 11 s 214 are each  
8 reenacted and amended to read as follows:

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

11 (1) "Cost of attendance" means the cost associated with the  
12 attendance of the institution of higher education as determined by the  
13 office of student financial assistance, including but not limited to  
14 tuition, room, board, and books.

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

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

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

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

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

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

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

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

27 (3) "Institution of higher education" means a college or university  
28 in the state of Washington that is accredited by an accrediting  
29 association recognized as such by rule of the council for higher  
30 education (~~coordinating board~~).

31 (4) "Office" means the office of student financial assistance.

32 **Sec. 567.** RCW 28B.117.020 and 2011 1st sp.s. c 11 s 220 are each  
33 amended to read as follows:

34 The definitions in this section apply throughout this chapter  
35 unless the context clearly requires otherwise.

1 (1) "Cost of attendance" means the cost associated with attending  
2 a particular institution of higher education as determined by the  
3 office, including but not limited to tuition, fees, room, board, books,  
4 personal expenses, and transportation, plus the cost of reasonable  
5 additional expenses incurred by an eligible student and approved by a  
6 financial aid administrator at the student's school of attendance.

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

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

14 (4) "Independent college or university" means a private, nonprofit  
15 institution of higher education, open to residents of the state,  
16 providing programs of education beyond the high school level leading to  
17 at least the baccalaureate degree, and accredited by the Northwest  
18 association of schools and colleges, and other institutions as may be  
19 developed that are approved by the (~~board~~) council as meeting  
20 equivalent standards as those institutions accredited under this  
21 section.

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

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

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

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

1 delivering on-site classroom instruction for a minimum of twenty  
2 consecutive years within the state of Washington, and has an annual  
3 enrollment of at least seven hundred full-time equivalent students.

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

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

7 **Sec. 568.** RCW 28B.120.010 and 2010 c 245 s 7 are each amended to  
8 read as follows:

9 The Washington fund for innovation and quality in higher education  
10 program is established. The council for higher education  
11 (~~coordinating board~~) shall administer the program and shall work in  
12 close collaboration with the state board for community and technical  
13 colleges and other local and regional entities. Through this program  
14 the council for higher education (~~coordinating board~~) may award on a  
15 competitive basis incentive grants to state public or private nonprofit  
16 institutions of higher education or consortia of institutions to  
17 encourage programs designed to address specific system problems. Each  
18 institution or consortia of institutions receiving the award shall  
19 contribute some financial support, either by covering part of the costs  
20 for the program during its implementation, or by assuming continuing  
21 support at the end of the grant period. Strong priority will be given  
22 to proposals that involve more than one sector of education.  
23 Institutions are encouraged to solicit nonstate funds to support these  
24 cooperative programs.

25 **Sec. 569.** RCW 28B.120.020 and 2011 1st sp.s. c 11 s 235 are each  
26 amended to read as follows:

27 The council for higher education (~~coordinating board~~) shall have  
28 the following powers and duties in administering the program for those  
29 proposals in which a four-year institution of higher education is named  
30 as the lead institution and fiscal agent:

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

32 (2) To award grants no later than September 1st in those years when  
33 funding is available by June 30th;

34 (3) To establish each biennium specific guidelines for submitting  
35 grant proposals consistent with RCW 28B.120.005 and consistent with the



1 strategic master plan for higher education, the system design plan, the  
2 overall goals of the program and the guidelines established by the  
3 state board for community and technical colleges under RCW 28B.120.025.

4 After June 30, 2001, and each biennium thereafter, the (~~board~~)  
5 council shall determine funding priorities for proposals for the  
6 biennium in consultation with the legislature, the office of the  
7 superintendent of public instruction, the state board for community and  
8 technical colleges, the workforce training and education coordinating  
9 board, higher education institutions, educational associations, and  
10 business and community groups consistent with statewide needs;

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

13 (5) To establish reporting, evaluation, accountability, monitoring,  
14 and dissemination requirements for the recipients of the grants awarded  
15 by the office of financial management.

16 **Sec. 570.** RCW 28B.120.025 and 1999 c 169 s 4 are each amended to  
17 read as follows:

18 The state board for community and technical colleges has the  
19 following powers and duties in administering the program for those  
20 proposals in which a community or technical college is named as the  
21 lead institution and fiscal agent:

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 committee shall  
25 include individuals with significant experience in higher education in  
26 areas relevant to one or more of the funding period priorities and  
27 shall include representatives from both the four-year and two-year  
28 sectors of higher education;

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

31 (4) To establish each biennium specific guidelines for submitting  
32 grant proposals consistent with the overall goals of the program and  
33 consistent with the guidelines established by the council for higher  
34 education (~~coordinating board~~) under RCW 28B.120.020. During the  
35 1999-01 biennium the guidelines shall be consistent with the following  
36 desired outcomes of:

1 (a) Minority and diversity initiatives that encourage the  
2 participation of minorities in higher education, including students  
3 with disabilities;

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

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

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

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

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

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

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

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

26 **Sec. 571.** RCW 28B.120.030 and 1999 c 169 s 6 are each amended to  
27 read as follows:

28 The council for higher education (~~(coordinating board)~~) and the  
29 state board for community and technical colleges may solicit and  
30 receive such gifts, grants, and endowments from public or private  
31 sources as may be made from time to time, in trust or otherwise, for  
32 the use and benefit of the purposes of the program and may expend the  
33 same or any income therefrom according to the terms of the gifts,  
34 grants, or endowments.

35 **Sec. 572.** RCW 28B.120.040 and 1999 c 169 s 7 are each amended to  
36 read as follows:

1       The council for higher education (~~(coordinating board)~~) fund for  
2 innovation and quality is hereby established in the custody of the  
3 state treasurer. The council for higher education (~~(coordinating~~  
4 ~~board)~~) shall deposit in the fund all moneys received under RCW  
5 28B.120.030. Moneys in the fund may be spent only for the purposes of  
6 RCW 28B.120.010 and 28B.120.020. Disbursements from the fund shall be  
7 on the authorization of the council for higher education (~~(coordinating~~  
8 ~~board)~~). The fund is subject to the allotment procedure provided under  
9 chapter 43.88 RCW, but no appropriation is required for disbursements.

10       **Sec. 573.** RCW 28C.10.030 and 1994 sp.s. c 9 s 723 are each amended  
11 to read as follows:

12       This chapter does not apply to:

13       (1) Bona fide trade, business, professional, or fraternal  
14 organizations sponsoring educational programs primarily for that  
15 organization's membership or offered by that organization on a no-fee  
16 basis;

17       (2) Entities offering education that is exclusively avocational or  
18 recreational;

19       (3) Education not requiring payment of money or other consideration  
20 if this education is not advertised or promoted as leading toward  
21 educational credentials;

22       (4) Entities that are established, operated, and governed by this  
23 state or its political subdivisions under Title 28A, 28B, or 28C RCW;

24       (5) Degree-granting programs in compliance with the rules of the  
25 council for higher education (~~(coordinating board)~~);

26       (6) Any other entity to the extent that it has been exempted from  
27 some or all of the provisions of this chapter under RCW 28C.10.100;

28       (7) Entities not otherwise exempt that are of a religious  
29 character, but only as to those educational programs exclusively  
30 devoted to religious or theological objectives and represented  
31 accurately in institutional catalogs or other official publications;

32       (8) Entities offering only courses certified by the federal  
33 aviation administration;

34       (9) Barber and cosmetology schools licensed under chapter 18.16  
35 RCW;

36       (10) Entities which only offer courses approved to meet the

1 continuing education requirements for licensure under chapter 18.04,  
2 18.79, or 48.17 RCW; and

3 (11) Entities not otherwise exempt offering only workshops or  
4 seminars lasting no longer than three calendar days.

5 **Sec. 574.** RCW 28C.10.040 and 1994 c 38 s 5 are each amended to  
6 read as follows:

7 The agency:

8 (1) Shall maintain a list of private vocational schools licensed  
9 under this chapter;

10 (2) Shall adopt rules in accordance with chapter 34.05 RCW to carry  
11 out this chapter;

12 (3) May investigate any entity the agency reasonably believes to be  
13 subject to the jurisdiction of this chapter. In connection with the  
14 investigation, the agency may administer oaths and affirmations, issue  
15 subpoenas and compel attendance, take evidence, and require the  
16 production of any books, papers, correspondence, memorandums, or other  
17 records which the agency deems relevant or material to the  
18 investigation. The agency, including its staff and any other  
19 authorized persons, may conduct site inspections and examine records of  
20 all schools subject to this chapter;

21 (4) Shall develop an interagency agreement with the council for  
22 higher education (~~coordinating board~~) to regulate degree-granting  
23 private vocational schools with respect to degree and nondegree  
24 programs.

25 **Sec. 575.** RCW 28C.18.030 and 1996 c 99 s 3 are each amended to  
26 read as follows:

27 The purpose of the board is to provide planning, coordination,  
28 evaluation, monitoring, and policy analysis for the state training  
29 system as a whole, and advice to the governor and legislature  
30 concerning the state training system, in cooperation with the state  
31 training system and the council for higher education (~~coordinating~~  
32 ~~board~~)).

33 **Sec. 576.** RCW 28C.18.060 and 2009 c 151 s 6 are each amended to  
34 read as follows:

1       The board, in cooperation with the operating agencies of the state  
2 training system and private career schools and colleges, shall:

3       (1) Concentrate its major efforts on planning, coordination  
4 evaluation, policy analysis, and recommending improvements to the  
5 state's training system;

6       (2) Advocate for the state training system and for meeting the  
7 needs of employers and the workforce for workforce education and  
8 training;

9       (3) Establish and maintain an inventory of the programs of the  
10 state training system, and related state programs, and perform a  
11 biennial assessment of the vocational education, training, and adult  
12 basic education and literacy needs of the state; identify ongoing and  
13 strategic education needs; and assess the extent to which employment,  
14 training, vocational and basic education, rehabilitation services, and  
15 public assistance services represent a consistent, integrated approach  
16 to meet such needs;

17       (4) Develop and maintain a state comprehensive plan for workforce  
18 training and education, including but not limited to, goals,  
19 objectives, and priorities for the state training system, and review  
20 the state training system for consistency with the state comprehensive  
21 plan. In developing the state comprehensive plan for workforce  
22 training and education, the board shall use, but shall not be limited  
23 to: Economic, labor market, and populations trends reports in office  
24 of financial management forecasts; joint office of financial management  
25 and employment security department labor force, industry employment,  
26 and occupational forecasts; the results of scientifically based  
27 outcome, net-impact and cost-benefit evaluations; the needs of  
28 employers as evidenced in formal employer surveys and other employer  
29 input; and the needs of program participants and workers as evidenced  
30 in formal surveys and other input from program participants and the  
31 labor community;

32       (5) In consultation with the council for higher education  
33 (~~(coordinating board)~~), review and make recommendations to the office  
34 of financial management and the legislature on operating and capital  
35 facilities budget requests for operating agencies of the state training  
36 system for purposes of consistency with the state comprehensive plan  
37 for workforce training and education;

1 (6) Provide for coordination among the different operating agencies  
2 and components of the state training system at the state level and at  
3 the regional level;

4 (7) Develop a consistent and reliable database on vocational  
5 education enrollments, costs, program activities, and job placements  
6 from publicly funded vocational education programs in this state;

7 (8)(a) Establish standards for data collection and maintenance for  
8 the operating agencies of the state training system in a format that is  
9 accessible to use by the board. The board shall require a minimum of  
10 common core data to be collected by each operating agency of the state  
11 training system;

12 (b) Develop requirements for minimum common core data in  
13 consultation with the office of financial management and the operating  
14 agencies of the training system;

15 (9) Establish minimum standards for program evaluation for the  
16 operating agencies of the state training system, including, but not  
17 limited to, the use of common survey instruments and procedures for  
18 measuring perceptions of program participants and employers of program  
19 participants, and monitor such program evaluation;

20 (10) Every two years administer scientifically based outcome  
21 evaluations of the state training system, including, but not limited  
22 to, surveys of program participants, surveys of employers of program  
23 participants, and matches with employment security department payroll  
24 and wage files. Every five years administer scientifically based net-  
25 impact and cost-benefit evaluations of the state training system;

26 (11) In cooperation with the employment security department,  
27 provide for the improvement and maintenance of quality and utility in  
28 occupational information and forecasts for use in training system  
29 planning and evaluation. Improvements shall include, but not be  
30 limited to, development of state-based occupational change factors  
31 involving input by employers and employees, and delineation of skill  
32 and training requirements by education level associated with current  
33 and forecasted occupations;

34 (12) Provide for the development of common course description  
35 formats, common reporting requirements, and common definitions for  
36 operating agencies of the training system;

37 (13) Provide for effectiveness and efficiency reviews of the state  
38 training system;

1           (14) In cooperation with the council for higher education  
2 (~~coordinating board~~), facilitate transfer of credit policies and  
3 agreements between institutions of the state training system, and  
4 encourage articulation agreements for programs encompassing two years  
5 of secondary workforce education and two years of postsecondary  
6 workforce education;

7           (15) In cooperation with the council for higher education  
8 (~~coordinating board~~), facilitate transfer of credit policies and  
9 agreements between private training institutions and institutions of  
10 the state training system;

11          (16) Develop policy objectives for the workforce investment act,  
12 P.L. 105-220, or its successor; develop coordination criteria for  
13 activities under the act with related programs and services provided by  
14 state and local education and training agencies; and ensure that  
15 entrepreneurial training opportunities are available through programs  
16 of each local workforce investment board in the state;

17          (17) Make recommendations to the commission of student assessment,  
18 the state board of education, and the superintendent of public  
19 instruction, concerning basic skill competencies and essential core  
20 competencies for K-12 education. Basic skills for this purpose shall  
21 be reading, writing, computation, speaking, and critical thinking,  
22 essential core competencies for this purpose shall be English, math,  
23 science/technology, history, geography, and critical thinking. The  
24 board shall monitor the development of and provide advice concerning  
25 secondary curriculum which integrates vocational and academic  
26 education;

27          (18) Establish and administer programs for marketing and outreach  
28 to businesses and potential program participants;

29          (19) Facilitate the location of support services, including but not  
30 limited to, child care, financial aid, career counseling, and job  
31 placement services, for students and trainees at institutions in the  
32 state training system, and advocate for support services for trainees  
33 and students in the state training system;

34          (20) Facilitate private sector assistance for the state training  
35 system, including but not limited to: Financial assistance, rotation  
36 of private and public personnel, and vocational counseling;

37          (21) Facilitate the development of programs for school-to-work

1 transition that combine classroom education and on-the-job training,  
2 including entrepreneurial education and training, in industries and  
3 occupations without a significant number of apprenticeship programs;

4 (22) Include in the planning requirements for local workforce  
5 investment boards a requirement that the local workforce investment  
6 boards specify how entrepreneurial training is to be offered through  
7 the one-stop system required under the workforce investment act, P.L.  
8 105-220, or its successor;

9 (23) Encourage and assess progress for the equitable representation  
10 of racial and ethnic minorities, women, and people with disabilities  
11 among the students, teachers, and administrators of the state training  
12 system. Equitable, for this purpose, shall mean substantially  
13 proportional to their percentage of the state population in the  
14 geographic area served. This function of the board shall in no way  
15 lessen more stringent state or federal requirements for representation  
16 of racial and ethnic minorities, women, and people with disabilities;

17 (24) Participate in the planning and policy development of governor  
18 set-aside grants under P.L. 97-300, as amended;

19 (25) Administer veterans' programs, licensure of private vocational  
20 schools, the job skills program, and the Washington award for  
21 vocational excellence;

22 (26) Allocate funding from the state job training trust fund;

23 (27) Work with the director of (~~community, trade, and economic~~  
24 ~~development~~) commerce and the economic development commission to  
25 ensure coordination among workforce training priorities, the long-term  
26 economic development strategy of the economic development commission,  
27 and economic development and entrepreneurial development efforts,  
28 including but not limited to assistance to industry clusters;

29 (28) Conduct research into workforce development programs designed  
30 to reduce the high unemployment rate among young people between  
31 approximately eighteen and twenty-four years of age. In consultation  
32 with the operating agencies, the board shall advise the governor and  
33 legislature on policies and programs to alleviate the high unemployment  
34 rate among young people. The research shall include disaggregated  
35 demographic information and, to the extent possible, income data for  
36 adult youth. The research shall also include a comparison of the  
37 effectiveness of programs examined as a part of the research conducted  
38 in this subsection in relation to the public investment made in these



1 programs in reducing unemployment of young adults. The board shall  
2 report to the appropriate committees of the legislature by November 15,  
3 2008, and every two years thereafter. Where possible, the data  
4 reported to the legislative committees should be reported in numbers  
5 and in percentages;

6 (29) Adopt rules as necessary to implement this chapter.  
7 The board may delegate to the director any of the functions of this  
8 section.

9 **Sec. 577.** RCW 35.104.020 and 2007 c 251 s 1 are each amended to  
10 read as follows:

11 The definitions in this section apply throughout this chapter  
12 unless the context clearly requires otherwise.

13 (1) "Authority" means a health sciences and services authority  
14 created pursuant to this chapter.

15 (2) "Board" means the governing board of trustees of an authority.

16 (3) "Director" means (~~{the director of}~~) the director of the  
17 council for higher education (~~(coordinating board)~~).

18 (4) "Health sciences and services" means biosciences that advance  
19 new therapies and procedures to combat disease and promote public  
20 health.

21 (5) "Local government" means a city, town, or county.

22 (6) "Sponsoring local government" means a city, town, or county  
23 that creates a health sciences and services authority.

24 **Sec. 578.** RCW 35.104.040 and 2011 c 155 s 1 are each amended to  
25 read as follows:

26 (1) The council for higher education (~~(coordinating board)~~) may  
27 approve applications submitted by local governments for an area's  
28 designation as a health sciences and services authority under this  
29 chapter. The director must determine the division to review  
30 applications submitted by local governments under this chapter. The  
31 application for designation must be in the form and manner and contain  
32 such information as the council for higher education (~~(coordinating~~  
33 ~~board)~~) may prescribe, provided the application:

34 (a) Contains sufficient information to enable the director to  
35 determine the viability of the proposal;

1 (b) Demonstrates that an ordinance or resolution has been passed by  
2 the legislative authority of a local government that delineates the  
3 boundaries of an area that may be designated an authority;

4 (c) Is submitted on behalf of the local government, or, if that  
5 office does not exist, by the legislative body of the local government;

6 (d) Demonstrates that the public funds directed to programs or  
7 facilities in the authority will leverage private sector resources and  
8 contributions to activities to be performed;

9 (e) Provides a plan or plans for the development of the authority  
10 as an entity to advance as a cluster for health sciences education,  
11 health sciences research, biotechnology development, biotechnology  
12 product commercialization, and/or health care services; and

13 (f) Demonstrates that the state has previously provided funds to  
14 health sciences and services programs or facilities in the applicant  
15 city, town, or county.

16 (2) The director must determine the division to develop criteria to  
17 evaluate the application. The criteria must include:

18 (a) The presence of infrastructure capable of spurring development  
19 of the area as a center of health sciences and services;

20 (b) The presence of higher education facilities where undergraduate  
21 or graduate coursework or research is conducted; and

22 (c) The presence of facilities in which health services are  
23 provided.

24 (3) There may be no more than two authorities statewide.

25 (4) An authority may only be created in a county with a population  
26 of less than one million persons and located east of the crest of the  
27 Cascade mountains.

28 (5) The director may reject or approve an application. When  
29 denying an application, the director must specify the application's  
30 deficiencies. The decision regarding such designation as it relates to  
31 a specific local government is final; however, a rejected application  
32 may be resubmitted.

33 (6) Applications are due by December 31, 2010, and must be  
34 processed within sixty days of submission.

35 (7) The director may, at his or her discretion, amend the  
36 boundaries of an authority upon the request of the local government.

37 (8) The council for higher education (~~coordinating board~~) may  
38 adopt any rules necessary to implement this chapter.



1 state universities and the president of The Evergreen State College,  
2 and each district and each campus president of each state community  
3 college;

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

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

6 (4) Central Washington University board of trustees, the boards of  
7 trustees of each community college and each technical college, each  
8 member of the state board for community and technical colleges, state  
9 convention and trade center board of directors, Eastern Washington  
10 University board of trustees, Washington economic development finance  
11 authority, Washington energy northwest executive board, The Evergreen  
12 State College board of trustees, executive ethics board, fish and  
13 wildlife commission, forest practices appeals board, forest practices  
14 board, gambling commission, Washington health care facilities  
15 authority, council for higher education (~~coordinating board~~), higher  
16 education facilities authority, horse racing commission, state housing  
17 finance commission, human rights commission, indeterminate sentence  
18 review board, board of industrial insurance appeals, state investment  
19 board, commission on judicial conduct, legislative ethics board, life  
20 sciences discovery fund authority board of trustees, liquor control  
21 board, lottery commission, Pacific Northwest electric power and  
22 conservation planning council, parks and recreation commission,  
23 Washington personnel resources board, board of pilotage commissioners,  
24 pollution control hearings board, public disclosure commission, public  
25 employees' benefits board, recreation and conservation funding board,  
26 salmon recovery funding board, shorelines hearings board, board of tax  
27 appeals, transportation commission, University of Washington board of  
28 regents, utilities and transportation commission, Washington State  
29 University board of regents, and Western Washington University board of  
30 trustees.

31 **Sec. 580.** RCW 43.06.115 and 1998 c 245 s 47 are each amended to  
32 read as follows:

33 (1) The governor may, by executive order, after consultation with  
34 or notification of the executive-legislative committee on economic  
35 development created by chapter . . . (Senate Bill No. 5300), Laws of  
36 1993, declare a community to be a "military impacted area." A  
37 "military impacted area" means a community or communities, as

1 identified in the executive order, that experience serious social and  
2 economic hardships because of a change in defense spending by the  
3 federal government in that community or communities.

4 (2) If the governor executes an order under subsection (1) of this  
5 section, the governor shall establish a response team to coordinate  
6 state efforts to assist the military impacted community. The response  
7 team may include, but not be limited to, one member from each of the  
8 following agencies: (a) The department of (~~community, trade, and~~  
9 ~~economic development~~) commerce; (b) the department of social and  
10 health services; (c) the employment security department; (d) the state  
11 board for community and technical colleges; (e) the council for higher  
12 education (~~coordinating board~~); and (f) the department of  
13 transportation. The governor may appoint a response team coordinator.  
14 The governor shall seek to actively involve the impacted community or  
15 communities in planning and implementing a response to the crisis. The  
16 governor may seek input or assistance from the community  
17 diversification advisory committee, and the governor may establish task  
18 forces in the community or communities to assist in the coordination  
19 and delivery of services to the local community. The state and  
20 community response shall consider economic development, human service,  
21 and training needs of the community or communities impacted.

22 **Sec. 581.** RCW 43.09.440 and 2005 c 385 s 5 are each amended to  
23 read as follows:

24 (1) The board and the state auditor shall collaborate with the  
25 joint legislative audit and review committee regarding performance  
26 audits of state government.

27 (a) The board shall establish criteria for performance audits  
28 consistent with the criteria and standards followed by the joint  
29 legislative audit and review committee. This criteria shall include,  
30 at a minimum, the auditing standards of the United States government  
31 accountability office, as well as legislative mandates and performance  
32 objectives established by state agencies and the legislature. Mandates  
33 include, but are not limited to, agency strategies, timelines, program  
34 objectives, and mission and goals as required in RCW 43.88.090.

35 (b) Using the criteria developed in (a) of this subsection, the  
36 state auditor shall contract for a statewide performance review to be  
37 completed as expeditiously as possible as a preliminary to a draft work

1 plan for conducting performance audits. The board and the state  
2 auditor shall develop a schedule and common methodology for conducting  
3 these reviews. The purpose of these performance reviews is to identify  
4 those agencies, programs, functions, or activities most likely to  
5 benefit from performance audits and to identify likely areas warranting  
6 early review, taking into account prior performance audits, if any, and  
7 prior fiscal audits.

8 (c) The board and the state auditor shall develop the draft work  
9 plan for performance audits based on input from citizens, state  
10 employees, including front-line employees, state managers, chairs and  
11 ranking members of appropriate legislative committees, the joint  
12 legislative audit and review committee, public officials, and others.  
13 The draft work plan may include a list of agencies, programs, or  
14 systems to be audited on a timeline decided by the board and the state  
15 auditor based on a number of factors including risk, importance, and  
16 citizen concerns. When putting together the draft work plan, there  
17 should be consideration of all audits and reports already required. On  
18 average, audits shall be designed to be completed as expeditiously as  
19 possible.

20 (d) Before adopting the final work plan, the board shall consult  
21 with the legislative auditor and other appropriate oversight and audit  
22 entities to coordinate work plans and avoid duplication of effort in  
23 their planned performance audits of state government agencies. The  
24 board shall defer to the joint legislative audit and review committee  
25 work plan if a similar audit is included on both work plans for  
26 auditing.

27 (e) The state auditor shall contract out for performance audits.  
28 In conducting the audits, agency front-line employees and internal  
29 auditors should be involved.

30 (f) All audits must include consideration of reports prepared by  
31 other government oversight entities.

32 (g) The audits may include:

33 (i) Identification of programs and services that can be eliminated,  
34 reduced, consolidated, or enhanced;

35 (ii) Identification of funding sources to the state agency, to  
36 programs, and to services that can be eliminated, reduced,  
37 consolidated, or enhanced;

1 (iii) Analysis of gaps and overlaps in programs and services and  
2 recommendations for improving, dropping, blending, or separating  
3 functions to correct gaps or overlaps;

4 (iv) Analysis and recommendations for pooling information  
5 technology systems used within the state agency, and evaluation of  
6 information processing and telecommunications policy, organization, and  
7 management;

8 (v) Analysis of the roles and functions of the state agency, its  
9 programs, and its services and their compliance with statutory  
10 authority and recommendations for eliminating or changing those roles  
11 and functions and ensuring compliance with statutory authority;

12 (vi) Recommendations for eliminating or changing statutes, rules,  
13 and policy directives as may be necessary to ensure that the agency  
14 carry out reasonably and properly those functions vested in the agency  
15 by statute;

16 (vii) Verification of the reliability and validity of agency  
17 performance data, self-assessments, and performance measurement systems  
18 as required under RCW 43.88.090;

19 (viii) Identification of potential cost savings in the state  
20 agency, its programs, and its services;

21 (ix) Identification and recognition of best practices;

22 (x) Evaluation of planning, budgeting, and program evaluation  
23 policies and practices;

24 (xi) Evaluation of personnel systems operation and management;

25 (xii) Evaluation of state purchasing operations and management  
26 policies and practices; and

27 (xiii) Evaluation of organizational structure and staffing levels,  
28 particularly in terms of the ratio of managers and supervisors to  
29 nonmanagement personnel.

30 (h) The state auditor must solicit comments on preliminary  
31 performance audit reports from the audited state agency, the office of  
32 the governor, the office of financial management, the board, the chairs  
33 and ranking members of appropriate legislative committees, and the  
34 joint legislative audit and review committee for comment. Comments  
35 must be received within thirty days after receipt of the preliminary  
36 performance audit report unless a different time period is approved by  
37 the state auditor. All comments shall be incorporated into the final  
38 performance audit report. The final performance audit report shall

1 include the objectives, scope, and methodology; the audit results,  
2 including findings and recommendations; conclusions; and identification  
3 of best practices.

4 (i) The board and the state auditor shall jointly release final  
5 performance audit reports to the governor, the citizens of Washington,  
6 the joint legislative audit and review committee, and the appropriate  
7 standing legislative committees. Final performance audit reports shall  
8 be posted on the internet.

9 (j) For institutions of higher education, performance audits shall  
10 not duplicate, and where applicable, shall make maximum use of existing  
11 audit records, accreditation reviews, and performance measures required  
12 by the office of financial management, the council for higher education  
13 (~~coordinating board~~), and nationally or regionally recognized  
14 accreditation organizations including accreditation of hospitals  
15 licensed under chapter 70.41 RCW and ambulatory care facilities.

16 (2) The citizen board created under RCW 44.75.030 shall be  
17 responsible for performance audits for transportation related agencies  
18 as defined under RCW 44.75.020.

19 **Sec. 582.** RCW 43.19.797 and 2011 1st sp.s. c 43 s 734 are each  
20 amended to read as follows:

21 (1) State agencies that are purchasing wireless devices or services  
22 must make such purchases through the state master contract, unless the  
23 state agency provides to the office of the chief information officer  
24 evidence that the state agency is securing its wireless devices or  
25 services from another source for a lower cost than through  
26 participation in the state master contract.

27 (2) For the purposes of this section, "state agency" means any  
28 office, department, board, commission, or other unit of state  
29 government, but does not include a unit of state government headed by  
30 a statewide elected official, an institution of higher education as  
31 defined in RCW 28B.10.016, the council for higher education  
32 (~~coordinating board~~), the state board for community and technical  
33 colleges, or agencies of the legislative or judicial branches of state  
34 government.

35 **Sec. 583.** RCW 43.41.400 and 2009 c 548 s 201 are each amended to  
36 read as follows:



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

21 (2) The education data center shall:

22 (a) In consultation with the legislative evaluation and  
23 accountability program committee and the agencies and organizations  
24 participating in the education data center, identify the critical  
25 research and policy questions that are intended to be addressed by the  
26 education data center and the data needed to address the questions;

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

31 (c) Collaborate with the legislative evaluation and accountability  
32 program committee and the education and fiscal committees of the  
33 legislature in identifying the data to be compiled and analyzed to  
34 ensure that legislative interests are served;

35 (d) Annually provide to the K-12 data governance group a list of  
36 data elements and data quality improvements that are necessary to  
37 answer the research and policy questions identified by the education  
38 data center and have been identified by the legislative committees in

1 (c) of this subsection. Within three months of receiving the list, the  
2 K-12 data governance group shall develop and transmit to the education  
3 data center a feasibility analysis of obtaining or improving the data,  
4 including the steps required, estimated time frame, and the financial  
5 and other resources that would be required. Based on the analysis, the  
6 education data center shall submit, if necessary, a recommendation to  
7 the legislature regarding any statutory changes or resources that would  
8 be needed to collect or improve the data;

9 (e) Monitor and evaluate the education data collection systems of  
10 the organizations and agencies represented in the education data center  
11 ensuring that data systems are flexible, able to adapt to evolving  
12 needs for information, and to the extent feasible and necessary,  
13 include data that are needed to conduct the analyses and provide  
14 answers to the research and policy questions identified in (a) of this  
15 subsection;

16 (f) Track enrollment and outcomes through the public centralized  
17 higher education enrollment system;

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

21 (h) Provide research that focuses on student transitions within and  
22 among the early learning, K-12, and higher education sectors in the P-  
23 20 system; and

24 (i) Make recommendations to the legislature as necessary to help  
25 ensure the goals and objectives of this section and RCW 28A.655.210 and  
26 28A.300.507 are met.

27 (3) The department of early learning, superintendent of public  
28 instruction, professional educator standards board, state board of  
29 education, state board for community and technical colleges, workforce  
30 training and education coordinating board, council for higher education  
31 (~~coordinating board~~), public four-year institutions of higher  
32 education, and employment security department shall work with the  
33 education data center to develop data-sharing and research agreements,  
34 consistent with applicable security and confidentiality requirements,  
35 to facilitate the work of the center. Private, nonprofit institutions  
36 of higher education that provide programs of education beyond the high  
37 school level leading at least to the baccalaureate degree and are  
38 accredited by the Northwest association of schools and colleges or

1 their peer accreditation bodies may also develop data-sharing and  
2 research agreements with the education data center, consistent with  
3 applicable security and confidentiality requirements. The education  
4 data center shall make data from collaborative analyses available to  
5 the education agencies and institutions that contribute data to the  
6 education data center to the extent allowed by federal and state  
7 security and confidentiality requirements applicable to the data of  
8 each contributing agency or institution.

9       **Sec. 584.** RCW 43.41A.100 and 2011 1st sp.s. c 43 s 721 are each  
10 amended to read as follows:

11       (1) In overseeing the technical aspects of the K-20 network, the  
12 office is not intended to duplicate the statutory responsibilities of  
13 the council for higher education (~~(coordinating board)~~), the  
14 superintendent of public instruction, the state librarian, or the  
15 governing boards of the institutions of higher education.

16       (2) The office may not interfere in any curriculum or legally  
17 offered programming offered over the K-20 network.

18       (3) The responsibility to review and approve standards and common  
19 specifications for the K-20 network remains the responsibility of the  
20 office under RCW 43.41A.025.

21       (4) The coordination of telecommunications planning for the common  
22 schools remains the responsibility of the superintendent of public  
23 instruction. Except as set forth in RCW 43.41A.025(2)(f), the office  
24 may recommend, but not require, revisions to the superintendent's  
25 telecommunications plans.

26       **Sec. 585.** RCW 43.88.090 and 2005 c 386 s 2 are each amended to  
27 read as follows:

28       (1) For purposes of developing budget proposals to the legislature,  
29 the governor shall have the power, and it shall be the governor's duty,  
30 to require from proper agency officials such detailed estimates and  
31 other information in such form and at such times as the governor shall  
32 direct. The governor shall communicate statewide priorities to  
33 agencies for use in developing biennial budget recommendations for  
34 their agency and shall seek public involvement and input on these  
35 priorities. The estimates for the legislature and the judiciary shall  
36 be transmitted to the governor and shall be included in the budget

1 without revision. The estimates for state pension contributions shall  
2 be based on the rates provided in chapter 41.45 RCW. Copies of all  
3 such estimates shall be transmitted to the standing committees on ways  
4 and means of the house and senate at the same time as they are filed  
5 with the governor and the office of financial management.

6 The estimates shall include statements or tables which indicate, by  
7 agency, the state funds which are required for the receipt of federal  
8 matching revenues. The estimates shall be revised as necessary to  
9 reflect legislative enactments and adopted appropriations and shall be  
10 included with the initial biennial allotment submitted under RCW  
11 43.88.110. The estimates must reflect that the agency considered any  
12 alternatives to reduce costs or improve service delivery identified in  
13 the findings of a performance audit of the agency by the joint  
14 legislative audit and review committee. Nothing in this subsection  
15 requires performance audit findings to be published as part of the  
16 budget.

17 (2) Each state agency shall define its mission and establish  
18 measurable goals for achieving desirable results for those who receive  
19 its services and the taxpayers who pay for those services. Each agency  
20 shall also develop clear strategies and timelines to achieve its goals.  
21 This section does not require an agency to develop a new mission or  
22 goals in place of identifiable missions or goals that meet the intent  
23 of this section. The mission and goals of each agency must conform to  
24 statutory direction and limitations.

25 (3) For the purpose of assessing activity performance, each state  
26 agency shall establish quality and productivity objectives for each  
27 major activity in its budget. The objectives must be consistent with  
28 the missions and goals developed under this section. The objectives  
29 must be expressed to the extent practicable in outcome-based,  
30 objective, and measurable form unless an exception to adopt a different  
31 standard is granted by the office of financial management and approved  
32 by the legislative committee on performance review. Objectives must  
33 specifically address the statutory purpose or intent of the program or  
34 activity and focus on data that measure whether the agency is achieving  
35 or making progress toward the purpose of the activity and toward  
36 statewide priorities. The office of financial management shall provide  
37 necessary professional and technical assistance to assist state

1 agencies in the development of strategic plans that include the mission  
2 of the agency and its programs, measurable goals, strategies, and  
3 performance measurement systems.

4 (4) Each state agency shall adopt procedures for and perform  
5 continuous self-assessment of each activity, using the mission, goals,  
6 objectives, and measurements required under subsections (2) and (3) of  
7 this section. The assessment of the activity must also include an  
8 evaluation of major information technology systems or projects that may  
9 assist the agency in achieving or making progress toward the activity  
10 purpose and statewide priorities. The evaluation of proposed major  
11 information technology systems or projects shall be in accordance with  
12 the standards and policies established by the information services  
13 board. Agencies' progress toward the mission, goals, objectives, and  
14 measurements required by subsections (2) and (3) of this section is  
15 subject to review as set forth in this subsection.

16 (a) The office of financial management shall regularly conduct  
17 reviews of selected activities to analyze whether the objectives and  
18 measurements submitted by agencies demonstrate progress toward  
19 statewide results.

20 (b) The office of financial management shall consult with the  
21 council for higher education (~~(coordinating board)~~) and the state board  
22 for community and technical colleges in those reviews that involve  
23 institutions of higher education.

24 (c) The goal is for all major activities to receive at least one  
25 review each year.

26 (d) The office of financial management shall consult with the  
27 information services board when conducting reviews of major information  
28 technology systems in use by state agencies. The goal is that reviews  
29 of these information technology systems occur periodically.

30 (5) It is the policy of the legislature that each agency's budget  
31 recommendations must be directly linked to the agency's stated mission  
32 and program, quality, and productivity goals and objectives.  
33 Consistent with this policy, agency budget proposals must include  
34 integration of performance measures that allow objective determination  
35 of an activity's success in achieving its goals. When a review under  
36 subsection (4) of this section or other analysis determines that the  
37 agency's objectives demonstrate that the agency is making insufficient  
38 progress toward the goals of any particular program or is otherwise

1 underachieving or inefficient, the agency's budget request shall  
2 contain proposals to remedy or improve the selected programs. The  
3 office of financial management shall develop a plan to merge the budget  
4 development process with agency performance assessment procedures. The  
5 plan must include a schedule to integrate agency strategic plans and  
6 performance measures into agency budget requests and the governor's  
7 budget proposal over three fiscal biennia. The plan must identify  
8 those agencies that will implement the revised budget process in the  
9 1997-1999 biennium, the 1999-2001 biennium, and the 2001-2003 biennium.  
10 In consultation with the legislative fiscal committees, the office of  
11 financial management shall recommend statutory and procedural  
12 modifications to the state's budget, accounting, and reporting systems  
13 to facilitate the performance assessment procedures and the merger of  
14 those procedures with the state budget process. The plan and  
15 recommended statutory and procedural modifications must be submitted to  
16 the legislative fiscal committees by September 30, 1996.

17 (6) In reviewing agency budget requests in order to prepare the  
18 governor's biennial budget request, the office of financial management  
19 shall consider the extent to which the agency's activities demonstrate  
20 progress toward the statewide budgeting priorities, along with any  
21 specific review conducted under subsection (4) of this section.

22 (7) In the year of the gubernatorial election, the governor shall  
23 invite the governor-elect or the governor-elect's designee to attend  
24 all hearings provided in RCW 43.88.100; and the governor shall furnish  
25 the governor-elect or the governor-elect's designee with such  
26 information as will enable the governor-elect or the governor-elect's  
27 designee to gain an understanding of the state's budget requirements.  
28 The governor-elect or the governor-elect's designee may ask such  
29 questions during the hearings and require such information as the  
30 governor-elect or the governor-elect's designee deems necessary and may  
31 make recommendations in connection with any item of the budget which,  
32 with the governor-elect's reasons therefor, shall be presented to the  
33 legislature in writing with the budget document. Copies of all such  
34 estimates and other required information shall also be submitted to the  
35 standing committees on ways and means of the house and senate.

36 **Sec. 586.** RCW 43.88D.005 and 2008 c 205 s 1 are each amended to  
37 read as follows:

1       The legislature finds that the state's public four-year  
2 institutions and the higher education coordinating board have made  
3 progress in developing a process to create a single prioritized list of  
4 capital project requests as required under RCW 28B.76.220. The  
5 legislature also finds that this process requires further refinement to  
6 achieve the state's policy objectives as outlined in the council for  
7 higher education's (~~coordinating board's strategic master~~) ten-year  
8 statewide plan for higher education in Washington. The legislature  
9 further finds the goal of creating additional, innovative facilities  
10 and programs that meet the learning needs of students throughout the  
11 state in a timely and cost-effective fashion requires a new approach to  
12 facility prioritization that emphasizes strategic planning. The  
13 legislature therefore intends to establish a new process for  
14 prioritizing capital project requests by the four-year institutions  
15 that utilizes the expertise and government-wide perspective of the  
16 office of financial management, and that is based upon the model that  
17 has been used successfully by the community and technical college  
18 system. The new process must emphasize objective analysis, a statewide  
19 perspective, and a strategic balance among facility preservation, new  
20 construction, and innovative delivery mechanisms. The legislature  
21 further recognizes that institutions of higher education are likely to  
22 require substantial new capital investments in order to continue to  
23 provide a wide range of high quality programs to students and the  
24 community, and that the state's ability to provide such resources is  
25 constrained by increasing capital expenditure needs within the K-12,  
26 public safety, social services, and community economic development  
27 arenas. The legislature therefore intends to identify and assess  
28 potential alternative means for increasing the capacity of public  
29 higher education institutions to meet the demands of the twenty-first  
30 century.

31       **Sec. 587.** RCW 43.88D.010 and 2010 c 245 s 9 are each amended to  
32 read as follows:

33       (1) By October 1st of each even-numbered year, the office of  
34 financial management shall complete an objective analysis and scoring  
35 of all capital budget projects proposed by the public four-year  
36 institutions of higher education and submit the results of the scoring  
37 process to the legislative fiscal committees, the council for higher

1 education (~~coordinating board~~), and the four-year institutions. Each  
2 project must be reviewed and scored within one of the following  
3 categories, according to the project's principal purpose. Each project  
4 may be scored in only one category. The categories are:

5 (a) Access-related projects to accommodate enrollment growth at  
6 main and branch campuses, at existing or new university centers, or  
7 through distance learning. Growth projects should provide significant  
8 additional student capacity. Proposed projects must demonstrate that  
9 they are based on solid enrollment demand projections, more  
10 cost-effectively provide enrollment access than alternatives such as  
11 university centers and distance learning, and make cost-effective use  
12 of existing and proposed new space;

13 (b) Projects that replace failing permanent buildings. Facilities  
14 that cannot be economically renovated are considered replacement  
15 projects. New space may be programmed for the same or a different use  
16 than the space being replaced and may include additions to improve  
17 access and enhance the relationship of program or support space;

18 (c) Projects that renovate facilities to restore building life and  
19 upgrade space to meet current program requirements. Renovation  
20 projects should represent a complete renovation of a total facility or  
21 an isolated wing of a facility. A reasonable renovation project should  
22 cost between sixty to eighty percent of current replacement value and  
23 restore the renovated area to at least twenty-five years of useful  
24 life. New space may be programmed for the same or a different use than  
25 the space being renovated and may include additions to improve access  
26 and enhance the relationship of program or support space;

27 (d) Major stand-alone campus infrastructure projects;

28 (e) Projects that promote economic growth and innovation through  
29 expanded research activity. The acquisition and installation of  
30 specialized equipment is authorized under this category; and

31 (f) Other project categories as determined by the office of  
32 financial management in consultation with the legislative fiscal  
33 committees.

34 (2) The office of financial management, in consultation with the  
35 legislative fiscal committees, shall establish a scoring system and  
36 process for each four-year project category that is based on the  
37 framework used in the community and technical college system of  
38 prioritization. Staff from the state board for community and technical



1 colleges, the council for higher education (~~coordinating board~~), and  
2 the four-year institutions shall provide technical assistance on the  
3 development of a scoring system and 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 independent  
7 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. The office of financial management, in consultation with  
30 the legislative fiscal committees, shall develop common definitions  
31 that four-year institutions must use in developing their project  
32 proposals and lists under this section.

33 (6) In developing any scoring system for capital projects proposed  
34 by the four-year institutions, the office of financial management:

35 (a) Shall be provided with all required information by the four-  
36 year institutions as deemed necessary by the office of financial  
37 management;

1 (b) May utilize independent services to verify, sample, or evaluate  
2 information provided to the office of financial management by the four-  
3 year institutions; and

4 (c) Shall have full access to all data maintained by the council  
5 for higher education (~~coordinating board~~) and the joint legislative  
6 audit and review committee concerning the condition of higher education  
7 facilities.

8 (7) By August 1st of each even-numbered year each public four-year  
9 higher education institution shall prepare and submit prioritized lists  
10 of the individual projects proposed by the institution for the ensuing  
11 six-year period in each category. The lists must be submitted to the  
12 office of financial management and the legislative fiscal committees.  
13 The four-year institutions may aggregate minor works project proposals  
14 by primary purpose for ranking purposes. Proposed minor works projects  
15 must be prioritized within the aggregated proposal, and supporting  
16 documentation, including project descriptions and cost estimates, must  
17 be provided to the office of financial management and the legislative  
18 fiscal committees.

19 **Sec. 588.** RCW 43.105.825 and 2004 c 275 s 62 are each amended to  
20 read as follows:

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

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

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

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

1       **Sec. 589.** RCW 43.215.090 and 2011 c 177 s 2 are each amended to  
2 read as follows:

3       (1) The early learning advisory council is established to advise  
4 the department on statewide early learning issues that would build a  
5 comprehensive system of quality early learning programs and services  
6 for Washington's children and families by assessing needs and the  
7 availability of services, aligning resources, developing plans for data  
8 collection and professional development of early childhood educators,  
9 and establishing key performance measures.

10       (2) The council shall work in conjunction with the department to  
11 develop a statewide early learning plan that guides the department in  
12 promoting alignment of private and public sector actions, objectives,  
13 and resources, and ensuring school readiness.

14       (3) The council shall include diverse, statewide representation  
15 from public, nonprofit, and for-profit entities. Its membership shall  
16 reflect regional, racial, and cultural diversity to adequately  
17 represent the needs of all children and families in the state.

18       (4) Councilmembers shall serve two-year terms. However, to stagger  
19 the terms of the council, the initial appointments for twelve of the  
20 members shall be for one year. Once the initial one-year to two-year  
21 terms expire, all subsequent terms shall be for two years, with the  
22 terms expiring on June 30th of the applicable year. The terms shall be  
23 staggered in such a way that, where possible, the terms of members  
24 representing a specific group do not expire simultaneously.

25       (5) The council shall consist of not more than twenty-three  
26 members, as follows:

27       (a) The governor shall appoint at least one representative from  
28 each of the following: The department, the office of financial  
29 management, the department of social and health services, the  
30 department of health, the council for higher education (~~coordinating~~  
31 ~~board~~)), and the state board for community and technical colleges;

32       (b) One representative from the office of the superintendent of  
33 public instruction, to be appointed by the superintendent of public  
34 instruction;

35       (c) The governor shall appoint seven leaders in early childhood  
36 education, with at least one representative with experience or  
37 expertise in one or more of the areas such as the following: The K-12

1 system, family day care providers, and child care centers with four of  
2 the seven governor's appointees made as follows:

3 (i) The head start state collaboration office director or the  
4 director's designee;

5 (ii) A representative of a head start, early head start,  
6 migrant/seasonal head start, or tribal head start program;

7 (iii) A representative of a local education agency; and

8 (iv) A representative of the state agency responsible for programs  
9 under section 619 or part C of the federal individuals with  
10 disabilities education act;

11 (d) Two members of the house of representatives, one from each  
12 caucus, and two members of the senate, one from each caucus, to be  
13 appointed by the speaker of the house of representatives and the  
14 president of the senate, respectively;

15 (e) Two parents, one of whom serves on the department's parent  
16 advisory group, to be appointed by the governor;

17 (f) One representative of the private-public partnership created in  
18 RCW 43.215.070, to be appointed by the partnership board;

19 (g) One representative designated by sovereign tribal governments;  
20 and

21 (h) One representative from the Washington federation of  
22 independent schools.

23 (6) The council shall be cochaired by one representative of a state  
24 agency and one nongovernmental member, to be elected by the council for  
25 two-year terms.

26 (7) The council shall appoint two members and stakeholders with  
27 expertise in early learning to sit on the technical working group  
28 created in section 2, chapter 234, Laws of 2010.

29 (8) Each member of the board shall be compensated in accordance  
30 with RCW 43.03.240 and reimbursed for travel expenses incurred in  
31 carrying out the duties of the board in accordance with RCW 43.03.050  
32 and 43.03.060.

33 (9) The department shall provide staff support to the council.

34 **Sec. 590.** RCW 43.330.310 and 2010 c 187 s 2 are each amended to  
35 read as follows:

36 (1) The legislature establishes a comprehensive green economy jobs

1 growth initiative based on the goal of, by 2020, increasing the number  
2 of green economy jobs to twenty-five thousand from the eight thousand  
3 four hundred green economy jobs the state had in 2004.

4 (2) The department, in consultation with the employment security  
5 department, the state workforce training and education coordinating  
6 board, the state board for community and technical colleges, and the  
7 council for higher education (~~(coordinating board)~~), shall develop a  
8 defined list of terms, consistent with current workforce and economic  
9 development terms, associated with green economy industries and jobs.

10 (3)(a) The employment security department, in consultation with the  
11 department, the state workforce training and education coordinating  
12 board, the state board for community and technical colleges, the  
13 council for higher education (~~(coordinating board)~~), Washington State  
14 University small business development center, and the Washington State  
15 University extension energy program, shall conduct labor market  
16 research to analyze the current labor market and projected job growth  
17 in the green economy, the current and projected recruitment and skill  
18 requirement of green economy industry employers, the wage and benefits  
19 ranges of jobs within green economy industries, and the education and  
20 training requirements of entry-level and incumbent workers in those  
21 industries.

22 (i) The employment security department shall conduct an analysis of  
23 occupations in the forest products industry to: (A) Determine key  
24 growth factors and employment projections in the industry; and (B)  
25 define the education and skill standards required for current and  
26 emerging green occupations in the industry.

27 (ii) The term "forest products industry" must be given a broad  
28 interpretation when implementing (a)(i) of this subsection and  
29 includes, but is not limited to, businesses that grow, manage, harvest,  
30 transport, and process forest, wood, and paper products.

31 (b) The University of Washington business and economic development  
32 center shall: Analyze the current opportunities for and participation  
33 in the green economy by minority and women-owned business enterprises  
34 in Washington; identify existing barriers to their successful  
35 participation in the green economy; and develop strategies with  
36 specific policy recommendations to improve their successful  
37 participation in the green economy. The research may be informed by  
38 the research of the Puget Sound regional council prosperity

1 partnership, as well as other entities. The University of Washington  
2 business and economic development center shall report to the  
3 appropriate committees of the house of representatives and the senate  
4 on their research, analysis, and recommendations by December 1, 2008.

5 (4) Based on the findings from subsection (3) of this section, the  
6 employment security department, in consultation with the department and  
7 taking into account the requirements and goals of chapter 14, Laws of  
8 2008 and other state clean energy and energy efficiency policies, shall  
9 propose which industries will be considered high-demand green  
10 industries, based on current and projected job creation and their  
11 strategic importance to the development of the state's green economy.  
12 The employment security department and the department shall take into  
13 account which jobs within green economy industries will be considered  
14 high-wage occupations and occupations that are part of career pathways  
15 to the same, based on family-sustaining wage and benefits ranges.  
16 These designations, and the results of the employment security  
17 department's broader labor market research, shall inform the planning  
18 and strategic direction of the department, the state workforce training  
19 and education coordinating board, the state board for community and  
20 technical colleges, and the council for higher education (~~coordinating~~  
21 ~~board~~)).

22 (5) The department shall identify emerging technologies and  
23 innovations that are likely to contribute to advancements in the green  
24 economy, including the activities in designated innovation partnership  
25 zones established in RCW 43.330.270.

26 (6) The department, consistent with the priorities established by  
27 the state economic development commission, shall:

28 (a) Develop targeting criteria for existing investments, and make  
29 recommendations for new or expanded financial incentives and  
30 comprehensive strategies, to recruit, retain, and expand green economy  
31 industries and small businesses; and

32 (b) Make recommendations for new or expanded financial incentives  
33 and comprehensive strategies to stimulate research and development of  
34 green technology and innovation, including designating innovation  
35 partnership zones linked to the green economy.

36 (7) For the purposes of this section, "target populations" means  
37 (a) entry-level or incumbent workers in high-demand green industries  
38 who are in, or are preparing for, high-wage occupations; (b) dislocated

1 workers in declining industries who may be retrained for high-wage  
2 occupations in high-demand green industries; (c) dislocated  
3 agriculture, timber, or energy sector workers who may be retrained for  
4 high-wage occupations in high-demand green industries; (d) eligible  
5 veterans or national guard members; (e) disadvantaged populations; or  
6 (f) anyone eligible to participate in the state opportunity grant  
7 program under RCW 28B.50.271.

8 (8) The legislature directs the state workforce training and  
9 education coordinating board to create and pilot green industry skill  
10 panels. These panels shall consist of business representatives from:  
11 Green industry sectors, including but not limited to forest product  
12 companies, companies engaged in energy efficiency and renewable energy  
13 production, companies engaged in pollution prevention, reduction, and  
14 mitigation, and companies engaged in green building work and green  
15 transportation; labor unions representing workers in those industries  
16 or labor affiliates administering state-approved, joint apprenticeship  
17 programs or labor-management partnership programs that train workers  
18 for these industries; state and local veterans agencies; employer  
19 associations; educational institutions; and local workforce development  
20 councils within the region that the panels propose to operate; and  
21 other key stakeholders as determined by the applicant. Any of these  
22 stakeholder organizations are eligible to receive grants under this  
23 section and serve as the intermediary that convenes and leads the  
24 panel. Panel applicants must provide labor market and industry  
25 analysis that demonstrates high demand, or demand of strategic  
26 importance to the development of the state's clean energy economy as  
27 identified in this section, for high-wage occupations, or occupations  
28 that are part of career pathways to the same, within the relevant  
29 industry sector. The panel shall:

30 (a) Conduct labor market and industry analyses, in consultation  
31 with the employment security department, and drawing on the findings of  
32 its research when available;

33 (b) Plan strategies to meet the recruitment and training needs of  
34 the industry and small businesses; and

35 (c) Leverage and align other public and private funding sources.

36 (9) The green industries jobs training account is created in the  
37 state treasury. Moneys from the account must be utilized to supplement  
38 the state opportunity grant program established under RCW 28B.50.271.

1 All receipts from appropriations directed to the account must be  
2 deposited into the account. Expenditures from the account may be used  
3 only for the activities identified in this subsection. The state board  
4 for community and technical colleges, in consultation with the state  
5 workforce training and education coordinating board, informed by the  
6 research of the employment security department and the strategies  
7 developed in this section, may authorize expenditures from the account.  
8 The state board for community and technical colleges must distribute  
9 grants from the account on a competitive basis.

10 (a)(i) Allowable uses of these grant funds, which should be used  
11 when other public or private funds are insufficient or unavailable, may  
12 include:

13 (A) Curriculum development;

14 (B) Transitional jobs strategies for dislocated workers in  
15 declining industries who may be retrained for high-wage occupations in  
16 green industries;

17 (C) Workforce education to target populations; and

18 (D) Adult basic and remedial education as necessary linked to  
19 occupation skills training.

20 (ii) Allowable uses of these grant funds do not include student  
21 assistance and support services available through the state opportunity  
22 grant program under RCW 28B.50.271.

23 (b) Applicants eligible to receive these grants may be any  
24 organization or a partnership of organizations that has demonstrated  
25 expertise in:

26 (i) Implementing effective education and training programs that  
27 meet industry demand; and

28 (ii) Recruiting and supporting, to successful completion of those  
29 training programs carried out under these grants, the target  
30 populations of workers.

31 (c) In awarding grants from the green industries jobs training  
32 account, the state board for community and technical colleges shall  
33 give priority to applicants that demonstrate the ability to:

34 (i) Use labor market and industry analysis developed by the  
35 employment security department and green industry skill panels in the  
36 design and delivery of the relevant education and training program, and  
37 otherwise utilize strategies developed by green industry skill panels;



1 (ii) Leverage and align existing public programs and resources and  
2 private resources toward the goal of recruiting, supporting, educating,  
3 and training target populations of workers;

4 (iii) Work collaboratively with other relevant stakeholders in the  
5 regional economy;

6 (iv) Link adult basic and remedial education, where necessary, with  
7 occupation skills training;

8 (v) Involve employers and, where applicable, labor unions in the  
9 determination of relevant skills and competencies and, where relevant,  
10 the validation of career pathways; and

11 (vi) Ensure that supportive services, where necessary, are  
12 integrated with education and training and are delivered by  
13 organizations with direct access to and experience with the targeted  
14 population of workers.

15 **Sec. 591.** RCW 43.330.375 and 2010 c 187 s 3 are each amended to  
16 read as follows:

17 (1) The department and the workforce board must:

18 (a) Coordinate efforts across the state to ensure that federal  
19 training and education funds are captured and deployed in a focused and  
20 effective manner in order to support green economy projects and  
21 accomplish the goals of the evergreen jobs initiative;

22 (b) Accelerate and coordinate efforts by state and local  
23 organizations to identify, apply for, and secure all sources of funds,  
24 particularly those created by the 2009 American recovery and  
25 reinvestment act, and to ensure that distributions of funding to local  
26 organizations are allocated in a manner that is time-efficient and  
27 user-friendly for the local organizations. Local organizations  
28 eligible to receive support include but are not limited to:

29 (i) Associate development organizations;

30 (ii) Workforce development councils;

31 (iii) Public utility districts; and

32 (iv) Community action agencies;

33 (c) Support green economy projects at both the state and local  
34 level by developing a process and a framework to provide, at a minimum:

35 (i) Administrative and technical assistance;

36 (ii) Assistance with and expediting of permit processes; and

- 1 (iii) Priority consideration of opportunities leading to exportable  
2 green economy goods and services, including renewable energy  
3 technology;
- 4 (d) Coordinate local and state implementation of projects using  
5 federal funds to ensure implementation is time-efficient and user-  
6 friendly for local organizations;
- 7 (e) Emphasize through both support and outreach efforts, projects  
8 that:
  - 9 (i) Have a strong and lasting economic or environmental impact;
  - 10 (ii) Lead to a domestically or internationally exportable good or  
11 service, including renewable energy technology;
  - 12 (iii) Create training programs leading to a credential,  
13 certificate, or degree in a green economy field;
  - 14 (iv) Strengthen the state's competitiveness in a particular sector  
15 or cluster of the green economy;
  - 16 (v) Create employment opportunities for veterans, members of the  
17 national guard, and low-income and disadvantaged populations;
  - 18 (vi) Comply with prevailing wage provisions of chapter 39.12 RCW;
  - 19 (vii) Ensure at least fifteen percent of labor hours are performed  
20 by apprentices;
  - 21 (f) Identify emerging technologies and innovations that are likely  
22 to contribute to advancements in the green economy, including the  
23 activities in designated innovation partnership zones established in  
24 RCW 43.330.270;
  - 25 (g) Identify barriers to the growth of green jobs in traditional  
26 industries such as the forest products industry;
  - 27 (h) Identify statewide performance metrics for projects receiving  
28 agency assistance. Such metrics may include:
    - 29 (i) The number of new green jobs created each year, their wage  
30 levels, and, to the extent determinable, the percentage of new green  
31 jobs filled by veterans, members of the national guard, and low-income  
32 and disadvantaged populations;
    - 33 (ii) The total amount of new federal funding secured, the  
34 respective amounts allocated to the state and local levels, and the  
35 timeliness of deployment of new funding by state agencies to the local  
36 level;
    - 37 (iii) The timeliness of state deployment of funds and support to  
38 local organizations; and

1 (iv) If available, the completion rates, time to completion, and  
2 training-related placement rates for green economy postsecondary  
3 training programs;

4 (i) Identify strategies to allocate existing and new funding  
5 streams for green economy workforce training programs and education to  
6 emphasize those leading to a credential, certificate, or degree in a  
7 green economy field;

8 (j) Identify and implement strategies to allocate existing and new  
9 funding streams for workforce development councils and associate  
10 development organizations to increase their effectiveness and  
11 efficiency and increase local capacity to respond rapidly and  
12 comprehensively to opportunities to attract green jobs to local  
13 communities;

14 (k) Develop targeting criteria for existing investments that are  
15 consistent with the economic development commission's economic  
16 development strategy and the goals of this section and RCW 28C.18.170,  
17 28B.50.281, and 49.04.200; and

18 (l) Make and support outreach efforts so that residents of  
19 Washington, particularly members of target populations, become aware of  
20 educational and employment opportunities identified and funded through  
21 the evergreen jobs act.

22 (2) The department and the workforce board must provide semiannual  
23 performance reports to the governor and appropriate committees of the  
24 legislature on:

25 (a) Actual statewide performance based on the performance measures  
26 identified in subsection (1)(h) of this section;

27 (b) How the state is emphasizing and supporting projects that lead  
28 to a domestically or internationally exportable good or service,  
29 including renewable energy technology;

30 (c) A list of projects supported, created, or funded in furtherance  
31 of the goals of the evergreen jobs initiative and the actions taken by  
32 state and local organizations, including the effectiveness of state  
33 agency support provided to local organizations as directed in  
34 subsection (1)(b) and (c) of this section;

35 (d) Recommendations for new or expanded financial incentives and  
36 comprehensive strategies to:

37 (i) Recruit, retain, and expand green economy industries and small  
38 businesses; and

1 (ii) Stimulate research and development of green technology and  
2 innovation, which may include designating innovation partnership zones  
3 linked to the green economy;

4 (e) Any information that associate development organizations and  
5 workforce development councils choose to provide to appropriate  
6 legislative committees regarding the effectiveness, timeliness, and  
7 coordination of support provided by state agencies under this section  
8 and RCW 28C.18.170, 28B.50.281, and 49.04.200; and

9 (f) Any recommended statutory changes necessary to increase the  
10 effectiveness of the evergreen jobs initiative and state responsiveness  
11 to local agencies and organizations.

12 (3) The definitions, designations, and results of the employment  
13 security department's broader labor market research under RCW  
14 43.330.010 shall inform the planning and strategic direction of the  
15 department, the state workforce training and education coordinating  
16 board, the state board for community and technical colleges, and the  
17 council for higher education (~~coordinating board~~)).

18 **Sec. 592.** RCW 47.80.090 and 2009 c 459 s 2 are each amended to  
19 read as follows:

20 (1) A regional transportation planning organization containing any  
21 county with a population in excess of one million in collaboration with  
22 representatives from the department of ecology, the department of  
23 (~~community, trade, and economic development~~) commerce, local  
24 governments, and the office of regulatory assistance must seek federal  
25 or private funding for the planning for, deployment of, or regulations  
26 concerning electric vehicle infrastructure. These efforts should  
27 include:

28 (a) Development of short-term and long-term plans outlining how  
29 state, regional, and local government construction may include electric  
30 vehicle infrastructure in publicly available off-street parking and  
31 government fleet vehicle parking, including what ratios of charge spots  
32 to parking may be appropriate based on location or type of facility or  
33 building;

34 (b) Consultations with the state building code council and the  
35 department of labor and industries to coordinate the plans with state  
36 standards for new residential, commercial, and industrial buildings to

1 ensure that the appropriate electric circuitry is installed to support  
2 electric vehicle infrastructure;

3 (c) Consultation with the workforce development council and the  
4 council for higher education (~~coordinating board~~) to ensure the  
5 development of appropriate educational and training opportunities for  
6 citizens of the state in support of the transition of some portion of  
7 vehicular transportation from combustion to electric vehicles;

8 (d) Development of an implementation plan for counties with a  
9 population greater than five hundred thousand with the goal of having  
10 public and private parking spaces, in the aggregate, be ten percent  
11 electric vehicle ready by December 31, 2018; and

12 (e) Development of model ordinances and guidance for local  
13 governments for siting and installing electric vehicle infrastructure,  
14 in particular battery charging stations, and appropriate handling,  
15 recycling, and storage of electric vehicle batteries and equipment.

16 (2) These plans and any recommendations developed as a result of  
17 the consultations required by this section must be submitted to the  
18 legislature by December 31, 2010, or as soon as reasonably practicable  
19 after the securing of any federal or private funding. Priority will be  
20 given to the activities in subsection (1)(e) of this section and any  
21 ordinances or guidance that is developed will be submitted to the  
22 legislature, the department of (~~community, trade, and economic~~  
23 ~~development~~) commerce, and affected local governments prior to  
24 December 31, 2010, if completed.

25 (3) The definitions in this subsection apply (~~through~~  
26 ~~[throughout]~~) throughout this section unless the context clearly  
27 requires otherwise.

28 (a) "Battery charging station" means an electrical component  
29 assembly or cluster of component assemblies designed specifically to  
30 charge batteries within electric vehicles, which meet or exceed any  
31 standards, codes, and regulations set forth by chapter 19.28 RCW and  
32 consistent with rules adopted under RCW 19.27.540.

33 (b) "Battery exchange station" means a fully automated facility  
34 that will enable an electric vehicle with a swappable battery to enter  
35 a drive lane and exchange the depleted battery with a fully charged  
36 battery through a fully automated process, which meets or exceeds any  
37 standards, codes, and regulations set forth by chapter 19.28 RCW and  
38 consistent with rules adopted under RCW 19.27.540.

1 (c) "Electric vehicle infrastructure" means structures, machinery,  
2 and equipment necessary and integral to support an electric vehicle,  
3 including battery charging stations, rapid charging stations, and  
4 battery exchange stations.

5 (d) "Rapid charging station" means an industrial grade electrical  
6 outlet that allows for faster recharging of electric vehicle batteries  
7 through higher power levels, which meets or exceeds any standards,  
8 codes, and regulations set forth by chapter 19.28 RCW and consistent  
9 with rules adopted under RCW 19.27.540.

10 **Sec. 593.** RCW 70.180.110 and 1998 c 245 s 120 are each amended to  
11 read as follows:

12 (1) The department, in consultation with at least the council for  
13 higher education (~~coordinating board~~), the state board for community  
14 and technical colleges, the superintendent of public instruction, and  
15 state-supported education programs in medicine, pharmacy, and nursing,  
16 shall develop a plan for increasing rural training opportunities for  
17 students in medicine, pharmacy, and nursing. The plan shall provide  
18 for direct exposure to rural health professional practice conditions  
19 for students planning careers in medicine, pharmacy, and nursing.

20 (2) The department and the medical, pharmacy, and nurse education  
21 programs shall:

22 (a) Inventory existing rural-based clinical experience programs,  
23 including internships, clerkships, residencies, and other training  
24 opportunities available to students pursuing degrees in nursing,  
25 pharmacy, and medicine;

26 (b) Identify where training opportunities do not currently exist  
27 and are needed;

28 (c) Develop recommendations for improving the availability of rural  
29 training opportunities;

30 (d) Develop recommendations on establishing agreements between  
31 education programs to assure that all students in medical, pharmacist,  
32 and nurse education programs in the state have access to rural training  
33 opportunities; and

34 (e) Review private and public funding sources to finance rural-  
35 based training opportunities.

1           **Sec. 594.** 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 council for  
6 higher education (~~coordinating board~~), foster youth, former foster  
7 youth, foster parents, and advocacy agencies to develop strategies for  
8 maintaining foster children in the schools they were attending at the  
9 time they entered foster care and to promote opportunities for foster  
10 youth to participate in postsecondary education or training.

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

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

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

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

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

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

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

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

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

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

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





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

3 (a) The alternative route conditional scholarship program is  
4 limited to interns of professional educator standards board-approved  
5 alternative routes to teaching programs under RCW 28A.660.040. For  
6 fiscal year 2011, priority must be given to fiscal year 2010  
7 participants in the alternative route partnership program. In order to  
8 receive conditional scholarship awards, recipients shall:

9 (i) Be accepted and maintain enrollment in alternative  
10 certification routes through a professional educator standards board-  
11 approved program;

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

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

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

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

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

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

1 average rate of tuition and fee increases at the state community and  
2 technical colleges.

3 (c) The retooling to teach mathematics and science conditional  
4 scholarship program is limited to current K-12 teachers. In order to  
5 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 shall pursue an endorsement in middle level mathematics or  
11 science, or both; and

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

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

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

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

34 (5) Recipients who fail to fulfill the required teaching obligation  
35 are required to repay the remaining loan principal with interest and  
36 any other applicable fees. The office of student financial assistance  
37 shall adopt rules to define the terms for repayment, including  
38 applicable interest rates, fees, and deferments.

1 (6) The office of student financial assistance may deposit all  
2 appropriations, collections, and any other funds received for the  
3 program in this chapter in the future teachers conditional scholarship  
4 account authorized in RCW 28B.102.080.

5 **Sec. 603.** RCW 28B.12.040 and 2011 1st sp.s. c 11 s 143 are each  
6 amended to read as follows:

7 The office of student financial assistance shall develop and  
8 administer the state work-study program. The ((~~board~~)) office shall be  
9 authorized to enter into agreements with employers and eligible  
10 institutions for the operation of the program. These agreements shall  
11 include such provisions as the office may deem necessary or appropriate  
12 to carry out the purposes of this chapter.

13 With the exception of off-campus community service placements, the  
14 share from moneys disbursed under the state work-study program of the  
15 compensation of students employed under such program in accordance with  
16 such agreements shall not exceed eighty percent of the total such  
17 compensation paid such students.

18 By rule, the office shall define community service placements and  
19 may determine any salary matching requirements for any community  
20 service employers.

21 **Sec. 604.** RCW 28B.12.070 and 2011 1st sp.s. c 11 s 147 are each  
22 amended to read as follows:

23 Each eligible institution shall submit to the office of student  
24 financial assistance an annual report in accordance with such  
25 requirements as are adopted by the ((~~board~~)) office.

26 **Sec. 605.** RCW 28B.15.012 and 2011 1st sp.s. c 11 s 148 are each  
27 amended to read as follows:

- 28 Whenever used in this chapter:
- 29 (1) The term "institution" shall mean a public university, college,  
30 or community college within the state of Washington.
  - 31 (2) The term "resident student" shall mean:
    - 32 (a) A financially independent student who has had a domicile in the  
33 state of Washington for the period of one year immediately prior to the  
34 time of commencement of the first day of the semester or quarter for

1 which the student has registered at any institution and has in fact  
2 established a bona fide domicile in this state primarily for purposes  
3 other than educational;

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

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

14 (d) Any student who has spent at least seventy-five percent of both  
15 his or her junior and senior years in high schools in this state, whose  
16 parents or legal guardians have been domiciled in the state for a  
17 period of at least one year within the five-year period before the  
18 student graduates from high school, and who enrolls in a public  
19 institution of higher education within six months of leaving high  
20 school, for as long as the student remains continuously enrolled for  
21 three quarters or two semesters in any calendar year;

22 (e) Any person who has completed the full senior year of high  
23 school and obtained a high school diploma, both at a Washington public  
24 high school or private high school approved under chapter 28A.195 RCW,  
25 or a person who has received the equivalent of a diploma; who has lived  
26 in Washington for at least three years immediately prior to receiving  
27 the diploma or its equivalent; who has continuously lived in the state  
28 of Washington after receiving the diploma or its equivalent and until  
29 such time as the individual is admitted to an institution of higher  
30 education under subsection (1) of this section; and who provides to the  
31 institution an affidavit indicating that the individual will file an  
32 application to become a permanent resident at the earliest opportunity  
33 the individual is eligible to do so and a willingness to engage in any  
34 other activities necessary to acquire citizenship, including but not  
35 limited to citizenship or civics review courses;

36 (f) Any person who has lived in Washington, primarily for purposes  
37 other than educational, for at least one year immediately before the  
38 date on which the person has enrolled in an institution, and who holds

1 lawful nonimmigrant status pursuant to 8 U.S.C. Sec. (a)(15) (E)(iii),  
2 (H)(i), or (L), or who holds lawful nonimmigrant status as the spouse  
3 or child of a person having nonimmigrant status under one of those  
4 subsections, or who, holding or having previously held such lawful  
5 nonimmigrant status as a principal or derivative, has filed an  
6 application for adjustment of status pursuant to 8 U.S.C. Sec. 1255(a);

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

9 (h) A student who is the spouse or a dependent of a person who is  
10 on active military duty stationed in the state. If the person on  
11 active military duty is reassigned out-of-state, the student maintains  
12 the status as a resident student so long as the student is continuously  
13 enrolled in a degree program;

14 (i) A student who resides in the state of Washington and is the  
15 spouse or a dependent of a person who is a member of the Washington  
16 national guard;

17 (j) A student of an out-of-state institution of higher education  
18 who is attending a Washington state institution of higher education  
19 pursuant to a home tuition agreement as described in RCW 28B.15.725;

20 (k) A student who meets the requirements of RCW 28B.15.0131:  
21 PROVIDED, That a nonresident student enrolled for more than six hours  
22 per semester or quarter shall be considered as attending for primarily  
23 educational purposes, and for tuition and fee paying purposes only such  
24 period of enrollment shall not be counted toward the establishment of  
25 a bona fide domicile of one year in this state unless such student  
26 proves that the student has in fact established a bona fide domicile in  
27 this state primarily for purposes other than educational;

28 (l) A student who resides in Washington and is on active military  
29 duty stationed in the Oregon counties of Columbia, Gilliam, Hood River,  
30 Multnomah, Clatsop, Clackamas, Morrow, Sherman, Umatilla, Union,  
31 Wallowa, Wasco, or Washington; or

32 (m) A student who resides in Washington and is the spouse or a  
33 dependent of a person who resides in Washington and is on active  
34 military duty stationed in the Oregon counties of Columbia, Gilliam,  
35 Hood River, Multnomah, Clatsop, Clackamas, Morrow, Sherman, Umatilla,  
36 Union, Wallowa, Wasco, or Washington. If the person on active military  
37 duty moves from Washington or is reassigned out of the Oregon counties  
38 of Columbia, Gilliam, Hood River, Multnomah, Clatsop, Clackamas,

1 Morrow, Sherman, Umatilla, Union, Wallowa, Wasco, or Washington, the  
2 student maintains the status as a resident student so long as the  
3 student resides in Washington and is continuously enrolled in a degree  
4 program.

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

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

14 (b) A person who is not a citizen of the United States of America  
15 who does not have permanent or temporary resident status or does not  
16 hold "Refugee-Parolee" or "Conditional Entrant" status with the United  
17 States citizenship immigration services or is not otherwise permanently  
18 residing in the United States under color of law and who does not also  
19 meet and comply with all the applicable requirements in this section  
20 and RCW 28B.15.013.

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

28 (5) The term "dependent" shall mean a person who is not financially  
29 independent. Factors to be considered in determining whether a person  
30 is financially independent shall be set forth in rules adopted by the  
31 office of student financial assistance and shall include, but not be  
32 limited to, the state and federal income tax returns of the person  
33 and/or the student's parents or legal guardian filed for the calendar  
34 year prior to the year in which application is made and such other  
35 evidence as the (~~board~~) office of financial assistance may require.

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

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

1 (b) The Washington national guard; or

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

5 **Sec. 606.** RCW 28B.15.762 and 2011 1st sp.s. c 11 s 156 are each  
6 amended to read as follows:

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

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

1 under the criteria established in subsection (1) of this section and  
2 shall maintain all necessary records of forgiven payments.

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

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

15 (5) The office shall adopt necessary rules to implement this  
16 section.

17 **Sec. 607.** RCW 28B.15.764 and 1985 c 370 s 81 are each amended to  
18 read as follows:

19 The ((board)) office and institutions of higher education shall  
20 work cooperatively to implement RCW 28B.15.762 and to publicize this  
21 program to eligible students.

22 **Sec. 608.** RCW 28B.76.505 and 2011 1st sp.s. c 11 s 107 are each  
23 amended to read as follows:

24 (1) The investment of funds from all scholarship endowment programs  
25 administered by the office shall be managed by the state investment  
26 board.

27 (2) The state investment board has the full power to invest,  
28 reinvest, manage, contract, sell, or exchange investment money in  
29 scholarship endowment funds. All investment and operating costs  
30 associated with the investment of a scholarship endowment fund shall be  
31 paid pursuant to RCW 43.33A.160 and 43.84.160. With the exception of  
32 these expenses, the earnings from the investments of the fund belong to  
33 the fund.

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



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

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

8 (6) The authority to establish all policies relating to scholarship  
9 endowment funds, other than the investment policies in subsections (2)  
10 through (5) of this section, resides with the office.

11 (7) The office may request and accept moneys from the state  
12 investment board. With the exception of expenses of the state  
13 investment board in subsection (2) of this section, disbursements from  
14 the fund shall be made only on the authorization of the office and  
15 money in the fund may be spent only for the purposes of the endowment  
16 programs as specified in the authorizing chapter of each program.

17 (8) The state investment board shall routinely consult and  
18 communicate with the office on the investment policy, earnings of the  
19 scholarship endowment funds, and related needs of the programs.

20 **Sec. 609.** RCW 28B.92.070 and 2004 c 275 s 38 are each amended to  
21 read as follows:

22 Under rules adopted by the (~~board~~) office, the provisions of RCW  
23 28B.92.060(3) shall not apply to eligible students, as defined in RCW  
24 28B.10.017, and eligible students shall not be required to repay the  
25 unused portions of grants received under the state student financial  
26 aid program.

27 **Sec. 610.** RCW 28B.92.080 and 2009 c 238 s 9 are each amended to  
28 read as follows:

29 Except for opportunity internship graduates whose eligibility is  
30 provided under RCW 28B.92.084, for a student to be eligible for a state  
31 need grant a student must:

32 (1) Be a "needy student" or "disadvantaged student" as determined  
33 by the (~~board~~) office in accordance with RCW 28B.92.030 (~~(+3)~~) (1)  
34 and (4);

35 (2) Have been domiciled within the state of Washington for at least  
36 one year;

1 (3) Be enrolled or accepted for enrollment on at least a half-time  
2 basis at an institution of higher education in Washington as defined in  
3 RCW 28B.92.030(~~(+1)~~) (3);

4 (4) Until June 30, 2011, to the extent funds are specifically  
5 appropriated for this purpose, and subject to any terms and conditions  
6 specified in the omnibus appropriations act, be enrolled or accepted  
7 for enrollment for at least three quarter credits or the equivalent  
8 semester credits at an institution of higher education in Washington as  
9 defined in RCW 28B.92.030(~~(+1)~~) (3); and

10 (5) Have complied with all the rules adopted by the (~~board~~)  
11 office for the administration of this chapter.

12 **Sec. 611.** RCW 28B.92.082 and 2009 c 215 s 3 are each amended to  
13 read as follows:

14 (1) To the extent funds are appropriated for this purpose and  
15 within overall appropriations for the state need grant, enhanced need  
16 grants are provided for persons who meet all of the following criteria:

17 (a) Are needy students as defined in RCW 28B.92.030;

18 (b) Are placebound students as defined in RCW 28B.92.030; and

19 (c) Have completed the associate of arts or the associate of  
20 science degree, or its equivalent.

21 (2) The enhanced need grants established in this section are  
22 provided to this specific group of students in addition to the base  
23 state need grant, as defined by rule of the (~~board~~) office.

24 **Sec. 612.** RCW 28B.95.020 and 2011 1st sp.s. c 11 s 168 are each  
25 amended to read as follows:

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

28 (1) "Academic year" means the regular nine-month, three-quarter, or  
29 two-semester period annually occurring between August 1st and July  
30 31st.

31 (2) "Account" means the Washington advanced college tuition payment  
32 program account established for the deposit of all money received by  
33 the (~~board~~) office from eligible purchasers and interest earnings on  
34 investments of funds in the account, as well as for all expenditures on  
35 behalf of eligible beneficiaries for the redemption of tuition units

1 and for the development of any authorized college savings program  
2 pursuant to RCW 28B.95.150.

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

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

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

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

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

32 (8) "Governing body" means the committee empowered by the  
33 legislature to administer the Washington advanced college tuition  
34 payment program.

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

1 (10) "Investment board" means the state investment board as defined  
2 in chapter 43.33A RCW.

3 (11) "Office" means the office of student financial assistance as  
4 defined in chapter 28B.76 RCW.

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

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

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

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

28 **Sec. 613.** RCW 28B.102.020 and 2011 1st sp.s. c 11 s 176 are each  
29 reenacted and amended to read as follows:

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

32 (1) "Approved education program" means an education program in the  
33 state of Washington for knowledge and skills generally learned in  
34 preschool through twelfth grade. Approved education programs may  
35 include but are not limited to:

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

1 (b) Other K-12 educational sites in the state of Washington as  
2 designated by the ((board)) office.

3 (2) "Conditional scholarship" means a loan that is forgiven in  
4 whole or in part if the recipient renders service as a teacher in an  
5 approved education program in this state.

6 (3) "Eligible student" means a student who is registered for at  
7 least six credit hours or the equivalent, demonstrates high academic  
8 achievement, is a resident student as defined by RCW 28B.15.012 and  
9 28B.15.013, and has a declared intention to complete an approved  
10 preparation program leading to initial teacher certification or  
11 required for earning an additional endorsement, and commits to teaching  
12 service in the state of Washington.

13 (4) "Equalization fee" means the additional amount added to the  
14 principal of a loan under this chapter to equate the debt to that which  
15 the student would have incurred if the loan had been received through  
16 the federal subsidized Stafford student loan program.

17 (5) "Forgiven" or "to forgive" or "forgiveness" means to render  
18 service as a teacher in an approved education program in the state of  
19 Washington in lieu of monetary repayment.

20 (6) "Institution of higher education" or "institution" means a  
21 college or university in the state of Washington that is accredited by  
22 an accrediting association recognized as such by rule of the council  
23 for higher education.

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

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

28 (9) "Participant" means an eligible student who has received a  
29 conditional scholarship or loan repayment under this chapter.

30 (10) "Public school" means an elementary school, a middle school,  
31 junior high school, or high school within the public school system  
32 referred to in Article IX of the state Constitution.

33 (11) "Satisfied" means paid-in-full.

34 (12) "Teacher shortage area" means a shortage of elementary or  
35 secondary school teachers in a specific subject area, discipline,  
36 classification, or geographic area as defined by the office of the  
37 superintendent of public instruction.

1       **Sec. 614.** RCW 28B.102.030 and 2011 1st sp.s. c 11 s 177 are each  
2 amended to read as follows:

3       The future teachers conditional scholarship and loan repayment  
4 program is established. The program shall be administered by the  
5 office. In administering the program, the ((board)) office shall have  
6 the following powers and duties:

7       (1) Select students to receive conditional scholarships or loan  
8 repayments;

9       (2) Adopt necessary rules and guidelines;

10       (3) Publicize the program;

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

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

15       **Sec. 615.** RCW 28B.103.030 and 1994 c 234 s 7 are each amended to  
16 read as follows:

17       (1) Participants in the conditional scholarship program incur an  
18 obligation to repay the conditional scholarship, with interest, unless  
19 they serve in the Washington national guard for one additional year for  
20 each year of conditional scholarship received, under rules adopted by  
21 the office.

22       (2) The entire principal and interest of each yearly repayment  
23 shall be forgiven for each additional year in which a participant  
24 serves in the Washington national guard, under rules adopted by the  
25 office.

26       (3) If a participant elects to repay the conditional scholarship,  
27 the period of repayment shall be four years, with payments accruing  
28 quarterly commencing nine months from the date that the participant  
29 leaves the Washington national guard or withdraws from the institution  
30 of higher education, whichever comes first. The interest rate on the  
31 repayments shall be eight percent per year. Provisions for deferral  
32 and forgiveness shall be determined by the office.

33       (4) The office is responsible for collection of repayments made  
34 under this section. The office shall exercise due diligence in such  
35 collection, maintaining all necessary records to ensure that maximum  
36 repayments are made. Collection and servicing of repayments under this  
37 section shall be pursued using the full extent of law, including wage

1 garnishment if necessary. The office is responsible to forgive all or  
2 parts of such repayments under the criteria established in this  
3 section, and shall maintain all necessary records of forgiven payments.  
4 The office may contract with the (~~higher education coordinating~~  
5 ~~board~~) office of student financial assistance for collection of  
6 repayments under this section.

7 (5) Receipts from the payment of principal or interest paid by or  
8 on behalf of participants shall be deposited with the office and shall  
9 be used to cover the costs of granting the conditional scholarships,  
10 maintaining necessary records, and making collections under subsection  
11 (4) of this section. The office shall maintain accurate records of  
12 these costs, and all receipts beyond those necessary to pay such costs  
13 shall be used to grant conditional scholarships to eligible students.

14 **Sec. 616.** RCW 28B.108.020 and 2011 1st sp.s. c 11 s 192 are each  
15 amended to read as follows:

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

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

27 (2) Adopting necessary rules and guidelines;

28 (3) Publicizing the program;

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

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

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

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

1       **Sec. 617.** RCW 28B.108.040 and 1990 c 287 s 5 are each amended to  
2 read as follows:

3       The ((~~board~~)) office may award scholarships to eligible students  
4 from moneys earned from the endowment fund created in RCW 28B.108.060,  
5 or from funds appropriated to the ((~~board~~)) office for this purpose, or  
6 from any private donations, or from any other funds given to the  
7 ((~~board~~)) office for this program. For an undergraduate student, the  
8 amount of the scholarship shall not exceed the student's demonstrated  
9 financial need. For a graduate student, the amount of the scholarship  
10 shall not exceed the student's demonstrated need; or the stipend of a  
11 teaching assistant, including tuition, at the University of Washington;  
12 whichever is higher. In calculating a student's need, the ((~~board~~))  
13 office shall consider the student's costs for tuition, fees, books,  
14 supplies, transportation, room, board, personal expenses, and child  
15 care. The student's scholarship awarded under this chapter shall not  
16 exceed the amount received by a student attending a state research  
17 university. A student is eligible to receive a scholarship for a  
18 maximum of five years. However, the length of the scholarship shall be  
19 determined at the discretion of the ((~~board~~)) office.

20       **Sec. 618.** RCW 28B.109.010 and 2011 1st sp.s. c 11 s 195 are each  
21 amended to read as follows:

22       Unless the context clearly requires otherwise, the definitions in  
23 this section apply throughout this chapter.

24       (1) "Eligible participant" means an international student whose  
25 country of residence has a trade relationship with the state of  
26 Washington.

27       (2) "Institution of higher education" or "institution" means a  
28 college or university in the state of Washington that is accredited by  
29 an accrediting association recognized as such by rule of the ((~~board~~))  
30 council for higher education.

31       (3) "Office" means the office of student financial assistance.

32       (4) "Service obligation" means volunteering for a minimum number of  
33 hours as established by the ((~~board~~)) office of student financial  
34 assistance based on the amount of scholarship award, to speak to or  
35 teach groups of Washington citizens, including but not limited to  
36 elementary, middle, and high schools, service clubs, and universities.



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

6 **Sec. 619.** RCW 28B.116.030 and 2011 1st sp.s. c 11 s 216 are each  
7 amended to read as follows:

8 (1) The office may award scholarships to eligible students from the  
9 foster care scholarship endowment fund in RCW 28B.116.060, from funds  
10 appropriated to the ((board)) office for this purpose, from any private  
11 donations, or from any other funds given to the office for the program.

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

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

31 **Sec. 620.** RCW 28B.117.030 and 2011 1st sp.s. c 11 s 221 are each  
32 amended to read as follows:

33 (1) The office shall design and, to the extent funds are  
34 appropriated for this purpose, implement, a program of supplemental  
35 scholarship and student assistance for students who have emancipated

1 from the state foster care system after having spent at least one year  
2 in care.

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

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

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

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

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

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

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

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

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

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

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

33 (5) An eligible student may receive a passport to college  
34 scholarship under this section for a maximum of five years after the  
35 student first enrolls with an institution of higher education or until  
36 the student turns age twenty-six, whichever occurs first. If a student  
37 turns age twenty-six during an academic year, and would otherwise be

1 eligible for a scholarship under this section, the student shall  
2 continue to be eligible for a scholarship for the remainder of the  
3 academic year.

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

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

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

19 (b) Receives financial and other incentives for achieving  
20 measurable progress in the recruitment, retention, and graduation of  
21 eligible students.

22 **PART VII**  
23 **MISCELLANEOUS REFERENCES**

24 **Sec. 701.** RCW 28A.600.310 and 2011 1st sp.s. c 10 s 10 are each  
25 amended to read as follows:

26 (1) Eleventh and twelfth grade students or students who have not  
27 yet received the credits required for the award of a high school  
28 diploma and are eligible to be in the eleventh or twelfth grades may  
29 apply to a participating institution of higher education to enroll in  
30 courses or programs offered by the institution of higher education. A  
31 student receiving home-based instruction enrolling in a public high  
32 school for the sole purpose of participating in courses or programs  
33 offered by institutions of higher education shall not be counted by the  
34 school district in any required state or federal accountability  
35 reporting if the student's parents or guardians filed a declaration of  
36 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)(a) In lieu of tuition and fees, as defined in RCW 28B.15.020  
20 and 28B.15.041:

21 (i) Running start students shall pay to the community or technical  
22 college all other mandatory fees as established by each community or  
23 technical college and, in addition, the state board for community and  
24 technical colleges may authorize a fee of up to ten percent of tuition  
25 and fees as defined in RCW 28B.15.020 and 28B.15.041; and

26 (ii) All other institutions of higher education operating a running  
27 start program may charge running start students a fee of up to ten  
28 percent of tuition and fees as defined in RCW 28B.15.020 and 28B.15.041  
29 in addition to technology fees.

30 (b) The fees charged under this subsection (2) shall be prorated  
31 based on credit load.

32 (3)(a) The institutions of higher education must make available fee  
33 waivers for low-income running start students. Each institution must  
34 establish a written policy for the determination of low-income students  
35 before offering the fee waiver. A student shall be considered low  
36 income and eligible for a fee waiver upon proof that the student is  
37 currently qualified to receive free or reduced-price lunch. Acceptable  
38 documentation of low-income status may also include, but is not limited

1 to, documentation that a student has been deemed eligible for free or  
2 reduced-price lunches in the last five years, or other criteria  
3 established in the institution's policy.

4 (b) Institutions of higher education, in collaboration with  
5 relevant student associations, shall aim to have students who can  
6 benefit from fee waivers take advantage of these waivers. Institutions  
7 shall make every effort to communicate to students and their families  
8 the benefits of the waivers and provide assistance to students and  
9 their families on how to apply. Information about waivers shall, to  
10 the greatest extent possible, be incorporated into financial aid  
11 counseling, admission information, and individual billing statements.  
12 Institutions also shall, to the greatest extent possible, use all means  
13 of communication, including but not limited to web sites, online  
14 catalogues, admission and registration forms, mass e-mail messaging,  
15 social media, and outside marketing to ensure that information about  
16 waivers is visible, compelling, and reaches the maximum number of  
17 students and families that can benefit.

18 (4) The pupil's school district shall transmit to the institution  
19 of higher education an amount per each full-time equivalent college  
20 student at statewide uniform rates for vocational and nonvocational  
21 students. The superintendent of public instruction shall separately  
22 calculate and allocate moneys appropriated for basic education under  
23 RCW 28A.150.260 to school districts for purposes of making such  
24 payments and for granting school districts seven percent thereof to  
25 offset program related costs. The calculations and allocations shall  
26 be based upon the estimated statewide annual average per full-time  
27 equivalent high school student allocations under RCW 28A.150.260,  
28 excluding small high school enhancements, and applicable rules adopted  
29 under chapter 34.05 RCW. The superintendent of public instruction,  
30 (~~the higher education coordinating board~~) participating institutions  
31 of higher education, and the state board for community and technical  
32 colleges shall consult on the calculation and distribution of the  
33 funds. The funds received by the institution of higher education from  
34 the school district shall not be deemed tuition or operating fees and  
35 may be retained by the institution of higher education. A student  
36 enrolled under this subsection shall be counted for the purpose of  
37 meeting enrollment targets in accordance with terms and conditions  
38 specified in the omnibus appropriations act.

1 (5) The state board for community and technical colleges, in  
2 collaboration with the other institutions of higher education that  
3 participate in the running start program and the office of the  
4 superintendent of public instruction, shall identify, assess, and  
5 report on alternatives for providing ongoing and adequate financial  
6 support for the program. Such alternatives shall include but are not  
7 limited to student tuition, increased support from local school  
8 districts, and reallocation of existing state financial support among  
9 the community and technical college system to account for differential  
10 running start enrollment levels and impacts. The state board for  
11 community and technical colleges shall report the assessment of  
12 alternatives to the governor and to the appropriate fiscal and policy  
13 committees of the legislature by September 1, 2010.

14 **Sec. 702.** RCW 28B.15.380 and 2010 c 261 s 4 are each amended to  
15 read as follows:

16 Subject to the limitations of RCW 28B.15.910, the governing boards  
17 of the state universities, the regional universities, and The Evergreen  
18 State College shall exempt the following students from the payment of  
19 all tuition fees and services and activities fees:

20 (1) Children of any law enforcement officer as defined in chapter  
21 41.26 RCW, firefighter as defined in chapter 41.26 or 41.24 RCW, or  
22 Washington state patrol officer who lost his or her life or became  
23 totally disabled in the line of duty while employed by any public law  
24 enforcement agency or full time or volunteer fire department in this  
25 state: PROVIDED, That such persons may receive the exemption only if  
26 they begin their course of study at a state-supported college or  
27 university within ten years of their graduation from high school; and

28 (2) Surviving spouses of any law enforcement officer as defined in  
29 chapter 41.26 RCW, firefighter as defined in chapter 41.26 or 41.24  
30 RCW, or Washington state patrol officer who lost his or her life or  
31 became totally disabled in the line of duty while employed by any  
32 public law enforcement agency or full time or volunteer fire department  
33 in this state.

34 (3) The governing boards of the state universities, the regional  
35 universities, and The Evergreen State College shall report to the  
36 (~~higher education coordinating board~~) education data center on the  
37 annual cost of tuition fees and services and activities fees waived for

1 surviving spouses and children under this section. The (~~higher~~  
2 ~~education coordinating board~~) education data center shall consolidate  
3 the reports of the waived fees and annually report to the appropriate  
4 fiscal and policy committees of the legislature.

5 **Sec. 703.** RCW 28B.15.730 and 1993 sp.s. c 18 s 27 are each amended  
6 to read as follows:

7 Subject to the limitations of RCW 28B.15.910, the state board for  
8 community and technical colleges and the governing boards of the state  
9 universities, the regional universities, the community colleges, and  
10 The Evergreen State College may waive all or a portion of the  
11 nonresident tuition fees differential for residents of Oregon, upon  
12 completion of and to the extent permitted by an agreement between the  
13 governing boards of the respective individual institutions of higher  
14 education (~~coordinating board~~) and appropriate officials and agencies  
15 in Oregon granting similar waivers for residents of the state of  
16 Washington.

17 **Sec. 704.** RCW 28B.15.732 and 2011 1st sp.s. c 11 s 153 are each  
18 amended to read as follows:

19 Prior to January 1st of each odd-numbered year the office of  
20 (~~student financial assistance~~) financial management, in consultation  
21 with appropriate agencies and officials in the state of Oregon, shall  
22 determine for the purposes of RCW 28B.15.730 the number of students for  
23 whom nonresident tuition and fees have been waived for the first  
24 academic year of the biennium and the fall term of the second academic  
25 year, and make an estimate of the number of such students for the  
26 remainder of the second academic year, and the difference between the  
27 aggregate amount of tuition and fees that would have been paid to the  
28 respective states by residents of the other state had such waivers not  
29 been made, and the aggregate amount of tuition and fees paid by  
30 residents of the other state. Should the office of (~~student financial~~  
31 ~~assistance~~) financial management determine that the state of Oregon  
32 has experienced a greater net tuition and fee revenue loss than  
33 institutions in Washington, it shall pay from funds appropriated for  
34 this purpose to the appropriate agency or institutions in Oregon an  
35 amount determined by subtracting the net tuition and fee revenue loss  
36 of Washington from the net tuition and fee revenue loss of Oregon,

1 minus twenty-five thousand dollars for each year of the biennium:  
2 PROVIDED, That appropriate officials in the state of Oregon agree to  
3 make similar restitution to the state of Washington should the net  
4 tuition and fee revenue loss in Washington be greater than that in  
5 Oregon.

6 **Sec. 705.** RCW 28B.15.734 and 1985 c 370 s 71 are each amended to  
7 read as follows:

8 The (~~higher education coordinating board~~) governing boards of the  
9 state universities, the regional universities, The Evergreen State  
10 College, and the community and technical colleges may enter into an  
11 agreement with appropriate officials or agencies in Oregon to implement  
12 the provisions of RCW 28B.15.730 through 28B.15.734.

13 **Sec. 706.** RCW 28B.15.750 and 1993 sp.s. c 18 s 29 are each amended  
14 to read as follows:

15 Subject to the limitations of RCW 28B.15.910, the governing boards  
16 of the state universities, the regional universities, and The Evergreen  
17 State College and the state board for community and technical colleges  
18 may waive all or a portion of the nonresident tuition fees differential  
19 for residents of Idaho, upon completion of and to the extent permitted  
20 by an agreement between the governing boards of the individual  
21 institutions of higher education (~~coordinating board~~) and appropriate  
22 officials and agencies in Idaho granting similar waivers for residents  
23 of the state of Washington.

24 **Sec. 707.** RCW 28B.15.752 and 2011 1st sp.s. c 11 s 154 are each  
25 amended to read as follows:

26 Prior to January 1st of each odd-numbered year, the office of  
27 (~~student financial assistance~~) financial management in consultation  
28 with appropriate agencies and officials in the state of Idaho, shall  
29 determine for the purposes of RCW 28B.15.750 the number of students for  
30 whom nonresident tuition and fees have been waived for the first  
31 academic year of the biennium and the fall term of the second academic  
32 year, and make an estimate of the number of such students for the  
33 remainder of the second academic year, and the difference between the  
34 aggregate amount of tuition and fees that would have been paid to the  
35 respective states by residents of the other state had such waivers not



1 been made, and the aggregate amount of tuition and fees paid by  
2 residents of the other state. Should the office of (~~student financial~~  
3 ~~assistance~~) financial management determine that the state of Idaho has  
4 experienced a greater net tuition and fee revenue loss than  
5 institutions in Washington, it shall pay from funds appropriated for  
6 this purpose to the appropriate agency or institution in Idaho an  
7 amount determined by subtracting the net tuition and fee revenue loss  
8 of Washington from the net tuition and fee revenue loss of Idaho, minus  
9 twenty-five thousand dollars for each year of the biennium if the  
10 appropriate officials in the state of Idaho agree to make similar  
11 restitution to the state of Washington should the net tuition and fee  
12 revenue loss in Washington be greater than that in Idaho.

13 **Sec. 708.** RCW 28B.15.756 and 1993 sp.s. c 18 s 30 are each amended  
14 to read as follows:

15 Subject to the limitations of RCW 28B.15.910, the governing boards  
16 of the state universities, the regional universities, and The Evergreen  
17 State College and the state board for community and technical colleges  
18 may waive all or a portion of the nonresident tuition fees differential  
19 for residents of the Canadian province of British Columbia, upon  
20 completion of and to the extent permitted by an agreement between the  
21 governing boards of the individual institutions of higher education  
22 (~~coordinating board~~) and appropriate officials and agencies in the  
23 Canadian province of British Columbia providing for enrollment  
24 opportunities for residents of the state of Washington without payment  
25 of tuition or fees in excess of those charged to residents of British  
26 Columbia.

27 **Sec. 709.** RCW 43.330.280 and 2009 c 565 s 14 and 2009 c 72 s 2 are  
28 each reenacted and amended to read as follows:

29 (1) The Washington state economic development commission shall,  
30 with the advice of an innovation partnership advisory group selected by  
31 the commission:

32 (a) Provide information and advice to the department of commerce to  
33 assist in the implementation of the innovation partnership zone  
34 program, including criteria to be used in the selection of grant  
35 applicants for funding;

1 (b) Document clusters of companies throughout the state that have  
2 comparative competitive advantage or the potential for comparative  
3 competitive advantage, using the process and criteria for identifying  
4 strategic clusters developed by the working group specified in  
5 subsection (2) of this section;

6 (c) Conduct an innovation opportunity analysis to identify (i) the  
7 strongest current intellectual assets and research teams in the state  
8 focused on emerging technologies and their commercialization, and (ii)  
9 faculty and researchers that could increase their focus on  
10 commercialization of technology if provided the appropriate technical  
11 assistance and resources;

12 (d) Based on its findings and analysis, and in conjunction with the  
13 (~~higher education coordinating board and~~) research institutions:

14 (i) Develop a plan to build on existing, and develop new,  
15 intellectual assets and innovation research teams in the state in  
16 research areas where there is a high potential to commercialize  
17 technologies. The commission shall present the plan to the governor  
18 and legislature by December 31, 2009. The (~~higher education~~  
19 ~~coordinating board~~) publicly funded research institutions in the state  
20 shall be responsible for implementing the plan (~~in conjunction with~~  
21 ~~the publicly funded research institutions in the state~~). The plan  
22 shall address the following elements and such other elements as the  
23 commission deems important:

24 (A) Specific mechanisms to support, enhance, or develop innovation  
25 research teams and strengthen their research and commercialization  
26 capacity in areas identified as useful to strategic clusters and  
27 innovative firms in the state;

28 (B) Identification of the funding necessary for laboratory  
29 infrastructure needed to house innovation research teams;

30 (C) Specification of the most promising research areas meriting  
31 enhanced resources and recruitment of significant entrepreneurial  
32 researchers to join or lead innovation research teams;

33 (D) The most productive approaches to take in the recruitment, in  
34 the identified promising research areas, of a minimum of ten  
35 significant entrepreneurial researchers over the next ten years to join  
36 or lead innovation research teams;

37 (E) Steps to take in solicitation of private sector support for the

1 recruitment of entrepreneurial researchers and the commercialization  
2 activity of innovation research teams; and

3 (F) Mechanisms for ensuring the location of innovation research  
4 teams in innovation partnership zones;

5 (ii) Provide direction for the development of comprehensive  
6 entrepreneurial assistance programs at research institutions. The  
7 programs may involve multidisciplinary students, faculty,  
8 entrepreneurial researchers, entrepreneurs, and investors in building  
9 business models and evolving business plans around innovative ideas.  
10 The programs may provide technical assistance and the support of an  
11 entrepreneur-in-residence to innovation research teams and offer  
12 entrepreneurial training to faculty, researchers, undergraduates, and  
13 graduate students. Curriculum leading to a certificate in  
14 entrepreneurship may also be offered;

15 (e) Develop performance measures to be used in evaluating the  
16 performance of innovation research teams, the implementation of the  
17 plan and programs under (d)(i) and (ii) of this subsection, and the  
18 performance of innovation partnership zone grant recipients, including  
19 but not limited to private investment measures, business initiation  
20 measures, job creation measures, and measures of innovation such as  
21 licensing of ideas in research institutions, patents, or other  
22 recognized measures of innovation. The performance measures developed  
23 shall be consistent with the economic development commission's  
24 comprehensive plan for economic development and its standards and  
25 metrics for program evaluation. The commission shall report to the  
26 legislature and the governor by June 30, 2009, on the measures  
27 developed; and

28 (f) Using the performance measures developed, perform a biennial  
29 assessment and report, the first of which shall be due December 31,  
30 2012, on:

31 (i) Commercialization of technologies developed at state  
32 universities, found at other research institutions in the state, and  
33 facilitated with public assistance at existing companies;

34 (ii) Outcomes of the funding of innovation research teams and  
35 recruitment of significant entrepreneurial researchers;

36 (iii) Comparison with other states of Washington's outcomes from  
37 the innovation research teams and efforts to recruit significant  
38 entrepreneurial researchers; and

1 (iv) Outcomes of the grants for innovation partnership zones.  
2 The report shall include recommendations for modifications of chapter  
3 227, Laws of 2007 and of state commercialization efforts that would  
4 enhance the state's economic competitiveness.

5 (2) The economic development commission and the workforce training  
6 and education coordinating board shall jointly convene a working group  
7 to:

8 (a) Specify the process and criteria for identification of substate  
9 geographic concentrations of firms or employment in an industry and the  
10 industry's customers, suppliers, supporting businesses, and  
11 institutions, which process will include the use of labor market  
12 information from the employment security department and local labor  
13 markets; and

14 (b) Establish criteria for identifying strategic clusters which are  
15 important to economic prosperity in the state, considering cluster  
16 size, growth rate, and wage levels among other factors.

17 **PART VIII**  
18 **DELETED REFERENCES**

19 **Sec. 801.** RCW 28A.175.130 and 2011 c 288 s 2 are each amended to  
20 read as follows:

21 (1) The pay for actual student success (PASS) program is created  
22 under this section and RCW 28A.175.135 through 28A.175.160 to invest in  
23 proven dropout prevention and intervention programs as provided in RCW  
24 28A.175.135 and provide a financial award for high schools that  
25 demonstrate improvement in the dropout prevention indicators  
26 established under RCW 28A.175.140. The legislature finds that  
27 increased accumulation of credits and reductions in incidents of  
28 student discipline lead to improved graduation rates.

29 (2) The office of the superintendent of public instruction, the  
30 workforce training and education coordinating board, the building  
31 bridges working group, the (~~higher education coordinating board,~~) and  
32 the college scholarship organization under RCW 28A.175.135(4) shall  
33 collaborate to assure that the programs under RCW 28A.175.135 operate  
34 systematically and are expanded to include as many additional students  
35 and schools as possible.

1           **Sec. 802.** RCW 28A.230.100 and 2006 c 263 s 402 and 2006 c 114 s 4  
2 are each reenacted and amended to read as follows:

3           The superintendent of public instruction, in consultation with the  
4 (~~higher education coordinating board,~~) the state board for community  
5 and technical colleges, and the workforce training and education  
6 coordinating board, shall adopt rules pursuant to chapter 34.05 RCW, to  
7 implement the course requirements set forth in RCW 28A.230.090. The  
8 rules shall include, as the superintendent deems necessary, granting  
9 equivalencies for and temporary exemptions from the course requirements  
10 in RCW 28A.230.090 and special alterations of the course requirements  
11 in RCW 28A.230.090. In developing such rules the superintendent shall  
12 recognize the relevance of vocational and applied courses and allow  
13 such courses to fulfill in whole or in part the courses required for  
14 graduation in RCW 28A.230.090, as determined by the high school or  
15 school district in accordance with RCW 28A.230.097. The rules may  
16 include provisions for competency testing in lieu of such courses  
17 required for graduation in RCW 28A.230.090 or demonstration of specific  
18 skill proficiency or understanding of concepts through work or  
19 experience.

20           **Sec. 803.** RCW 28A.600.280 and 2009 c 450 s 2 are each amended to  
21 read as follows:

22           (1) The office of the superintendent of public instruction, in  
23 collaboration with the state board for community and technical  
24 colleges, the Washington state apprenticeship and training council, the  
25 workforce training and education coordinating board, (~~the higher  
26 education coordinating board,~~) and the public baccalaureate  
27 institutions, shall report by September 1, 2010, and annually  
28 thereafter to the education and higher education committees of the  
29 legislature regarding participation in dual credit programs. The  
30 report shall include:

31           (a) Data about student participation rates and academic performance  
32 including but not limited to running start, college in the high school,  
33 tech prep, international baccalaureate, advanced placement, and running  
34 start for the trades;

35           (b) Data on the total unduplicated head count of students enrolled  
36 in at least one dual credit program course; and

1 (c) The percentage of students who enrolled in at least one dual  
2 credit program as percent of all students enrolled in grades nine  
3 through twelve.

4 (2) Data on student participation shall be disaggregated by race,  
5 ethnicity, gender, and receipt of free or reduced-price lunch.

6 **Sec. 804.** RCW 28A.600.290 and 2009 c 450 s 3 are each amended to  
7 read as follows:

8 (1) The superintendent of public instruction, the state board for  
9 community and technical colleges, (~~the higher education coordinating~~  
10 ~~board,~~) and the public baccalaureate institutions shall jointly  
11 develop and each adopt rules governing the college in the high school  
12 program. The association of Washington school principals shall be  
13 consulted during the rules development. The rules shall be written to  
14 encourage the maximum use of the program and may not narrow or limit  
15 the enrollment options.

16 (2) College in the high school programs shall each be governed by  
17 a local contract between the district and the institution of higher  
18 education, in compliance with the guidelines adopted by the  
19 superintendent of public instruction, the state board for community and  
20 technical colleges, and the public baccalaureate institutions.

21 (3) The college in the high school program must include the  
22 provisions in this subsection.

23 (a) The high school and institution of higher education together  
24 shall define the criteria for student eligibility. The institution of  
25 higher education may charge tuition fees to participating students.

26 (b) School districts shall report no student for more than one  
27 full-time equivalent including college in the high school courses.

28 (c) The funds received by the institution of higher education may  
29 not be deemed tuition or operating fees and may be retained by the  
30 institution of higher education.

31 (d) Enrollment information on persons registered under this section  
32 must be maintained by the institution of higher education separately  
33 from other enrollment information and may not be included in official  
34 enrollment reports, nor may such persons be considered in any  
35 enrollment statistics that would affect higher education budgetary  
36 determinations.

1 (e) A school district must grant high school credit to a student  
2 enrolled in a program course if the student successfully completes the  
3 course. If no comparable course is offered by the school district, the  
4 school district superintendent shall determine how many credits to  
5 award for the course. The determination shall be made in writing  
6 before the student enrolls in the course. The credits shall be applied  
7 toward graduation requirements and subject area requirements. Evidence  
8 of successful completion of each program course shall be included in  
9 the student's secondary school records and transcript.

10 (f) An institution of higher education must grant college credit to  
11 a student enrolled in a program course if the student successfully  
12 completes the course. The college credit shall be applied toward  
13 general education requirements or major requirements. If no comparable  
14 course is offered by the college, the institution of higher education  
15 at which the teacher of the program course is employed shall determine  
16 how many credits to award for the course and whether the course  
17 fulfills general education or major requirements. Evidence of  
18 successful completion of each program course must be included in the  
19 student's college transcript.

20 (g) Eleventh and twelfth grade students or students who have not  
21 yet received a high school diploma or its equivalent and are eligible  
22 to be in the eleventh or twelfth grades may participate in the college  
23 in the high school program.

24 (h) Participating school districts must provide general information  
25 about the college in the high school program to all students in grades  
26 ten, eleven, and twelve and to the parents and guardians of those  
27 students.

28 (i) Full-time and part-time faculty at institutions of higher  
29 education, including adjunct faculty, are eligible to teach program  
30 courses.

31 (4) The definitions in this subsection apply throughout this  
32 section.

33 (a) "Institution of higher education" has the meaning in RCW  
34 28B.10.016 and also includes a public tribal college located in  
35 Washington and accredited by the Northwest commission on colleges and  
36 universities or another accrediting association recognized by the  
37 United States department of education.

1 (b) "Program course" means a college course offered in a high  
2 school under the college in the high school program.

3 **Sec. 805.** RCW 28A.700.020 and 2008 c 170 s 102 are each amended to  
4 read as follows:

5 (1) The office of the superintendent of public instruction, in  
6 consultation with the workforce training and education coordinating  
7 board, the Washington state apprenticeship and training council, and  
8 the state board for community and technical colleges, shall develop a  
9 list of statewide high-demand programs for secondary career and  
10 technical education. The list shall be developed using the high-demand  
11 list maintained by workforce development councils in consultation with  
12 the employment security department, and the high employer demand  
13 programs of study identified by the workforce training and education  
14 coordinating board(~~, and the high employer demand programs of study~~  
15 ~~identified by the higher education coordinating board~~). Local school  
16 districts may recommend additional high-demand programs in consultation  
17 with local career and technical education advisory committees by  
18 submitting evidence of local high demand.

19 (2) As used in this section and in RCW 28A.700.040, 28A.700.050,  
20 and 28A.700.060, and section 307 of this act:

21 (a) "High-demand program" means a career and technical education  
22 program that prepares students for either a high employer demand  
23 program of study or a high-demand occupation, or both.

24 (b) "High employer demand program of study" means an apprenticeship  
25 or an undergraduate or graduate certificate or degree program in which  
26 the number of students per year prepared for employment from in-state  
27 programs is substantially fewer than the number of projected job  
28 openings per year in that field, either statewide or in a substate  
29 region.

30 (c) "High-demand occupation" means an occupation with a substantial  
31 number of current or projected employment opportunities.

32 **Sec. 806.** RCW 28A.700.060 and 2008 c 170 s 107 are each amended to  
33 read as follows:

34 (1) The office of the superintendent of public instruction, the  
35 workforce training and education coordinating board, the state board  
36 for community and technical colleges, (~~the higher education~~



1 ~~coordinating board,~~) and the council of presidents shall work with  
2 local school districts, workforce education programs in colleges, tech  
3 prep consortia, and four-year institutions of higher education to  
4 develop model career and technical education programs of study as  
5 described by this section.

6 (2) Career and technical education programs of study:

7 (a) Incorporate secondary and postsecondary education elements;

8 (b) Include coherent and rigorous academic content aligned with  
9 state learning standards and relevant career and technical content in  
10 a coordinated, nonduplicative progression of courses that are aligned  
11 with postsecondary education in a related field;

12 (c) Include opportunities for students to earn dual high school and  
13 college credit; and

14 (d) Lead to an industry-recognized credential or certificate at the  
15 postsecondary level, or an associate or baccalaureate degree.

16 (3) During the 2008-09 school year, model career and technical  
17 education programs of study shall be developed for the following  
18 high-demand programs: Construction, health care, and information  
19 technology. Each school year thereafter, the office of the  
20 superintendent of public instruction, the state board for community and  
21 technical colleges, (~~the higher education coordinating board,~~) and  
22 the workforce training and education coordinating board shall select  
23 additional programs of study to develop, with a priority on high-demand  
24 programs as identified under RCW 28A.700.020.

25 **Sec. 807.** RCW 28B.15.796 and 1991 c 228 s 4 are each amended to  
26 read as follows:

27 The council of presidents(~~(, in consultation with the higher~~  
28 ~~education coordinating board,~~) shall convene a task force of  
29 representatives from the four-year universities and colleges. The task  
30 force shall:

31 (1) Review institutional policies and procedures designed to ensure  
32 that faculty and teaching assistants are able to communicate  
33 effectively with undergraduate students in classrooms and laboratories;

34 (2) Research methods and procedures designed to improve the  
35 communication and teaching skills of any person funded by state money  
36 who instructs undergraduate students in classrooms and laboratories;

1 (3) Share the results of that research with each participating  
2 university and college; and

3 (4) Work with each participating university and college to assist  
4 the institution in its efforts to improve the communication and  
5 pedagogical skills of faculty and teaching assistants instructing  
6 undergraduate students.

7 **Sec. 808.** RCW 28B.20.308 and 2009 c 466 s 2 are each amended to  
8 read as follows:

9 (1) A global Asia institute is created within the Henry M. Jackson  
10 School of International Studies. The mission of the institute is to  
11 promote the understanding of Asia and its interactions with Washington  
12 state and the world. The institute shall host visiting scholars and  
13 policymakers, sponsor programs and learning initiatives, engage in  
14 collaborative research projects, and facilitate broader understanding  
15 and cooperation between the state of Washington and Asia through  
16 general public programs and targeted collaborations with specific  
17 communities in the state.

18 (2) Within existing resources, a global Asia institute advisory  
19 board is established. The director of the Henry M. Jackson School of  
20 International Studies shall appoint members of the advisory board and  
21 determine the advisory board's roles and responsibilities. The board  
22 shall include members representing academia, business, and government.

23 ~~((3) The higher education coordinating board may solicit, accept,~~  
24 ~~receive, and administer federal funds or private funds, in trust or~~  
25 ~~otherwise, and contract with foundations or with for profit or~~  
26 ~~nonprofit organizations to support the purposes of this section.))~~

27 **Sec. 809.** RCW 28B.20.478 and 2009 c 465 s 1 are each amended to  
28 read as follows:

29 ~~((1))~~ A University of Washington center for human rights is  
30 created. The mission of the center is to expand opportunities for  
31 Washington residents to receive a world-class education in human  
32 rights, generate research data and expert knowledge to enhance public  
33 and private policymaking, and become an academic center for human  
34 rights teaching and research in the nation. The center shall align  
35 with the founding principles and philosophies of the United States of  
36 America and engage faculty, staff, and students in service to enhance

1 the promise of life and liberty as outlined in the Preamble of the  
2 United States Constitution. Key substantive issues for the center  
3 include: The rights of all persons to security against violence; the  
4 rights of immigrants, native Americans, and ethnic or religious  
5 minorities; human rights and the environment; health as a human right;  
6 human rights and trade; the human rights of working people; and women's  
7 rights as human rights. State funds may not be used to support the  
8 center for human rights created in this section.

9 ~~((2) The higher education coordinating board and the University of  
10 Washington may solicit, accept, receive, and administer federal funds  
11 or private funds, in trust or otherwise, and contract with foundations  
12 or with for-profit or nonprofit organizations to support the purposes  
13 of this section.))~~

14 **Sec. 810.** RCW 28B.30.530 and 2010 c 165 s 3 are each amended to  
15 read as follows:

16 (1) The board of regents of Washington State University shall  
17 establish the Washington State University small business development  
18 center.

19 (2) The center shall provide management and technical assistance  
20 including but not limited to training, counseling, and research  
21 services to small businesses throughout the state. The center shall  
22 work with the department of commerce, the state board for community and  
23 technical colleges, ~~((the higher education coordinating board,))~~ the  
24 workforce training and education coordinating board, the employment  
25 security department, the Washington state economic development  
26 commission, associate development organizations, and workforce  
27 development councils to:

28 (a) Integrate small business development centers with other state  
29 and local economic development and workforce development programs;

30 (b) Target the centers' services to small businesses;

31 (c) Tailor outreach and services at each center to the needs and  
32 demographics of entrepreneurs and small businesses located within the  
33 service area;

34 (d) Establish and expand small business development center  
35 satellite offices when financially feasible; and

36 (e) Coordinate delivery of services to avoid duplication.

1 (3) The administrator of the center may contract with other public  
2 or private entities for the provision of specialized services.

3 (4) The small business development center may accept and disburse  
4 federal grants or federal matching funds or other funds or donations  
5 from any source when made, granted, or donated to carry out the  
6 center's purposes. When drawing on funds from the business assistance  
7 account created in RCW 28B.30.531, the center must first use the funds  
8 to make increased management and technical assistance available to  
9 existing small businesses and start-up businesses at satellite offices.  
10 The funds may also be used to develop and expand assistance programs  
11 such as small business planning workshops and small business  
12 counseling.

13 (5) By December 1, 2010, the center shall provide a written  
14 progress report and a final report to the appropriate committees of the  
15 legislature with respect to the requirements in subsection (2) of this  
16 section and the amount and use of funding received through the business  
17 assistance account. The reports must also include data on the number,  
18 location, staffing, and budget levels of satellite offices;  
19 affiliations with community colleges, associate development  
20 organizations or other local organizations; the number, size, and type  
21 of small businesses assisted; and the types of services provided. The  
22 reports must also include information on the outcomes achieved, such as  
23 jobs created or retained, private capital invested, and return on the  
24 investment of state and federal dollars.

25 (6)(a) Subject to the availability of amounts appropriated for this  
26 specific purpose, by December 1, 2010, the center, in conjunction with  
27 the department of commerce, must prepare and present to the governor  
28 and appropriate legislative committees a specific, actionable plan to  
29 increase access to capital and technical assistance to small businesses  
30 and entrepreneurs beginning with the 2011-2013 biennium. In developing  
31 the plan, the center and the department may consult with the Washington  
32 state microenterprise association, and with other government,  
33 nonprofit, and private organizations as necessary. The plan must  
34 identify:

35 (i) Existing sources of capital and technical assistance for small  
36 businesses and entrepreneurs;

37 (ii) Critical gaps and barriers to availability of capital and  
38 delivery of technical assistance to small businesses and entrepreneurs;

1 (iii) Workable solutions to filling the gaps and removing barriers  
2 identified in (a)(ii) of this subsection; and

3 (iv) The financial resources and statutory changes necessary to put  
4 the plan into effect beginning with the 2011-2013 biennium.

5 (b) With respect to increasing access to capital, the plan must  
6 identify specific, feasible sources of capital and practical mechanisms  
7 for expanding access to it.

8 (c) The center and the department must include, within the analysis  
9 and recommendations in (a) of this subsection, any specific gaps,  
10 barriers, and solutions related to rural and low-income communities and  
11 small manufacturers interested in exporting.

12 **Sec. 811.** RCW 43.43.934 and 2010 1st sp.s. c 7 s 45 are each  
13 amended to read as follows:

14 The director of fire protection shall:

15 (1)(a)(i) With the state board for community and technical  
16 colleges, provide academic, vocational, and field training programs for  
17 the fire service; and (ii) with the (~~higher education coordinating~~  
18 ~~board and the~~) state colleges and universities, provide instructional  
19 programs requiring advanced training, especially in command and  
20 management skills;

21 (b) Cooperate with the common schools, technical and community  
22 colleges, institutions of higher education, and any department or  
23 division of the state, or of any county or municipal corporation in  
24 establishing and maintaining instruction in fire service training and  
25 education in accordance with any act of congress and legislation  
26 enacted by the legislature in pursuance thereof and in establishing,  
27 building, and operating training and education facilities.

28 Industrial fire departments and private fire investigators may  
29 participate in training and education programs under this chapter for  
30 a reasonable fee established by rule;

31 (c) Develop and adopt a master plan for constructing, equipping,  
32 maintaining, and operating necessary fire service training and  
33 education facilities subject to the provisions of chapter 43.19 RCW;

34 (d) Develop and adopt a master plan for the purchase, lease, or  
35 other acquisition of real estate necessary for fire service training  
36 and education facilities in a manner provided by law; and

1 (e) Develop and adopt a plan with a goal of providing firefighter  
2 one and wildland training to all firefighters in the state. Wildland  
3 training reimbursement will be provided if a fire protection district  
4 or a city fire department has and is fulfilling their interior attack  
5 policy or if they do not have an interior attack policy. The plan will  
6 include a reimbursement for fire protection districts and city fire  
7 departments of not less than three dollars for every hour of  
8 firefighter one or wildland training. The Washington state patrol  
9 shall not provide reimbursement for more than two hundred hours of  
10 firefighter one or wildland training for each firefighter trained.

11 (2)(a) Promote mutual aid and disaster planning for fire services  
12 in this state;

13 (b) Assure the dissemination of information concerning the amount  
14 of fire damage including that damage caused by arson, and its causes  
15 and prevention; and

16 (c) Implement any legislation enacted by the legislature to meet  
17 the requirements of any acts of congress that apply to this section.

18 (3) In carrying out its statutory duties, the office of the state  
19 fire marshal shall give particular consideration to the appropriate  
20 roles to be played by the state and by local jurisdictions with fire  
21 protection responsibilities. Any determinations on the division of  
22 responsibility shall be made in consultation with local fire officials  
23 and their representatives.

24 To the extent possible, the office of the state fire marshal shall  
25 encourage development of regional units along compatible geographic,  
26 population, economic, and fire risk dimensions. Such regional units  
27 may serve to: (a) Reinforce coordination among state and local  
28 activities in fire service training, reporting, inspections, and  
29 investigations; (b) identify areas of special need, particularly in  
30 smaller jurisdictions with inadequate resources; (c) assist the state  
31 in its oversight responsibilities; (d) identify funding needs and  
32 options at both the state and local levels; and (e) provide models for  
33 building local capacity in fire protection programs.

34 **Sec. 812.** RCW 43.43.938 and 2010 1st sp.s. c 7 s 46 are each  
35 amended to read as follows:

36 (1) Wherever the term state fire marshal appears in the Revised

1 Code of Washington or the Washington Administrative Code it shall mean  
2 the director of fire protection.

3 (2) The chief of the Washington state patrol shall appoint an  
4 officer who shall be known as the director of fire protection.

5 (3) The director of fire protection may designate one or more  
6 deputies and may delegate to those deputies his or her duties and  
7 authorities as deemed appropriate.

8 (4) The director of fire protection shall prepare a biennial budget  
9 pertaining to fire protection services. Such biennial budget shall be  
10 submitted as part of the Washington state patrol's budget request.

11 (5) The director of fire protection, shall implement and  
12 administer, within constraints established by budgeted resources, all  
13 duties of the chief of the Washington state patrol that are to be  
14 carried out through the director of fire protection, and all of the  
15 duties of the director of fire protection. Such administration shall  
16 include negotiation of agreements with the state board for community  
17 and technical colleges(~~(, the higher education coordinating board,)~~)  
18 and the state colleges and universities as provided in RCW 43.43.934.  
19 Programs covered by such agreements shall include, but not be limited  
20 to, planning curricula, developing and delivering instructional  
21 programs and materials, and using existing instructional personnel and  
22 facilities. Where appropriate, such contracts shall also include  
23 planning and conducting instructional programs at the state fire  
24 service training center.

25 **Sec. 813.** RCW 43.60A.151 and 2007 c 451 s 3 are each amended to  
26 read as follows:

27 (1) The department shall assist veterans enrolled in the veterans  
28 conservation corps with obtaining employment in conservation programs  
29 and projects that restore Washington's natural habitat, maintain and  
30 steward local, state, and federal forest lands and other outdoor lands,  
31 maintain and improve urban and suburban storm water management  
32 facilities and other water management facilities, and other  
33 environmental maintenance, stewardship, and restoration projects. The  
34 department shall consult with the workforce training and education  
35 coordinating board, the state board for community and technical  
36 colleges, (~~(the higher education coordinating board,)~~) the employment  
37 security department, and other state agencies administering

1 conservation corps programs, to incorporate training, education, and  
2 certification in environmental restoration and management fields into  
3 the program. The department may enter into agreements with community  
4 colleges, private schools, state or local agencies, or other entities  
5 to provide training and educational courses as part of the enrollee  
6 benefits from the program.

7 (2) The department may receive gifts, grants, federal funds, or  
8 other moneys from public or private sources, for the use and benefit of  
9 the veterans conservation corps program. The funds shall be deposited  
10 to the veterans conservation corps account created in RCW 43.60A.153.

11 (3) The department shall submit a report to the appropriate  
12 committees of the legislature by December 1, 2008, on the status of the  
13 veterans conservation corps program, including the number of enrollees  
14 employed in projects, training provided, certifications earned,  
15 employment placements achieved, program funding provided from all  
16 sources, and the results of the pilot project authorized in section 4,  
17 chapter 451, Laws of 2007.

18 **PART IX**

19 **MISCELLANEOUS PROVISIONS**

20 **Sec. 901.** 2011 1st sp.s. c 11 s 244 (uncodified) is amended to  
21 read as follows:

22 The following acts or parts of acts, as now existing or hereafter  
23 amended, are each repealed, effective July 1, 2012:

24 (1) RCW 28B.76.010 (Board created) and 1985 c 370 s 1;

25 (2) RCW 28B.76.030 (Purpose) and 2004 c 275 s 1;

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

28 (4) RCW 28B.76.050 (Members--Terms) and 2007 c 458 s 101, 2004 c  
29 275 s 3, 2002 c 129 s 2, & 1985 c 370 s 11;

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

31 (6) RCW 28B.76.070 (Bylaws--Meetings) and 1985 c 370 s 13;

32 (7) RCW 28B.76.080 (Members--Compensation and travel expenses) and  
33 1985 c 370 s 16, 1984 c 287 s 65, 1975-'76 2nd ex.s. c 34 s 77, & 1969  
34 ex.s. c 277 s 12;

35 (8) RCW 28B.76.200 (Statewide strategic master plan for higher



1 education--Institution-level strategic plans) and 2007 c 458 s 201,  
2 2004 c 275 s 6, & 2003 c 130 s 2;

3 (9) RCW 28B.76.260 (Statewide system of course equivalency--Work  
4 group) and 2004 c 55 s 3;

5 (10) (~~RCW 28B.76.280 (Data collection and research Privacy~~  
6 ~~protection) and 2010 1st sp.s. c 7 s 58 & 2004 c 275 s 12;~~

7 ~~(11))~~ RCW 28B.76.330 (Coordination, articulation, and transitions  
8 among systems of education--Biennial updates to legislature) and 2004  
9 c 275 s 17 & 1994 c 222 s 3; and

10 ~~((12))~~ (11) RCW 28B.76.530 (Board may develop and administer  
11 demonstration projects) and 1989 c 306 s 2.

12 NEW SECTION. Sec. 902. Sections 102 through 110, 112, and 115 of  
13 this act are each added to chapter 28B.77 RCW.

14 NEW SECTION. Sec. 903. RCW 28B.76.110, 28B.76.210, 28B.76.230,  
15 28B.76.235, 28B.76.240, 28B.76.2401, 28B.76.270, 28B.76.280,  
16 28B.76.325, 28B.76.510, and 28B.76.695 are each recodified as sections  
17 in chapter 28B.77 RCW.

18 NEW SECTION. Sec. 904. RCW 28B.76.310 is recodified as a section  
19 in chapter 43.41 RCW.

20 NEW SECTION. Sec. 905. RCW 28B.10.125 is decodified.

21 NEW SECTION. Sec. 906. Sections 567 and 621 of this act expire  
22 June 30, 2013.

23 NEW SECTION. Sec. 907. Sections 101, 112, 122, 126, 401, 501  
24 through 594, 601 through 620, 701 through 709, 801 through 813, and 903  
25 of this act take effect July 1, 2012.

26 NEW SECTION. Sec. 908. Sections 105 and 901 of this act are  
27 necessary for the immediate preservation of the public peace, health,  
28 or safety, or support of the state government and its existing public  
29 institutions, and take effect immediately.

--- END ---